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UTT/0270/07/FUL - CLAVERING

Erection of eight dwellings, construction of new pedestrian and vehicular access. Alteration of existing dwelling including erection of garage and carport

Location: Land at Barlee Close. GR/TL 474-314.

Applicant: B F Contracts Ltd

Agent: Andrew Martin Associates

Case Officer: Mr T Morton 01799 510654

Expiry Date: 13/04/2007

Classification: MINOR

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: The site stands on the corner of Barlee Close and Stortford Road and comprises an area of 1763sq.m of open land, and also includes part of the rear gardens of the existing houses at numbers 1 and 2 Stortford Cottages. On the opposite of Barlee Close is the village shop, with two-storey houses at the eastern end of the site facing towards it across the width of the road.

DESCRIPTION OF PROPOSAL: Redevelopment to retain 2 existing dwellings and provide 8 new dwellings in a 'terrace' form with a parking courtyard to their rear.

APPLICANT'S CASE including Design & Access statement: A lengthy statement has been submitted, which is available in full on file and sets out a detailed analysis of the site and surrounding context, policy and design principles. The following extract has been copied from it;

- 7.0 Summary and Conclusions
- 7.1 The contextual assessment of the Barlee Close site has highlighted the physical constraints, and economic and social problems to which the design responds.
- 7.2 The proposals can be accommodated within Barlee Close without detriment to the character of the surrounding area.
- 7.3 The proposals can be accommodated without detriment to the amenity of neighbouring residential properties. The layout is designed to respect the character of the location and amenity of neighbouring properties and deliver a modest housing development.
- 7.4 On this basis, it is considered that the proposal represents a sustainable and responsive design, which relates directly to its physical, social and environmental context and reflects the requirements of national and local planning policy.

A separate supporting statement is also submitted which additionally reviews planning policy and concludes that the proposal is in accord with policy aims.

RELEVANT HISTORY: UTT/0771/05/FUL Proposed erection of eight dwellings and garaging. REFUSED 25 July 2005. The reason for refusal was:

The proposed development is considered to be an overdevelopment of the site, which would be out of keeping with its surroundings, to the detriment of the character and appearance of this rural village. The area is characterised by a more loose-knit and spacious pattern of development and the proposed terrace would appear unacceptably cramped in the street scene. The proposal is therefore considered to be contrary to the aims of the Essex & Southend on Sea Replacement Structure Plan Policy CS2 and contrary to Policies GEN 2 and S2 of the adopted Uttlesford Local Plan.

UTT/1460/05/FUL Proposed erection of six dwellings and garages, construction of new pedestrian and vehicular access; alterations to existing dwellings including an erection of a garage. APPROVED 03 November 2005.

UTT/1481/06/FUL Erection of 8 houses etc. REFUSED by Committee 2 November 2006

UTT/0178/07/FUL Redevelopment to retain 2 existing dwellings and provide 8 new dwellings with a parking courtyard to their rear refused.

CONSULTATIONS: Essex County Council Highways: No objection subject to conditions.

Thames Water: General advice on making sewerage connections is offered.

Building Control: Plots 3,4,9 and 10 do not meet the required 900mm clear width of lifetime homes standard number 12.

PARISH COUNCIL COMMENTS: Recommend refusal of this application as considered 8 houses is too many for this site and the previous permission for 6 houses was adequate. It is still considered that terracing to this degree is not in keeping with the surrounding residential area, and not suited to a rural environment. It was noted that the Council had also objected to a previous application for a more spacious layout, now under Appeal.

REPRESENTATIONS: Three representations received. Notification period expired 12 March 2007.

Objections are raised to;

The plan is the same as all the others already refused, to which objections were also made.

The scheme is an overdevelopment of the land and there are too many houses for such a small plot of land.

COMMENTS ON REPRESENTATIONS: Noted. Most of these issues are discussed in the following Considerations section.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are:

- 1) **Principle and Density of development (ERSP Policies BE1, CS1, CS2 & ULP Policies S3, H3.);**
- 2) **Design and amenity (ERSP Policy H4 & ULP Policy GEN2);**
- 3) **Parking provision and traffic issues (ERSP Policies T3, T12 & ULP Policy GEN8);**
- 4) **Other material planning considerations.**

1) The development site lies within the Development Limit of Clavering and therefore in principle the proposal is acceptable. Compliance with planning standards and other policies is discussed further below.

This submission returns to the concept of a row or terrace of 8 dwellings as submitted under reference UTT/0771/05/FUL. That application was recommended for approval by officers as being a design that complied with the spirit of the Essex Design Guide and was not considered to be an excessive density of development, however the Development Control Committee considered the report and resolved to refuse the application for the following reason:

“The proposed development is considered to be an overdevelopment of the site, which would be out of keeping with its surroundings, to the detriment of the character and appearance of this rural village. The area is characterised by a more loose-knit and spacious pattern of development, and the proposed terrace would appear unacceptably cramped in the street scene. The proposal is therefore considered to be contrary to the aims of the Essex & Southend on Sea Replacement Structure Plan Policy CS2 and contrary to Policies GEN 2 and S2 of the adopted Uttlesford Local Plan”.

The proposed 8 houses equate to a density of 44 dwellings per hectare, which is within the range of 30 to 50 dwellings per hectare set out in PPG3, however, the residential density in Clavering is much lower, and for example the row of houses on the east side of Stortford Road from 1 The Hyde to 1 Stortford Cottages (25 dwellings) equates to approximately 17 dwellings per hectare. The density of the recent affordable housing on an “exceptions” site to the south of the adjacent supermarket is approximately 25 dwellings per hectare. The approved 6 new houses on this site with the two existing equate to a density of 32 dwellings per hectare (UTT/1460/05/FUL).

In terms of sustainable location, the nearby village shop and school will provide reasonable access to shops and services without need for the everyday use of the car, and the development would help to support local services and facilities.

The Council has consistently resisted the development of the site with 8 units, and those decisions are material considerations in the determination of this application. On Balance the proposal is still considered to be an overdevelopment.

2) The context of the site is that of a rural village, with its more historic core set to the north and with the Stortford Road area having a mixed character with a wide range of detached house types with space around each dwelling. To the east of the application site are modern two storey houses approved in 1994 as low cost rural housing. To the south of the site beyond the supermarket stands a recently completed development of affordable housing on an “exceptions” site which has used the principles of the Essex Design Guide to provide an attractive development based upon vernacular designs. The density of that scheme is approximately 25 dwellings per hectare.

The proposed design is based upon the principles of the Essex Design Guide, which aims to promote the use of traditional forms of building appropriate to Essex, whilst achieving the more efficient use of land called for in PPS3 to meet sustainability objectives. The principles call for parking provision to be made to the rear of houses, rather than intruding into the street, and the houses themselves are to be linked to create a street scene rather than perpetuate the ‘just detached’ form of layout found on housing estates of the past. The proposed houses are thus arranged as a linked terrace with a varied front elevation and varied height with end units that make corner features and relate to both frontages. Due to the prominent location opposite the village shop, the development will be highly visible in the public domain. The form of development is considered inappropriate in this rural context, and this incompatible development would be very obvious and prominent.

The houses in Barlee Close are separated from the proposed development by the width of the road and the length of their own front gardens, and at this distance their windows will not suffer any material loss of daylight. Traffic to the parking courtyard will have to pass close to the front of those houses.

The gardens of the houses at 1 and 2 Stortford Cottages are reduced in length by about half, but the remaining area is considered to be more than adequate for houses of this size.

3) New development should be designed to make appropriate provision for access for all forms of transport and should promote high standards of road safety. Parking provision is to be made in accordance with published parking standards. The parking standards suggest that 2 spaces be provided per dwelling and this provision is shown. There is no need for any occupier to park on the street, though of course it is common for visitors to houses to park on-street, and that could cause conflicts with other residents and the supermarket.

4) No other issues arise.

CONCLUSIONS: The proposed development is considered to be an overdevelopment of the site incompatible with the form and character of the surrounding pattern of development.

RECOMMENDATION: REFUSAL REASON

The proposed development is considered to be an overdevelopment of the site, which would be out of keeping with its surroundings, to the detriment of the character and appearance of this rural village. The area is characterised by a more loose-knit and spacious pattern of development, and the proposed terrace would appear unacceptably cramped in the street scene and incompatible with the settlement's character and overall residential density. The proposal is therefore considered to be contrary to the aims of the Essex & Southend on Sea Replacement Structure Plan Policies CS2 and BE1 and contrary to Policies GEN 2 and S3 of the adopted Uttlesford Local Plan.

Background papers: see application file.

UTT/2097/06/FUL - TAKELEY

Erection of 10 houses with access, garaging, and parking
Location: Land adj Westwood House. GR/TL 548-211.
Applicant: C S Group
Agent: Fibbens Fox Associates Limited
Case Officer: Miss K Benjafield 01799 510494
Expiry Date: 11/04/2007
Classification: MAJOR

NOTATION: Within Development Limits/Adjacent to Flitch Way County Wildlife Site.

DESCRIPTION OF SITE: The site is located on the southern side of the B1256 at the eastern end of Takeley Street and forms part of a former builders yard. There is one new dwelling located on the western half of the frontage and the Flitch Way footpath forms the rear boundary. The site is now clear and consists of mostly scrub and earth. The site area is approximately 0.31ha which is larger than the previous application sites. This is due to an area of land to the southeast being incorporated into the site and results in the southeast boundary of the site adjoining the newly constructed development to the east.

DESCRIPTION OF PROPOSAL: This application proposes the erection of 10 dwellings on the site with a density of 32dph. The dwellings would consist of 4 pairs of semi-detached two-storey properties, 2 detached two-storey property and a detached chalet style property. The characteristics of the dwellings and plots are detailed in the table below.

Plot	Maximum height	Bedroom no.	Private amenity area
1	8.5m	3	70m ²
2	8.5m	3	88m ²
3	6.8m	2	112m ²
4	8.4m	4	198m ²
5	8.5m	3	159m ²
6	8.5m	3	126m ²
7	8.4m	3	101m ²
8	8.4m	3	98m ²
9	8.4m	3	112m ²
10	8.4m	3	108m ²

The parking provision for the proposed dwellings would consist of a combination of garaging and parking spaces. Plots 1 and 2 would share a garage building and would have two spaces in front of the garage. Plot 3 would have an attached single garage with a space to the front. Plot 4 would have a single garage with an adjacent parking space. Plots 5 and 6 would both have single attached garages with a parking space to the front. Plots 7 and 8 would have no garaging but would each have 2 parking spaces. Plots 9 and 10 would have a single attached garage and would each have a single parking space adjacent to the garaging.

APPLICANT'S CASE including Design & Access statement: See letter dated 21 December attached at end of report in addition to:

Context – The site is within an area of predominantly residential use and is immediately to the west of a new development of similar properties that is currently being marketed and is selling well, indicating the need for such development. The dwellings are two-storey in height as are the neighbouring properties.

Use – The mix of two, three and four bedroom properties proposed will provide a range of accommodation and price to suit a variety of families. The layout of the site and plans avoiding overlooking and offloading privacy to neighbouring properties and within the site will avoid annoyance.

Amount – The proposed 10 no. dwellings on the site of 0.34ha equates to a density of 34 dwellings per hectare which is within the local authority guidelines of between 30-50dph. The plot sizes are comparable if not better than similar local developments.

Layout – The ten dwellings have front and rear private gardens and are served by a single cul-de-sac access road with turning heads for service vehicles. All rear gardens are secure and private and will be grassed and landscaped so as to be inviting for the residents.

Scale – The two-storey dwellings have similar residential development to the east and west and north on the other side of the road and is bounded to the south by a public footpath on top of the former railway embankment. The development will not be intrusive and will sit comfortably within the local surroundings.

Landscaping – The proposed dwellings will have front gardens facing onto the road and will be grassed with access paths and areas of perennial and evergreen planting. Other areas of planting will enhance the appearance of the development when viewed from the access road and make the whole development inviting.

Appearance - The materials will be similar to those used on adjacent development and will help visually relate the proposals to its surroundings.

Access – The development is accessed along a “shared access” drive which allows for a delineated pedestrian walkway along the roadway for safety. The site lies adjacent to the A120 road which accesses the facilities and services of Bishop’s Stortford and Great Dunmow either by private vehicles or the bus services.

RELEVANT HISTORY: Erection of 5 detached two-storey dwellings with garages and associated works conditionally approved 2003. Erection of 11 dwellings and new access refused 2004 and appeal dismissed June 2005. Erection of 8 dwellings withdrawn by applicant September 2005. Erection of 4 no. detached dwellings and 2 no. pairs of semi-detached dwellings with garages, construction of new pedestrian and vehicular access refused August 2006. Construction of new access, erection of 10 new dwellings with garages/parking refused August 2006.

CONSULTATIONS: Thames Water: No objection.

BAA Safeguarding: No objection. Makes observations regarding the use of cranes and landscaping of the site.

Natural England: Objects to the proposal on the basis of insufficient survey information.

Building Control: Surveyors – No objection.

Accessibility – 1. From attached drawings the threshold does not appear level

2. Confirm internal doors meet the 750mm clear opening width.

3. Unit 5 – accessible by wheelchair lift – needs to be installed as part of SPG.

4. Ensure glazing line in living/dining/bedrooms is no higher than 810mm above 700mm floor level.

Environment Agency: Suggests that the development incorporates principles of sustainable construction and design and provides information regarding surface water drainage.

Recommends a condition to be imposed and informatives.

ECC TOPS: No objections subject to conditions and a request for a financial contribution.

ECC Archaeology: The Essex Historic Environment Record identifies the proposed development to be in a potentially significant area of archaeological deposits. Recommends archaeological trial trenches followed by excavation.

Drainage Engineer: There have been a number of recorded flooding events around the ditch at the rear of this site which have affected adjoining property and the Hatfield Forest road. I note that surface water drainage disposal is stated as to “existing system”. There will be a significantly increased impervious area as a result of this proposal and unless soakaways designed in accordance with BRE Digest 365 are adopted as the means of surface water

disposal, it is imperative that the discharge into the local drainage network is restricted to a level no greater, and preferably less, than that existing currently. Recommend that as a minimum a condition requiring details of the surface water drainage to be submitted and approved by the LPA is added to any approval.

PARISH COUNCIL COMMENTS: Object:

- overdevelopment and concentration of development in one small pocket of land adjacent to The Street.
- Government guidelines regarding density of new build do not and cannot ignore the resultant detrimental impact on rural and village locations. Agreement to this proposal, especially when considering the joint impact with the Brookside development would severely damage the rural nature of this part of the village and general amenity for those living close to the site.
- Agreement to this proposal would set a dangerous and unsatisfactory precedent and will by itself or cumulatively erode the area and countryside and lead to further applications along The Street.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 8 February.

PLANNING CONSIDERATIONS: The main issues are whether the proposals comply with policies relating to Backland Development, Design, Vehicle Parking Standards (ERSP Policies H3, H4, T3, T4, T6, T8, T11 & ULP Policies H4, GEN2, GEN8) or there are any other material considerations.

This site currently benefits from planning permission for 5 dwellings and therefore it is recognised that development of the site for residential purposes will be acceptable in principle. However any proposed development will need to address the issues contained in the Inspector's decision when dismissing the appeal for 11 dwellings in June 2005 in addition to complying with any relevant Development Plan policies.

The Inspector's comments were generally that the proposal would have created a high density suburban form of development in an essentially rural area which would be detrimental to the character of the area. In addition, by developing in depth from the main road, the resultant development would be incompatible with the character of the settlement. There would also be too many houses on the site which would result in conflict between pedestrians and cars in addition to a poor standard of amenity and aspect for the residents of some of the dwellings. The previous two applications were refused in August 2006 for failing to overcome the Inspector's reasoning.

The current application has been designed in order to address the issues arising from the previous applications and appeal decision. The increase in the width and depth of the site results in the density of the proposed development being reduced to 32dph. This also allows for garden areas to be increased in size and the separation between the dwellings to the rear of the site to be increased. The back to back distances between the proposed and existing neighbouring properties and between the proposed dwellings within the site have all been increased. These distances are now considered to be acceptable and would not give rise to material overlooking or loss of privacy between either the proposed or existing properties. It is also not considered that the proposed dwellings would have an overbearing impact.

The Highways Authority has been consulted with regard to this application and comments have been received from both the West Area Office and the Estates Design Team. Both of these responses indicate that the Highways Authority has no objection to the proposal

subject to some minor revisions to the scheme and the imposition of conditions. It is not considered that the request for a financial contribution for highways improvements is reasonable or relevant to the proposal as the Highways Authority have confirmed that the money would be to maintain the existing speed limit and this is not directly related to the proposed development.

The parking provision for the proposal complies with the Council's adopted standards and is considered to be acceptable. Although a shared surface is proposed within the site, two pedestrian pavement areas are indicated either side of the access for approximately 20m from the junction with the B1256. This would allow sufficient separation between pedestrians and vehicles close to the access to the site to prevent conflict from occurring.

The revisions to proposed development from the previous schemes have overcome the reasons for refusal and the Inspector's concerns. The proposal would have a satisfactory layout and relationship with the surrounding properties which was not previously the case. The additional land which has been obtained by the applicants also allows additional space between the proposed dwellings and the development would not appear to constitute overdevelopment of the site or have a cramped appearance. Although it is not considered that the existence of the "Brookside" development to the east is sufficient to warrant approval of an unsatisfactory scheme, this proposal when considered on its own merits would comply with the requirements of the Development Plan.

Natural England has objected to the proposal due to insufficient survey information having been provided to ensure that the development would not be harmful to any protected species. Surveys have now been undertaken and Natural England has been re-consulted. The result of the surveys was that "no habitat or species of national, county or district importance was identified within the development site at Takeley". However it is also recommended that measures to positively enhance the biodiversity of the site can be implemented as part of the development if it is approved. It should be noted that English Nature had no objections to the previous applications for residential development on this site.

CONCLUSIONS: This revised application has overcome the issues raised in previous applications and the Inspector's appeal decision and it is considered to comply with the requirements of all relevant Development Plan policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.4. Retention/replacement of trees.
6. C.4.6. Retention and protection of trees and shrubs for the duration of development.
7. C.4.9. Use of native species.
8. C.5.1. Samples of materials.
9. C.6.2. Excluding all rights of permitted development within the cartilage of a dwelling house without further permission.
10. C.6.7. Excluding conversion of garages.
11. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented – buildings.
12. C.8.29. Details of sustainable construction for new residential or commercial development.
13. C.8.30. Provision of bin storage.
14. C.11.7. Prior implementation of residential parking.

15. C.13.9. Hours of construction.
16. C.16.2. Full archaeological excavation and evaluation – A.
17. C.17.1. Revised plan required.
18. C.19.1. Avoidance of overlooking – 1.
19. C.20.1. Acceptable survey and mitigation and management plan – implementation of scheme.
20. C.28.1. Implementation of scheme.
21. Prior to the commencement of development details of the surface water disposal arrangements shall be submitted to and approved in writing by the local planning authority. Where practicable these should encompass sustainable principles in accordance with the Building Regulations Part H. The development shall be carried out in accordance with the approved details.
REASON: To control the risk of flooding to the development and adjoining land.
22. Prior to occupation of each property, each vehicular access shall be provided on both sides a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
REASON: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy T8 of Essex and Southend-on-Sea Replacement Structure Plan.
23. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with policy T8 of the Essex and Southend-on-Sea Replacement Structure Plan.
24. Prior to the commencement of development details of the estate roads and footpaths (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure roads/footways are constructed to an acceptable standard. In the interests of highway safety in accordance with policy T8 of the Essex and Southend-on-Sea Replacement Structure Plan.
25. C.10.5. Carriageways of estate roads.
26. The proposed bellmouth junction with the existing highway, inclusive of cleared land necessary to provide the sight splays, shall be constructed and be available for use prior to the commencement of any other development including the delivery of materials.
REASON: In the interests of highway safety in accordance with policy T8 of the Essex and Southend-on-Sea Replacement Structure Plan.
27. Visibility splays of 4.5m x 120m shall be provided clear to ground level in both directions which must not cross third party land.
REASON: In the interests of highway safety.
28. The bottom level of all windows in the living, dining and bedrooms of the dwellings hereby permitted shall be no higher than 810mm above the internal floor level of these rooms.
REASON: In order to comply with the requirements of the SPD 'Accessible Homes and Playspaces'.

Background papers: see application file.

UTT/0168/07/FUL - HADSTOCK

Erection of 1 no. detached dwelling with garage
Location: Land at Orchard Pightle Bilbury End. GR/TL 560-449
Applicant: Trustees of F Pickford Grandchildren Settlement
Agent: P J Rayner & Co Ltd
Case Officer: Mr T Morton 01799 510654
Expiry Date: 29/03/2007
Classification: MINOR

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: The land is a corner of open landscaping at the entrance to this small estate.

DESCRIPTION OF PROPOSAL: The proposal is a detached 2/3 bedroom dwelling and garage. It would have a footprint of 9.9m x 8.3m, plus a single-storey link to the attached single-storey garage. It would have a ridge of 7.5m plus chimneys. The first-floor accommodation would be served by two roof-lights at the front, one rear dormer window, and gable end windows.

APPLICANT'S CASE including Design & Access statement: The statement is available in full on file. It describes the site and surroundings and the proposal. The proposal is very similar to the version approved in the past and involves a cut across the natural slope of the land to provide a level platform for the house to sit on, which assists with its accessibility. The design and materials are similar to those of nearby dwellings.

RELEVANT HISTORY:

UTT/0436/93/FUL Erection of bungalow and garage Approved 31/08/1993.
This was subsequently renewed at intervals to keep the consent alive - the most recent renewal was UTT/0489/03/FUL Approved 03/06/2003.

CONSULTATIONS: None.

PARISH COUNCIL COMMENTS: Consultation period expired 3 March 2007. No representations received.

REPRESENTATIONS: Notification period expired 22 February 2007.

Three neighbours have made representations. Two raise concerns about the type of fence to be used to form the boundary, and its precise position. They also raise concern at the removal of existing trees on the site. One would prefer the site to be left undeveloped as an open area. One is concerned that the upper floor windows will enable a view into their garden. The third believes the site should remain undeveloped and comments that Bee Orchids grow here in the grass.

COMMENTS ON REPRESENTATIONS: Boundary fences up to 2 metres in height do not require planning permission and are not generally subject to control. It is reasonable for the legal boundary of the site to be marked by a fence, and a 1.8 m high fence as indicated on the plans is usual in such cases to provide privacy between gardens. There is one upper storey window to a bathroom, which would be obscure glazed and would not overlook the adjacent garden. It should be noted however that there is no right of privacy in a rear garden, except in so far as it is usual to have an element of unoverlooked space closest to the house. The site is located within the Development Limit where development of underused

land is an acceptable concept in principle, and there is no justification for keeping this site as open landscaping.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) principle of development (ERSP Policy CS1, & ULP Policy S3);
- 2) design and amenity (ULP Policy GEN2);
- 3) parking (ULP Policy GEN8 & adopted standards) and
- 4) other material planning considerations.

1) This site is Inside the Development Limit of Hadstock and in principle development is acceptable, subject to compliance with other policies and standards. Earlier consents have approved specific development proposals here, subject to a Legal Agreement to secure the protection from development and proper maintenance of the open end of the garden close to the junction of this estate with the through road.

2) The current design bears some resemblance to the overall form of the earlier approved design, but has some internal changes and also makes use of the roof volume to provide rooms on a first floor level. This involves a dormer on the rear elevation and two rooflights on the front elevation. What was a three bedroom bungalow in the earlier version has become a three bedroom one-and-a-half storey house. The siting and relationship to adjacent properties remains the same as before, and this retains a part of the land as open garden at the entrance to the estate. The rear dormer will not create material overlooking of adjacent properties.

3) Parking provision is one garage space and a drive sufficient for one car. This meets the required standard of provision.

4) No other issues are considered to arise.

CONCLUSIONS: The proposal is satisfactory, and accords with the Council's policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS subject to a Legal Agreement

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.2. Details of materials to be submitted agreed and implemented.
4. The turning area and car parking spaces and garage shown on the plan hereby approved shall be properly hardened and laid out and made available for use before the dwelling to which they relate is first occupied. Subsequently these parking spaces and garage shall be maintained solely for the parking of domestic vehicles in connection with the normal residential use of the property and the garage shall not be converted into any form of residential accommodation.
REASON: To ensure that adequate parking provision is made within the property in the interests of highways safety.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.8.29. Details of sustainable construction for new residential or commercial development.
8. C.28.2. Accessibility – further submission.

LEGAL AGREEMENT TO BE CONCLUDED TO REQUIRE:

- a) not at any time hereafter to carry out or cause suffer or permit any development of the land shown edged green on the plan and (in particular) not to erect or construct or cause suffer or permit to be erected or constructed any building or other structure
- b) not at any time hereafter to sell lease or otherwise dispose of the land shown edged green on the plan separately from the land shown edged red on the plan .
- c) to keep the land shown edged green on the plan down to grass and mown a minimum of six times per growing season but with suitable management to maintain populations of Bee Orchid understood to be growing on the site, and reasonably free of weeds.

Background papers: see application file.

UTT/0211/07/DC - HATFIELD HEATH

Vehicular cross over and parking area

Location: Land adjacent to 1 Broomfields. GR/TL 520-151

Applicant: Uttlesford District Council

Agent: Uttlesford District Council

Case Officer: Mrs A Howells 01799 510468

Expiry Date: 05/04/2007

Classification: OTHER

NOTATION: Within Development Limits.

DESCRIPTION OF SITE: The site is located in the south west of the district approximately 42metres from the junction with A1060. The site area is approximately 115sqm and is an area of mud and grass on which cars informally park. The site is adjacent to garages, which are to the rear of Broomfield Cottages which front the A1060 and No.1 Broomfields, which is a bungalow. There is a ramped area which gives access to the garages.

DESCRIPTION OF PROPOSAL: The proposal is to extend the existing drop kerb which would allow access on to the site. The site would be finished in Dense Bitumen Macadam surrounded by concrete kerbs; there would be five bays each bay measuring 4.8m x 2.4m with a turning area. The bays are to be defined by white thermoplastic paint.

APPLICANT'S CASE including Design & Access statement:

The design takes into consideration Policy LC3 – Community Facilities of the Uttlesford Local Plan. Policy GEN1 regarding access and GEN2 with regards to design.

The present site is wasteland upon which cars are informally parked, which in periods of bad weather becomes a quagmire resulting in mud being spread on the footway and carriageway. The proposal is to provide a five car parking area on land adjacent to No.1 Broomfields Hatfield Heath.

The site is situated to the southern edge of the estate which consists of local authority and privately owned dwellings. There is a Doctor Surgery opposite the site.

Disabled spaces have not been included because if residents require a disabled parking space the procedure is to apply to Social Services. The resident would be assessed by an Occupational Therapist and depending on the outcome of the report a space provided on the individual's property by the Council.

Keep clear markings are painted on the road in front of the site and these should help in maintaining to ensure access to the site in the future.

Council residents residing in the adjoining properties were consulted to seek their views on the scheme. The residents of No's 1, 3, 5 and 7 Broomfield's were all in favour.

If permission is granted consent for a permit to construct the crossover would be required from Essex County Council.

RELEVANT HISTORY: None

CONSULTATIONS: None

PARISH COUNCIL COMMENTS: To be reported (due 11 March 2007).

REPRESENTATIONS: One. Notification period expired 2 March 2007.

Pleased that the District Council are considering a plan to improve this land but ask them to consider grass mesh protection as used opposite outside the surgery or green astro turf as used in Sheering.

If the parking layout were changed it should be possible to accommodate more than five vehicles.

The parking area should be open to everyone. However, should the Planning Committee decide the parking should be available to authorised vehicles only, the committee are requested to give consideration to those residents with little or no opportunity to park in the vicinity of their homes.

COMMENTS ON REPRESENTATIONS: Controls over the use of the car park will be for the Council as landlord. Grass mesh protection is only suitable in areas with little use. Use of this car park would be excessive and tarmac is a suitable surface.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) access (ULP Policy GEN1) and
- 2) design (ULP Policy GEN2).

1) Policy GEN1 permits new development provided it complies with certain criteria which include that the design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, and people whose mobility is impaired. The site has an existing access from the road and although this access is for the garages, the access is used for unauthorised parking on the site. The proposal for the site to be laid to tarmac and to have an official use would ensure that mud would not continue being carried over the pedestrian area or onto the road surface.

2) Policy GEN2 permits new development provided its design meets certain criteria which includes, amongst other things, that it provides an environment which meets the reasonable needs of all potential users

The proposed use as an official parking area would provide off-street parking in an area characterised by narrow roads where there is significant on road parking. The application has been made by the District Council and the applicants have consulted residents of the local authority housing. The applicants have not stipulated whether the parking spaces are to be allocated to specific addresses of local authority housing or if the site is a general parking area. This is not a planning issue but one for the Council's landlord. The proposal would regularise an informal use and improve its appearance, preventing the spread of mud and debris onto the road and pavement which occurs in poor weather.

CONCLUSIONS: The proposal of the extended crossover and the provision of five parking bays meets the requirements of local plan policy and is recommended for conditional approval.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.

Background papers: see application file.
