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UTT/0426/07/FUL - SAFFRON WALDEN

Construction of B1 Units and car parking facilities. Refurbish and alter existing residential units

Location: High Bank & Hill View Thaxted Road. GR/TL 549-373.

Applicant: Bremland Properties

Agent: Mr R Turner Associates

Case Officer: Ms H Lock 01799 510486

Expiry Date: 12/06/2007

Classification: MAJOR

NOTATION: Employment Land to be Safeguarded (ULP Policy SW6).

DESCRIPTION OF SITE: This is an elevated site which sits above the service road parallel to the B184 Thaxted Road. It includes two fire-damaged houses, "Hillview" and "Highbank", and their curtilages, and vacant land behind. The houses sit at 90° to the road, facing onto an unmade access track/public footpath which leads to scrubland beyond. The land rises up from the road and towards the rear of the houses, and the site stands above the live-work units currently under construction on the land to the north-west. The civic amenity and recycling site is to the southeast. The site is stated as being 0.243 hectares.

DESCRIPTION OF PROPOSAL: The proposal has two elements:

(1) To construct a three-storey block for Class B1 business use, comprising two floors of business space and a ground floor for undercroft parking. The design and materials would be the same as the live-work units on the adjacent site (grey profiled metal shallow-pitch roof, and terracotta coloured cladding). The ridge of the building would stand above that of the adjacent 'Block B' by approximately 2.4m, but would be below 'Block A' beyond (the heights of the existing live-work units are staggered).

Access would be via the estate road through the live-work scheme. The building would have footprint of 697sqm (1394sqm (1500sqft) over two floors). Forty parking spaces are proposed, including two disabled persons spaces. This would meet the requirement of the parking standard (1 space per 35sqm of floorspace). Areas are also set aside for cycle & motorcycle parking. A covered refuse building is also proposed.

A lift would be provided from the ground floor car parking to the two floors above.

(2) The application refers to the existing fire-damaged houses being refurbished and altered, but the plans also include extensions. "Highbank", the dwelling closer to the road would be extended to the rear, and the roof form would be changed. At present, the roof ridge runs east-west across the pair of cottages, with gable ends at both ends. This proposal would create a gabled-end wing to "Highbank", replacing the existing roadside gable with a hipped roofed section with the ridge running north-south. The gable would be replaced with a hip to the roof of "Hillview", and a first floor jettied extension would be added to that property. The existing attached garage to "Hillview" would be converted to a study/bedroom 4.

A garage block 10m x 5m in footprint would provide a double garage for each unit. Access to the houses would be via the existing track in front of the houses.

APPLICANT'S CASE including Design & Access statement: Original Plans:

Layout: The building is accessed via an extension to the road approved in respect to the Kilncourt development with a turning head in front of the building in accordance with current Highways standards. Provision for car parking, bicycle and motor cycle spaces is provided at

a lowered ground level under the building in accordance with Uttlesford District Council's standards including 5% of the total identified as disabled spaces.

Scale: The area of the building is 1394m²; the span of the main and subsidiary wings is 12m to match that of the adjacent development. The length of the main section of the building is 44.290m and the height to the ridge from the lowered ground level is approximately 9.5m subject to the final structural sizing of supporting beams and other horizontal elements that cannot be entirely determined at this stage.

Landscaping: It is intended that the landscaped bund between the adjacent development and Thaxted Road should be extended southward, this work to be carried out following the agreed improvement works to the main highway. The existing byway to the South of the site would be cleared, levelled and finished with natural stone topping to improve public access and soft areas within the boundary of the site would be landscaped with indigenous trees and shrubs.

Access - Vehicular & transport access: Vehicular and pedestrian access would be via an extension to the approved access road. Vehicular and other parking would be under the building in designated bays and additional pedestrian access would be provided from the existing byway.

Inclusive access: Designated disabled car spaces, 3.6 x 6m are indicated on the drawings as are access points to the building these would be designed to meet in all respects the requirements of part M of the current Building Regulations including level external areas, flush thresholds to the doors, positions of handles, powered door opening and with raised features for those with impaired vision. Internally the drawings indicate a lift serving all floors with staircases designed to serve those not disabled but with walking difficulties and including hazard warning nosings to the risers. In addition to the normal lavatory facilities provision will be made to include separate disabled persons compartments. Disabled persons would be able to access all areas of the building.

Revised Plans: Regarding the previously withdrawn application, believe major concern was the relationship between the B 1 units and the existing dwellings in terms of relative levels, distances and issues of privacy between the buildings and the two sites.

The revised drawings now indicate a building with the same floor area and vehicular requirements as the previous proposal but with the omission of the wing closest to the flank wall of the cottages the distance between the two buildings is increased to 11 m. The windows previously indicated to the South West elevation have been omitted and are now shown as recessed rendered panels with obscure glass side panels.

The section through High Bank / Hill View and the proposed B1 unit shows the level relationship between the buildings and the reduced impact the new building will have on the existing dwellings. This will overcome objections to the previous proposal in respect to any overbearing relationship and concern to give privacy to the dwellings and gardens.

In connection with the highways objection to the access to the dwellings, there have always been two accesses from the public byway and right of way for pedestrians and vehicles, one to serve the existing garage and the other to the side garden currently being used as the site access. These have been incorporated into one access to serve the garages at the rear, an improvement on the existing arrangement.

RELEVANT HISTORY: Two applications for redevelopment with dwellings on this and site of "Hillview/Highbank" withdrawn 2003; Erection of 97 live-work units on this and adjacent Kilncourt site at rear refused and dismissed at appeal 2006; outline application for 10 houses refused April 2005; outline application for 3 blocks of live-work units withdrawn November 2005; erection of building for B1 use plus increase in live-work units refused February 2006.

Construction of B1 units and refurbishment and alteration of existing dwellings withdrawn January 2007 to prior to recommendation of refusal of application.

CONSULTATIONS: TOPS: To be reported.

Comments received in respect of previously withdrawn application: previous negotiations have identified that High Bank and Hillview should be served via the internal estate road to the live-work units only, and not by the adjacent byway.

The highway authority objects to access to Hillview & Highbank being taken from Byway 18 and therefore cannot comment on the proposals fully at this time. However, further consideration will be given to this application if revised plans are submitted showing all access to be taken from the internal estate road in accordance with the previously agreed scheme.

Environmental Services: the area in close proximity to the proposed development has been extensively used in the past for the quarrying of sand and clay and the operation of gravel pits. This has led to areas of "unknown filled ground" being created. Additionally, the proposed site has had a history of being used for the manufacture of cement, lime and plaster products and unspecified factory works have also taken place. A mineral railway previously ran through the site on its south-eastern boundary.

Overall, it is the developers' responsibility to ensure an adequate site investigation and risk assessment is carried out in relation to possible contamination on a site and to implement an appropriate remediation strategy where necessary.

In view of this, standard conditions relating to the above would be beneficial requiring investigation, remediation and validation strategies to be supplied to the Local Authority before the proposed development takes place.

TOWN COUNCIL COMMENTS: The committee object to this application on the grounds of its overbearing appearance due to its height in this prominent location as you enter Saffron Walden.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 3 May 2007.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) the principle of the development for (a) the business units and (b) the alterations to the dwellings (ERSP Policies CS2 & BIW4, & ULP Policies S1, E2 & SW6);
- 2) the impact of the business unit on the amenity of the residential dwellings, including the adjacent live-work units (ULP Policy GEN4);
- 3) detailed design (ERSP Policy BE1, ULP Policies GEN2 H8 & SPD 'Home Extensions');
- 4) highway safety and access issues (ERSP Policies T3 & T12 & ULP Policies GEN1 & GEN8) and
- 5) Other material planning considerations.

1) The whole of the application site, including the residential properties known as Hillview & Highbank, is located in an area allocated as a key employment area in the Uttlesford Local Plan. Policy SW6 safeguards from other uses existing employment areas, including this site.

In principle, the use of this site for Class B1 business purposes accords with the Council's policies.

However, although the SW6 allocation designates the sites of Hillview and Highbank for employment purposes, this application proposes that they be retained and extended as dwellings. The Council could not require the applicant to abandon the existing residential use rights on the properties, but if such use is maintained it severely constrains the way in which the remainder of the site can be developed. If the properties are to be used as dwellings, any adjacent development must have an acceptable impact on the amenities of those properties (this is addressed further below).

Although the Council may not be able to resist residential occupation of the dwellings as existing, it may reasonably resist intensification of the use of those dwellings, as compromising the overall comprehensive employment redevelopment of this allocated site. Allowing alterations to the buildings which could increase potential occupancy of those properties would be unacceptable.

2) The applicant has submitted revised plans in an attempt to minimise the impact of the business unit on the amenities of Hillview and Highbank. Although the building itself would be for the most part 11m from Hillview (the closest dwelling), it would be only 2.5m to the boundary at the end of the site. Furthermore, the activity associated with the premises, and in particular its car park, would be abutting the boundary. The B1 unit would also extend for the full depth of the application site, and even though it has been designed to minimise its height, would still appear as an oppressive feature that would dominate the outlook of those properties. Class B1 use may not create detriment to amenity through noise, vibration, smell, fumes, smoke, soot, ash, dust or grit, but nuisance may still be created through the proximity to the general activity and built form associated with such development. If the residential dwellings are to remain, it is considered that a much smaller proportion of the adjacent site is developable.

The land to the rear of the site is currently being developed with live-work units. Given the change in levels at the site, and the proximity to the boundary, it is considered that the construction of the new unit hard on the northern boundary would have an unacceptable impact on occupants of Block B, just 6m from that boundary. The unit would result in loss of light and have an overbearing impact on the units closest to the boundary.

3) The application site is visible from public areas due to the site levels and the presence of public footpaths and roads in the vicinity. Pre-application advice sought good quality landscaping around the business unit in order to better integrate it into its surroundings. However, the retention of the dwellings has restricted the amount of space available for built form, parking and servicing and landscaping. As a result, the building would be built against the northern and southern boundaries, and would appear overdevelopment of this prominent site.

The alterations to the existing dwellings are considered unsympathetic, creating a particularly visible wing to Highbank, that would be out of keeping with the design and form of the existing cottages.

4) There has been no response from the highway authority at present, but a recommendation of refusal is anticipated given the recommendation of refusal on the previous application. However, now that the business unit is to be accessed from the adjacent Kilncourt development, it is considered a highway refusal based solely on intensification of the access to the houses could not be sustained, given the existing use rights.

CONCLUSIONS: The proposed Class B1 unit would be overdevelopment of the site, and would have an adverse impact on the amenity of dwellings to the south-west and north. The extensions to the existing dwellings would intensify their occupation, and would compromise the effective redevelopment of this allocated employment site.

DELEGATE TO DIRECTOR OF DEVELOPMENT TO DETERMINE IN ACCORDANCE WITH THE FOLLOWING RECOMMENDATION UPON THE EXPIRY OF THE CONSULTATION PERIOD (3 YEAR 2007)

1. The construction of the block of business units would represent overdevelopment of the site, in that it would extend for the full width of the application site preventing any effective soft landscaping to minimise the visual impact of the development in the landscape. Given the prominent location of the site, the building would appear unacceptably dominant in the street scene.
2. The size, scale and width of the business building, and its proximity to the site boundaries, would be unacceptably overbearing on the amenity of adjacent residential properties, including occupants of the live-work units to the rear of the site. The building would dominate the outlook of the dwellings known as Hillview and Highbank, and the activity associated from the car parking in close proximity to the boundary would create unacceptable nuisance. The proposal would result in unacceptable overshadowing of the units to the rear.
3. The extensions and alterations to the dwellings known as Hillview & Highbank would be out of keeping with the existing form of the cottages, and in particular the extension and changed roof form to Highbank would create an unacceptably dominant feature on this prominently sited and elevated building.
4. The extensions and alterations to Hillview & Highbank would increase the potential occupancy of the dwellings, and would intensify their use. The consolidation of residential development, and the limitations it imposes on the potential to develop the adjacent site, would compromise the effective redevelopment of the employment allocation of which these dwellings form part.

For the above reasons, the proposal is considered contrary to ERSP Policies CS2, BIW4, & BE1, and ULP Policies S1, E2, SW6, GEN4, GEN2, H8, and adopted SPD 'Home Extensions'.

Background papers: see application file.

UTT/0246/07/FUL - GREAT DUNMOW

Amendments to approved layouts comprising the erection of 20 dwellings with associated garaging, parking and footpaths

Location: Sectors 2 & 3 Woodlands Park. GR/TL 615-224.

Applicant: Wickford Development Co Ltd

Agent: Melville Dunbar Associates

Case Officer: Mr M Ovenden 01799 510476

13 week Expiry Date: 08/05/2007

Classification: MAJOR

NOTATION: Within development limit / within GD5

DESCRIPTION OF SITE: The site measures 0.72 hectare and its boundaries are defined by an approved but as yet un-built layout of internal roads and adjacent areas of housing and landscaping. It is very gently sloping uncultivated former agricultural land towards the western edge of the Woodlands Park development, approximately 200m east of the line of the north-west relief road. Currently there is a very significant distance between the site and any occupied housing.

DESCRIPTION OF PROPOSAL: The site straddles Sectors 2 and 3 and has permission for 10 dwellings approved under permissions granted in 2005. This proposal seeks the re-planning of an element of the Woodlands Park residential estate for a more intensive development of twenty rather than ten dwellings.

Extant scheme permitted under references UTT/0392/05/DFO and UTT/0395/05/FUL:

House type	Number of dwellings	Number of bedrooms	Number of storeys
E2	4	4	3
F	1	5 + study	3
F1	2	4 + study	3
F2	1	4 + study	3
I	1	3	2
Q	1	5	3
Total	10 dwellings at a density of 13.8 dwellings per hectare		

Current application proposal:

House type	Number of dwellings	Number of bedrooms	Number of storeys
AA	2	4	3
B	1	3	3
E2	2	4	3
F2	2	4 + study	3
J	2	4	2
K2	8	3 + study	3
T1	1	3	2
V	2	3	2
Bungalow	1	2	1
Total	20 dwellings at a density of 27.8 dwellings per hectare		

As can be seen from the above table this revised scheme would maintain a mix of two and three storey dwellings, but would include a bungalow to meet the Council's accessibility requirements. It removes some of the larger house types and increases the provision of smaller units. The house types are in keeping with those used elsewhere on the estate. In common with other schemes at Woodlands Park, the proposal meets the Council's adopted parking standards.

APPLICANT'S CASE: The site has the benefit of planning permission for residential development. Satisfactory arrangements have been made for the diversion of the public footpath that crosses the site. The planning application does not involve any change to the road layout. The number of dwellings will, however, be raised from 10 to 20 which will increase the density of development to a figure very close to 30 dwellings per ha. Required to comply with Government guidance. This will produce a significant improvement in the efficiency of the use of land. The design, use of materials and layout will be compatible with the surrounding approved development and the Council's standards for the provision of car powered two wheelers and cycle parking will be met. Having regard to the Section 106 Agreement dated 10 June 2003, it is considered that no Affordable Housing needs to be provided in respect of the additional 10 dwellings included in this application. In the light of the foregoing, the Council is requested to grant planning permission for the proposed development.

RELEVANT HISTORY: Various permissions for residential development at Woodlands Park, subject to S106 and approved Masterplan. The northern half of the site was part of the site granted outline permission in 2003 (with S106 agreement) for 300 dwellings with approval of reserved matters given in 2005. The reserved matters scheme showed three dwellings on the northern half of the site. The southern half of the site is subject to a planning permission for 7 dwellings as part of permission for 51 dwellings approved in 2005.

CONSULTATIONS: Environment Agency: Request that Anglian Water be consulted.
Anglian Water: Request conditions requiring submission and implementation of suitable foul water disposal system.

Building Control: No comment.

ECC Highways: Request four conditions relating to visibility splays, surface finishes and timing of provision of base and final surface of highway.

TOWN COUNCIL COMMENTS: Original plans: Object.

- I. Vehicular access will be severely restricted
- II. Insufficient parking particularly for visitors
- III. The increased density is too great in consideration with adjoining planning proposals
- IV. The design of the properties is excessively high
- V. There are no open spaces or provision for play facilities

Officer's comments:

- I. The proposal has been found to be acceptable by the highways authority.
- II. The proposal meets the Council's standards which are maximum standards.
- III. The density at 27.8 dwellings/per hectare is not high either in absolute terms or in comparison to adjacent plots.
- IV. The house types are comparable in height to approved types on the same parcel of land and on adjacent plots.
- V. The approved layout of this parcel of land does not provide any open spaces or play facilities and therefore none are to be lost. All the proposed twenty units would have decent gardens and the proposal is broadly in accordance with the Masterplan.

Revised plans (Revised to reflect accessibility requirements): To be reported.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 13 April 2007.

COMMENTS ON REPRESENTATIONS: N/A.

PLANNING CONSIDERATIONS: The main issues are

- 1) **General layout, design and parking (ERSP Policy T8 & ULP Policies S1, GEN1, GEN2, GEN8 & GD5)**
- 2) **Affordable housing (ULP Policy H9)**
- 3) **Accessible homes (ULP Policy GEN2 and adopted Supplementary Planning Document);**
- 4) **Energy conservation (ULP Policy GEN2 and adopted Supplementary Planning Document);**

1) The Development Plan, Masterplan and previous permissions have accepted the principle of residential development on this part of the site. Under the previous permissions the site was to be developed by a mixture of three, four and five bedroom houses of two and three storeys. No part of the site was to be retained for public access. This scheme simply proposes a more intensive development primarily on the northern part of the site where only three properties would have had very large curtilages of 900, 910 and 1820 m² respectively. These large curtilages would have provided no landscape or streetscape benefits to the locality. Their loss would not adversely affect the quality of this part of the estate.

Members will note that the density at just below 30 dwellings per hectare is slightly below the nationally advised figure but the new PPS3 provides some flexibility in provision and Officers believe it would be inappropriate to consider the density of this small part of Sectors 2 and 3 in isolation. A refusal based on a slightly below standard density would be inappropriate, particularly given that this proposal seeks to double the density of a parcel of development previously approved (i.e. from 10 to 20 dwellings). The general layout, the mix of house types, their design and positions on each plot; the number and location of car parking spaces is all considered to be acceptable.

2) The provision of affordable homes at Woodlands Park is covered under the current S106 agreement dating from 2003. Part of the affordable housing generated by Sector two has been provided and is already occupied and there is permission for the provision of affordable housing generated by the remainder of Sector 2 and by Sector 3 granted two years ago. Its provision is governed by trigger points contained within the S106 agreement. Consequently this proposal does not provide any additional units or land for the provision of affordable housing.

3) Since submission the scheme has been revised to reflect the supplementary planning document on accessible homes. These revisions include the provision of a bungalow in place of a two storey house.

4) It is proposed to attach conditions requiring the use of energy and water saving technologies.

CONCLUSIONS: The proposal raises no particular additional planning issues in comparison to the extant permitted scheme and it is recommended to grant permission subject to similar conditions as the extant schemes with the exception of conditions relating to house types not proposed as part of this scheme, levels conditions of relevance to other

parts of the site but not here on this relatively flat site; and existing vegetation that is relevant to other parts of the site but not here. Additional conditions are proposed to reflect subsequent changes in policy relating to energy conservation and accessibility as well as to meet the requirements of consultees.

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.6.7. Excluding conversion of garages.
6. All electrical and telephone services to the development shall be run underground. All service intakes to dwellings, apart from gas, shall be run internally and not visible on the exterior. All meter cupboards shall be positioned on the dwellings in accordance with details, which shall have been previously submitted to and approved by the local planning authority. All buildings containing flats shall be equipped with a communal TV and radio aerial and satellite dish in positions, which shall have been previously submitted to and approved by the local planning authority (unless the development is in an area served by cable distribution). On all buildings satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of buildings or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior. Rainwater goods shall be black. The rights of utility companies to deemed consent under the General Permitted Development Order to construct electrical substations and gas governors within the development are withdrawn and planning consent will be required.
REASON: In order to ensure a satisfactory standard of development.
7. All house types featuring dormer windows shall have roofs clad with clay tiles.
REASON: In order to ensure a satisfactory standard of development.
8. C.8.29. Details of sustainable construction for new residential or commercial development
9. C.28.1. Accessibility – Implementation of scheme.
10. Before any work commences on site, details of the foul drainage disposal to be submitted and approved by the local planning authority.
11. Before any dwellings can be occupied the foul drainage works to be constructed in accordance with the detailed foul drainage strategy approved by the local planning authority.
REASON 10 & 11: To ensure that the development will not cause any flooding or pollution incidents.
12. Prior to occupation of the development visibility splays with dimensions of 2 metres by 60 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the two accesses to Plots 8-15. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.
REASON: To provide adequate inter-visibility between the users of the access and the road for the safety and convenience of users of the road and of the access having regard to Policy T8 of Essex and Southend-on-Sea Replacement Structure Plan.
13. 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 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 the Essex and Southend-on-Sea Replacement Structure Plan.

- 14. No unbound materials 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.

- 15. The carriageways of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months from the occupation of such dwelling.

REASON: In the interests of highway safety in accordance with Policy T8 of the Essex and Southend-on-Sea Replacement Structure Plan.

Background papers: see application file.

UTT/0184/07/FUL - SAFFRON WALDEN

Change of use from class B2 to class B1, class B2 and class B8 use

Location: Former Dairy Pipelines Shire Hill. GR/TL 547-381.

Applicant: Dencora Construction Ltd

Agent: Dovetail Architects Ltd

Case Officer: Mr T Morton 01799 510654

Expiry Date: 10/05/2007

Classification: MAJOR

NOTATION: Inside Development Limit / Existing Employment Area Policy SW6

DESCRIPTION OF SITE: The site is within the Shire Hill Industrial Area, but adjoins the cemetery on its northern side, and residential properties in Prospect Place on its western side. It slopes downwards from south to north. The site is currently occupied by a range of single storey industrial shed type buildings along the northern side, with an open car parking and delivery area on the southern side and the remainder of the site is an open grassed area.

DESCRIPTION OF PROPOSAL: Change of use of existing commercial buildings from Class B2 to Class B1, B2 and B8. The building has floorspace of 1790sq.m, and this would be sub-divided to create an unspecified number of units. There is no known occupier and therefore staff numbers and hours of operation are not specified. Forty-two parking spaces would serve the development.

APPLICANT'S CASE including Design & Access statement: The statement is available in full on file. The intent of the application is to make letting of the units more flexible.

RELEVANT HISTORY: UTT/1361/06/OP Outline application for the redevelopment of the site to provide Class B1 units in three ranges of buildings, with car parking partially underneath the buildings. Approved 22 September 2006

UTT/0145/07/FUL Refurbishment of the existing building with elevational alterations.

Approved 28 March 2007.

TOWN COUNCIL COMMENTS: The town council makes no objection.

REPRESENTATIONS: This application has been advertised and one representation has been received. Period expired 27 March 2007.

The occupiers of an adjacent house in Prospect Place raise concern at the removal of Poplar trees on the site boundary that previously provided some screening of the site from their house, and request that the developer provide a 'subtle screen which is at least 3 to 4 metres high with appropriate plating to minimise impact from the development upon their property.

COMMENTS ON REPRESENTATIONS: The comments are noted.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) Principle of development (ERSP Policies CS1, BIW4 & ULP Policies E2, SW6);
- 2) Amenity and protection of adjacent sites (ULP Policy GEN2);

- 3) **Highways, parking and access issues (ERSP Policies T3, T6, T12 & ULP Policies GEN1, GEN8);**
- 4) **Biodiversity issues (ERSP Policy NR7 & ULP Policy GEN7) and**
- 5) **Other material planning considerations.**

1) Both Structure Plan and Local Plan policies seek to retain employment sites for future employment use, and would support retention of suitable business use. Unrestricted Class B8 is considered to be an issue of concern here, since if they become bulk distribution operations they typically generate little employment but large amounts of traffic, and the poor road network in and around Saffron Walden is not well suited to large and articulated vehicle traffic. Shire Hill is predominantly occupied by industrial uses rather than storage or distribution uses and this is the pattern that the Council would wish to perpetuate. It is proposed to restrict the Class B8 use by condition so that only single bays of the existing building can be so used and with only 2 such bays used for this Class at any one time, with no self-storage use.

Another issue is to prevent units becoming used for 'self-store' purposes, which generates little employment.

Shire Hill is the principal employment area in Saffron Walden where it forms part of a sustainable community, where people can get to work without necessarily being dependant upon the car.

2) The impact upon nearby residential property has been the subject of a representation, and this concern is noted. It would be reasonable to provide a screen fence to the adjacent house and some landscape planting to replace that which has been removed.

The potential changes implied by such a wide change of use could generate traffic that would raise amenity issues. The approach roads through the town are narrow and physically restricted, and there are bans on lorry access on some routes due to these limitations. Uses that would be based upon large scale transport of goods are not appropriate in the town.

3) Policies are concerned not only to provide workable and safe access for cars and lorries but also to promote other means of travel to the site, by walking cycling and where relevant by bus. There is currently no bus service to the area, but a provision could be made for implementation at later date. A further application is expected for additional floorspace to be developed on unused parts of the site and a Travel Plan should be considered in the context of those proposals.

4) The site currently has little biodiversity interest, but as part of the current application opportunities should be sought to incorporate some provision where possible. The guide, "Integrating biodiversity into Development" produced by the Essex Biodiversity Project offers some suggestions. Appropriate features might be nest boxes on buildings or in trees, small ponds or a wildlife area for staff to use at meal breaks.

5) No other issues are considered to arise.

CONCLUSIONS: The proposal is considered satisfactory with certain restrictions, and is recommended for approval with appropriate conditions.

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. The element of Class B8 use hereby permitted shall be restricted to separate Class B8 use in single units not exceeding 288sq.metres in floorspace and with no more than two such units being present within the site at any time, with no self-storage use. REASON: In the interest of maintaining a balance of storage and other business uses on the site in order to maximise employment opportunities, and to limit the levels of traffic likely to be associated with use of the site.
4. C.8.29. Details of sustainable construction for new residential or commercial development.
5. C.4.1. Scheme of landscaping to be submitted and agreed.
6. C.4.2. Implementation of landscaping.
7. C.20.5. Condition Relating to Submission and Implementation of a Full Habitat Creation/Habitat Restoration Scheme.
8. Details of a screen acoustic fence to be provided to the western boundary of the site to protect the amenity of nearby residential properties shall be submitted to and be approved in writing by the local planning authority prior to the commencement of the use. It shall be constructed before implementation of any part of the consent hereby granted, and shall thereafter be retained in its approved form. REASON: In the interest of protection of the amenity of nearby residential occupiers.
9. Notwithstanding the terms of this consent for uses within Classes B1, B2 or B8, the first use implemented in any subunit of the property shall become the authorised use of that subunit and any subsequent change of use of such a subunit between Use Classes as defined in the Use Classes Order shall require further planning consent. REASON: To enable the Local Planning Authority to consider subsequent changes of use in terms of their impact upon amenity, and in the light of planning policy current at that time.
10. C.15.1. Superseding previous permission.

Background papers: see application file.
