

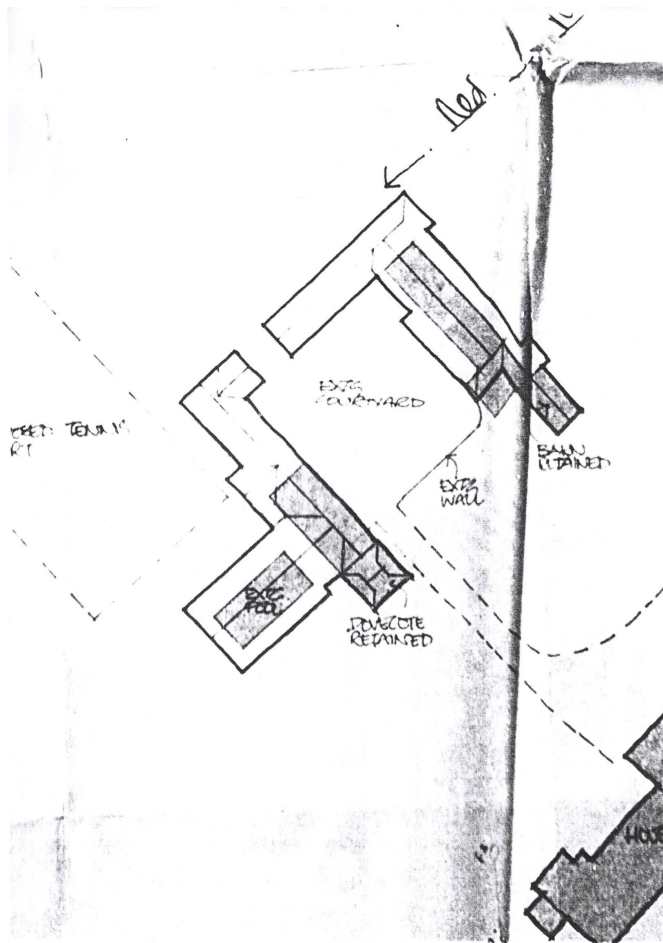
**PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED ON A PREVIOUS SCHEDULE AS AT 7 NOVEMBER 2007**

APPL NO: **UTT/1403/07/FUL**  
PARISH: **LITTLE CHESTERFORD**  
DEVELOPMENT: Erection of salvaged barn for use as garage/store  
APPLICANT: Mr H Hughes  
LOCATION: Little Chesterford Monor Little Chesterford  
D.C. CTTE: 17 October 2007 (see supplementary report and original report attached)  
REMARKS: Deferred for draft conditions and S106  
**RECOMMENDATION:** **Refusal**  
*Case Officer:* Mr T Morton 01799 510654  
*Expiry Date:* 28/09/2007

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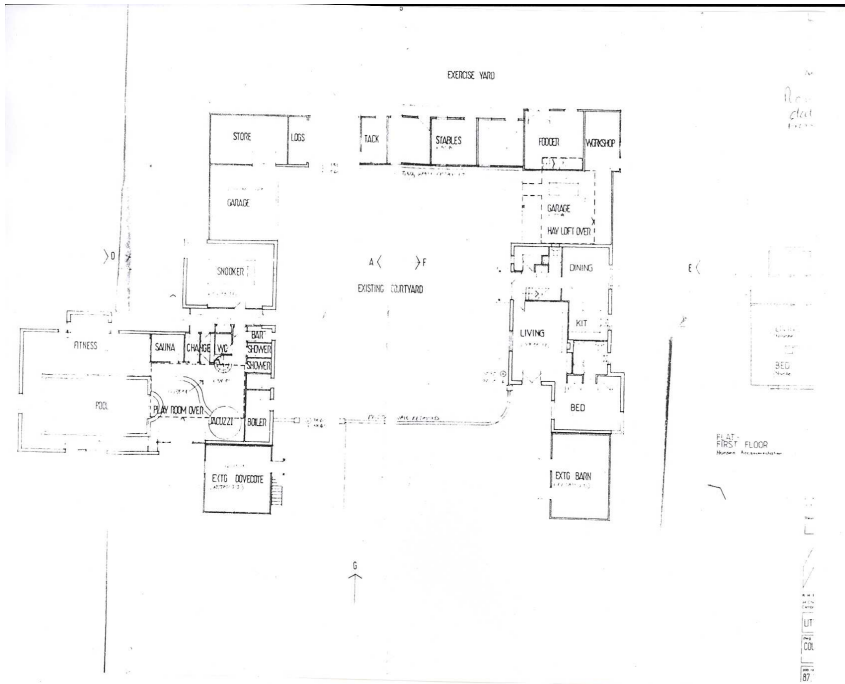


It can thus be seen that the historic ranges were much smaller than the current building and consisted of two separated buildings. The comparison is shown in the next drawing.

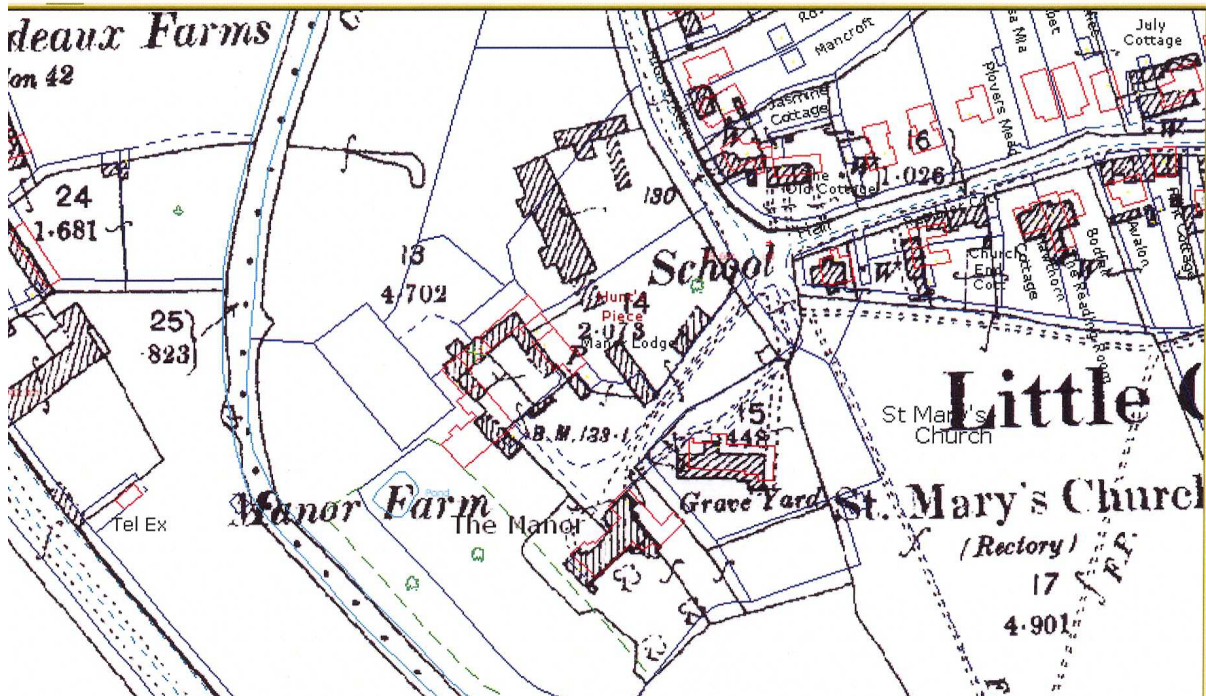


This shows the footprint of the original ranges and the outline of the new building, and illustrates that the new ranges are considerably more extensive than the original ones, with the retained dovecote and barn shown.

Internally the new building provided for private leisure facilities, stabling, garages and a residential annexe for the applicants' elderly parents, as shown on the layout plan following. Conditions of the consent limited the accommodation to dependent relatives of the residents of the main dwelling, and to domestic use only and required any further extensions, fences or sheds to be subject to the prior written approval of the planning authority.



The applicant has referred to other outbuildings that used to exist on the site when it was a working agricultural property. The current Ordnance Survey plan has been overlaid on the 1891 historic map of the site, however this more extensive buildings do not appear on the 1904 plan and must have been removed before that date. The previous existence of buildings on land over a century ago does not represent a justification for modern development.



**CONCLUSIONS** This further information on the history of the site is considered to reinforce the original recommendation for refusal of the current application. The property has already benefited from considerable growth in the amount of outbuilding available to it, and in relatively recent times. The concern of countryside policy is to limit the gradual

encroachment of built form into the countryside, and it is considered that yet further encroachment of outbuildings beyond the extent of those which exist cannot be justified in Policy terms and would be harmful to the aim of policy to protect the countryside form development that dose not need to be there.

If however Members are not persuaded of that argument then the following conditions are recommended to be attached to any approval.

**ALTERNATIVE RECOMMENDATION: APPROVAL WITH CONDITIONS AND 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.6.12. Single family occupancy and dependant relatives
4. The building hereby permitted shall only be used for the purpose of domestic storage ancillary to the main dwelling on this site known as Little Chesterford Manor and shall not be converted or used to provide any form of habitable accommodation.  
REASON: The site lies Outside of Development Limits where additional dwelling units are not normally permitted and avoid overdevelopment of the site.

**SECTION 106 LEGAL AGREEMENT**

An agreement be concluded to prevent any open storage of material machinery equipment or chattels of any kind or the parking of vehicles in the area of land to the north of the existing range of outbuildings, consisting of those approved in 1989 under reference UTT/0008/89 FUL at Little Chesterford Manor.

*Background papers: see application file.*

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**UTT/1403/07/FUL - LITTLE CHESTERFORD**

***(Referred by Cllr Redfern)***

***(Reason: to assess the effect on the listed building)***

Erection of salvaged barn for use as garage/store

Location: Little Chesterford Manor. GR/TL 514-417.

Applicant: Mr H Hughes

Agent: John Ready Architects

Case Officer: Mr T Morton 01799 510654

Expiry Date: 28/09/2007

Classification: MINOR

**NOTATION:** Outside Development Limit / setting of Listed Building.

**DESCRIPTION OF SITE:** The property consists of an important Listed dwelling and a courtyard arrangement of former farm barns which are not listed in their own right but benefit from 'curtilage listing' being in the grounds of the dwelling, and these are used as outbuildings to the dwelling. A tennis court stands to the north west of the group of barns. The property, and particularly the site of the proposed development, is open to view from public highways running on the west, north and east sides.

**DESCRIPTION OF PROPOSAL:** This is a resubmission of a similar application made earlier this year and withdrawn before determination. The proposal is the erection of a barn for use as a garage store, using materials salvaged from a historic timber frame barn formerly erected in Kent.

**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 barn is intended to accommodate 3 cars and a horse transporter and other equipment, enhancing the setting of the courtyard complex and screening the recently installed tennis court from the north-east. The C18th threshing barn was found in north Kent and is of a scale and character wholly in sympathy with the setting of Little Chesterford manor. Prior to its authorised removal in 1979 the barn stood in the curtilage of a Listed Building It will be clad in black feather edged boarding and reclaimed clay peg tiles. The classification of the site as 'open countryside' does not reflect the close adjacency of the existing courtyard complex. Historically there is evidence of a number of barns that stood on this current paddock.

**RELEVANT HISTORY:** UTT/1381/05/FUL – proposed tennis court pavilion. Approved 17 October 2005.

UTT/0642/07/FUL - Erection of a barn for use as a garage store, using materials salvaged from a historic timber frame barn formerly erected in Kent. Withdrawn.

**CONSULTATIONS:** English Heritage: Comments awaited

Conservation Officer: Little Chesterford Manor is a rare example of an early domestic building, originally an early C13 manor house (circa 1200) partly rebuilt and altered in the C14 and C16, listed grade I.

At one time The Manor was supported by a substantial farmstead with numerous farm buildings most of which have been lost. The cartographic evidence indicate that as recently as 1930's large group consisting of impressive six bay barn a smaller three bay barn and a selection of 5 other farm buildings existed to the north of the Manor in the parcel of land called Hunt's Piece and further to north west.

The proposal subject of this application is to erect a modest barn in the North West corner of the Hunt's Piece to be used as utilitarian storage to the Manor.

The new building would be a timber framed structure (historic building relocated from elsewhere) under a hand made plain clay tiled roof. In terms of design the building due to its traditional form, detailing and materials would not diminish the setting of the listed building and the character of the locality. Its location to the side of the existing outbuildings would in this instance, be in the spirit of the historical farmstead which has been lost some time in the C20.

In conclusion and should there be no planning objections I suggest approval subject to the following conditions.

All weather boarding to be black painted timber feather edge.

All external joinery to be black painted timber.

All roofs to be hand made plain tiles to LA approval.

The Garden History Society: No comments.

Council Drainage Engineer: If approved condition C.29.1 should be applied to require flood risk management measures to be implemented.

Essex County Council archaeological advice: The Essex Historic Environment Record shows that the proposed site lies within an area associated with the 13th century Church and Hall complex. The groundworks for the erection of the barn will be located close to earthworks possibly related to the former extent of the medieval village. In addition, Roman and prehistoric finds have been made in the vicinity, including Neolithic flints. There is a high probability that archaeological deposits of a medieval date will survive beneath the proposed development, and it is possible that prehistoric and Roman remains may also be present. Due to the groundworks required for the erection of the barn it is recommended, following the guidance within PPG 16 that a full archaeological condition be attached to any planning consent.

The following recommendations are in line with DoE Planning Policy Guidance 16: Archaeology and Planning (PPG16).

**RECOMMENDATION:** Archaeological monitoring followed by excavation

"No development, or preliminary groundworks, of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority."

Environment Agency observation submitted on the earlier application UTT/0642/07/FUL

The application, as submitted, does not sufficiently consider pollution control. We therefore recommend that a condition is imposed to cover this aspect.

**PARISH COUNCIL COMMENTS:** Consultation period expired 2 September 2007

The PC has no objections to this application in principle. Concerned about potential for business use, no objection to use of new hand made tiles, concerned about fire safety and emergency assess.

**REPRESENTATIONS:** This application has been advertised and four representations have been received. Period expired 5 September 2007.

All respondents see the collection of equipment that is currently stored in the open as unsightly and think that the erection of a barn to contain the equipment would be preferable. One respondent would object to the introduction of any external lighting.

**COMMENTS ON REPRESENTATIONS:** The comments are noted and the issues discussed below. The installation of outside lights in residential property does not require planning permission, and thus could not be controlled by condition.

**PLANNING CONSIDERATIONS including Design & Access statement:**  
**The main issues are**

- 1) **Principle of Development PPS 7 (Sustainable Development in Rural Area & ULP Policy S7);**
- 2) **Listed Buildings issues PPS 15 (Planning and the Historic Environment & ULP Policy ENV2);**
- 3) **Development and flood risk PPS 25 (Development and Flood Risk & ULP Policy GEN3) and**
- 4) **Other material planning considerations.**

1) Development outside of settlements with a designated Development Limit is described as development in the open countryside. Little Chesterford does not have a Development Limit, and therefore all proposals have to be assessed against the relevant countryside protection policies. The principal aim of those policies is to protect the countryside for its own sake, and for its appearance, and to restrict new development to that required for agriculture or other necessary rural purposes.

PPS 7 states:

Sustainable development is the core principle underpinning land use planning. The following key principles should be applied in combination with all the policies set out in this PPS:

(i) Decisions on development proposals should be based on sustainable development principles, ensuring an integrated approach to the consideration of:

- social inclusion, recognising the needs of everyone;
- effective protection and enhancement of the environment;
- prudent use of natural resources; and
- maintaining high and stable levels of economic growth and employment.

The approach to planning for sustainable development is set out in more detail in Planning Policy Statement 1 (PPS1).

(ii) Good quality, carefully-sited accessible development within existing towns and villages should be allowed where it benefits the local economy and/or community (e.g. affordable housing for identified local needs); maintains or enhances the local environment; and does not conflict with other planning policies.

(iii) Accessibility should be a key consideration in all development decisions. Most developments which are likely to generate large numbers of trips should be located in or next to towns or other service centres that are accessible by public transport, walking and cycling, in line with the policies set out in PPG13, *Transport*. Decisions on the location of other developments in rural areas should, where possible, give people the greatest opportunity to access them by public transport, walking and cycling, consistent with achieving the primary purpose of the development.

(iv) New building development in the open countryside away from existing settlements, or outside areas allocated for development in development plans, should be strictly controlled; the Government's overall aim is to protect the countryside for the sake of its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, the



wealth of its natural resources and so it may be enjoyed by all.

(v) Priority should be given to the re-use of previously-developed ('brownfield') sites in preference to the development of greenfield sites, except in cases where there are no brownfield sites available, or these brownfield sites perform so poorly in terms of sustainability considerations (for example, in their remoteness from settlements and services) in comparison with greenfield sites.

Policy S7 – The Countryside states:

"The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there".

Whilst it is accepted that properties already exist in the countryside and it is necessary to accept some degree of change to meet changing needs, the scale of this has to be carefully considered. Small extensions to existing dwellings may be acceptable, and some small outbuildings may be acceptable, but if the impact of a proposed development upon the countryside is significant then it may not be acceptable in policy terms.

This proposal has to be viewed as the erection of a new residential outbuilding in the open countryside. The nature of the materials to be used is not of relevance to these considerations, and the use of an old reclaimed timber frame as the skeleton of the building gains no extra support from policy. The issue to be considered is the impact of this new building on the countryside.

The existing house and its barn outbuildings form a group with a defined edge, and with an open grass paddock beyond this on the north side. It is considered that the barn would intrude into the countryside beyond the existing buildings, and would be very apparent from the nearby public highways and from houses that face onto the highway on the east side of the paddock. It should be noted however that even in cases where a new building cannot be seen by the public it can still be judged as harmful to the countryside.

It may be argued that the erection of this outbuilding would enhance the setting of the listed building.

The quality or authenticity of the external materials however carries little weight, and the applicant's judgement that another barn would enhance the group of buildings does not over-ride the intent of policy to restrict new buildings in the countryside. Likewise the needs of the applicant to accommodate vehicles and so forth, carries no weight in these considerations.

The tennis courts are essentially 'see-through' in nature and do not intrude into views across the site, nor have a materially adverse impact upon the countryside. It is therefore considered that the need to screen them as advanced in support by the applicant carries little weight, particularly where the impact of the screen (the proposed barn itself) would be greater than the tennis courts.

A further argument advanced in support of the barn is to remove parked vehicles from view, however it is noted that a hardened area is proposed outside the barn, and there would be

no means of preventing vehicles being parked there in full view from the highway and nearby houses. The existing vehicles are not permanent fixtures and have a materially different and lesser impact upon the countryside than a permanent and large barn would have.

The proposed new building is considered to have an unacceptable and visually intrusive impact upon the countryside.

2) The dwelling house is a Listed building, and the barn outbuildings are considered to be curtilage Listed.

The Conservation Officer has raised no objection to this proposal as it is in the spirit of the outbuildings that formerly stood north of the farmstead.

It should be noted however that planning policies for development in the countryside do not recognise the principle of erecting a building that might be in the spirit of former buildings now long removed from a site. While members may wish to give weight to the re-erection of as "imported" historic building, in terms of planning policy there is no justification unless it can be demonstrated that the setting of the listed building would be enhanced. It is not evident, from the information presently available, that this is the case.

3) The Environment Agency comments are noted, and whilst there are issues of concern if the building were to be considered otherwise acceptable it would be possible to address these issues through conditions. However as set out above there are issues of planning policy that oppose this development in principle.

4) No other issues are considered to arise.

**CONCLUSIONS:** The proposal is considered contrary to planning policy to protect the countryside from inappropriate development.

**RECOMMENDATION: REFUSAL REASONS**

The proposed outbuilding, by way of its position, scale, height and design, would result in the introduction of a substantial and excessive amount of additional built form at this site. This would be visually intrusive in the countryside and harmful to the rural and spacious character of the immediate locality, lending it a more built up and residential character. The development would tend to extend the scale and extent of domestic clutter associated with residential use of the property further into the countryside. As such, the development would be contrary to policies H8, S7 and S8 of the Adopted Local Plan.

*Background papers: see application file.*

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**UTT/1536/07/FUL - STANSTED**  
***(Referred by Cllr Councillor Sell)***

Change of use of former agricultural barn to office use. Change of use of farmyard to car park

Location: Building adjacent to No's 49 & 53 Bentfield Causeway. GR/TL 505-253.

Applicant: Liz Lake Associates Ltd

Agent: Liz Lake Associates Ltd

Case Officer: Mr T Morton 01799 510654

Expiry Date: 19/10/2007

Classification: OTHER

**Supplementary Report**

This application was considered at the last meeting, and it was resolved to grant planning permission upon the expiry of the consultation period, which was 18<sup>th</sup> October, the day after the Development Control meeting.

However, subsequent to the meeting, an administrative error resulted in the expiry date of the consultation period appearing on the Council's website as 6<sup>th</sup> November. Although this error was remedied shortly after its discovery, and the expiry date on the website reverted to 18<sup>th</sup> October, it is understood that some members of the public saw this mistaken date. As a result, the Director determined that the decision should not be issued until 7<sup>th</sup> November.

Concern has also been expressed by objectors that the confusion over the expiry date, and the late expiry of the consultation period, meant that members of the Committee did not have sufficient opportunity to fully consider those objections. The following therefore sets out a summary of all objections received during the consideration of the application, and since the last meeting of the Development Control Committee. Any further representations received up to 6<sup>th</sup> November will be included on the list of supplementary representations, or will be reported verbally at the Committee meeting.

The recommendation remains, as previously, and is not amended in the light of additional comments received. The previous report is attached.

**Representations included on the original report:**

**REPRESENTATIONS:** This application has been advertised and no representations have been received. Period expires 18 October 2007. Any comments received will be reported at the meeting of the Committee.

**Representations included on the Supplementary list of Representations received:**

**REPRESENTATIONS:** Three further representations have been received.

1. Low Barn: The Change of use of this very pretty part of Stansted is totally undesirable. This is a residential area of natural beauty and historic interest. There is no other commercial premise nearby and this part of Bentfield Green should be protected from such development. The land being proposed for the car park is not a farmyard but was used for many, many years by the previous owner of 53 for growing vegetables. It was not separated from the garden until the current owner purchased the property and refined the borders.

The size of the car park seems smaller on the revised plan than the original one. Therefore it may be inadequate, any overspill will affect an already dangerous bend. If the redundant farm buildings are to be saved, surely plans to restore them could be included in an imaginative residential conversion and be in keeping with the current locality

2. 42 Bentfield Causeway: The car parking area will attract antisocial behaviour to the area overnight. The farmland status should not be changed as this is the first step to housing intruding on the rural nature of the area. If the barn must be developed then it would be best used if converted to a single dwelling house. The car park appears to have only about 1 space for 3 employees.

3. Tithe Barn: This is a residential area and a particularly rural corner of Stansted Mountfitchet. The barn and neighbouring properties are of great historic value. To convert it to office use when there are many more suitable properties in more commercially appropriate areas seems totally inappropriate. Nervous about precedent this development would set. There are other fields serviced by the same access adjacent to this barn, and whilst hitherto applications have been unsuccessful, new precedents can provoke drastic u-turns. This application was previously rejected

It is already unnerving walking with a pushchair where there are very narrow pavements and drivers going far too fast and more development in this area would only increase traffic not to mention visual intrusion for our neighbours and ourselves. Our windows do have direct views of the whole barn, its adjacent fields and the access road so the impact would be there 24 hours a day

Verbal Representations reported to the meeting of 17<sup>th</sup> October, and subsequently received:

1. 37 Bentfield Causeway: object – the proposal has not addressed the previous reasons for refusal, particularly the fundamental lack of space for vehicles and pedestrians to pass. The proposed turning head will result in the possibility of pedestrians being in conflict with reversing vehicles.

29 car trips a day constitutes more than minor increase in traffic on a track currently traffic free except for Sunday mornings. Removal of the gate will make use of track more dangerous for pedestrians, particularly with small children. Proposed highway conditions will not ensure pedestrian safety – turning head will result in vehicles reversing from car park onto track; signage should be inside the car park; signage will also cause obstruction and be detrimental to visual amenity; 600mm pedestrian refuge strip is inadequate in close proximity to manoeuvring and reversing vehicles. Will be significant reduction in safety and ability to enjoy amenities of footpath for pedestrians, particularly for users with small children who currently enjoy secure traffic-free arrangement.

Disingenuous to assume car park would be visual improvement to former farmyard and vegetable garden. Deterioration in appearance has occurred only since subdivision of land. Factual error relating to footpath access to Christmas Tree Plantation. Building work in area has increased traffic hazards.

Offices & car park on blind corner will add to hazards, at point where cars speed above 30mph. Concerned at overspill parking if car park is full.

Area is primarily residential and proposal would greatly change its character.

2. 45 Bentfield Causeway: objection – previous refusal was based on inappropriate development in the countryside. Car park exacerbated this, but was not the primary reason for refusal. The proposed change in the location of the car park does not overcome the

reasons for refusal. The land is wrongly referred to as farmyard, and was former garden land. Refusal issues of introduction of lighting, dangerous vehicular access, noise pollution and overlooking have not been overcome. Proposal would introduce direct line of sight to No.45 Bentfield Causeway and adjacent properties. Would create totally unacceptable imposition in terms of visual intrusion and noise.

Bentfield Causeway is one of few remaining pretty areas of Stansted and is entirely residential. Proposal would adversely change its appearance and status. Plenty of vacant industrial space available locally. Overflow parking will create hazards at this blind bend near a busy residential junction. Would support residential conversion.

3. 10 Bentfield End Causeway: objection – area is residential, and to be included in Conservation Area. Commercial property will not enhance or maintain unique attraction of this part of village. Increased traffic hazards & parking congestion. Increased hazards to children using the recreation ground by attracting more strangers to area. Other commercial space available. Concern about future development potential of recreation ground. Damaging to local residential community.

4. Bentfield Green Farm: objections – commercial development would fundamentally detract from the historic housing stock (including 14<sup>th</sup> century). Sympathetic residential conversion would be more suitable. Proposal is at odds with proposals to designate Conservation Area. Poor location to attract extra commercial traffic, sitting between two sharp bends on county road. Locally available alternative premises.

5. 13 Bentfield Causeway: Strongly object – only sensible use would be as 2 garages and one dwelling behind.

6. 36 Bentfield Causeway: objections – 20 years ago commercial use of 27/29 Bentfield Causeway was dismissed at appeal as Causeway is residential area; the road was narrow with parking problems; and other sites were earmarked for commercial development in District Plan. Nothing has changed except proposed site is nearer to open countryside; adjacent to access to playing pitch, and could open up land to future applications; on road bend; opposite junction with Wetherfield; next to historic dwellings; traffic volumes & parking are worse than 20 years ago.

7. Pond Cottage: strongly object – inappropriate commercial development in historic and densely populated residential area. Bentfield Green is important area of domestic architecture over the ages and worthy of protection from commercial development. Recognised by inclusion in Conservation Area.

Proposal is in close proximity to 4 historic dwellings and adversely affect their environment. Car park would be inadequate for potential staff, visitors and delivery vehicles, and too close to dwellings. Overspill parking on bend would be hazardous. Land is not farmyard but has been garden area. Much alternative office space available locally. No need or justification for commercial conversion. Residential conversion would be more harmonious with listed dwellings 45-53 Bentfield Causeway.

8. 44 Bentfield Causeway: object – increased traffic from staff and visitors. Car park will attract youths and anti-social behaviour. Disturbance would be detrimental to wildlife (bats, grass snakes, slow worms, frogs & newts). Commercial development would not be beneficial to Conservation Area. Office space with purpose designed car park is available locally.

**CONSIDERED AT THE MEETING: 17 OCTOBER 2007**

**UTT/1536/07/FUL - STANSTED**

***(Referred by Cllr Councillor Sell)***

Change of use of former agricultural barn to office use. Change of use of farmyard to car park

Location: Building adjacent to No's 49 & 53 Bentfield Causeway. GR/TL 505-253.

Applicant: Liz Lake Associates Ltd

Agent: Liz Lake Associates Ltd

Case Officer: Mr T Morton 01799 510654

Expiry Date: 19/10/2007

Classification: OTHER

**NOTATION:** Outside Development Limit / Metropolitan Green Belt.

**DESCRIPTION OF SITE:** The application site consists of a dilapidated brick and flint barn and attached stables and lean-to, together with a former farmyard. The site is set just outside of the Development Limit and within the Green Belt. The building is bounded on its north side by a trackway about four metres wide which is also a public right of way footpath, and this would serve as vehicle access to the proposed car parking area on the farmyard. To the east side of the barn is an open area that provides car parking space and garden for residential premises at 47 & 49 Bentfield Causeway which are Listed Buildings.

**DESCRIPTION OF PROPOSAL:** Repair and Conversion of the barn involving change of use to offices, with construction of a car park on the farmyard area across the trackway.

**APPLICANT'S CASE including Design & Access statement:** A D&A statement and Transport statement have been submitted with the application. The full statements are available on file.

The proposal is amended from the previous version to omit the contentious use of a grassed field to provide the car parking for the development.

The proposal will provide a new office for a company based in Stansted who are landscape architects and urban designers and who need to expand.

Support is quoted from PPS 7 for the re-use of existing buildings, and that Planning Authorities should be particularly supportive of the re-use of buildings that are adjacent to or closely related to country towns and villages for economic purposes. PPG2 Green Belts sets out criteria for re-use of buildings, that re-use of buildings should not prejudice the openness of the green belt (since the buildings are already there), and can help to diversify farm enterprises. The applicant contends that the car park does not conflict with the openness of the green belt because landscape planting will enclose it. The Structural report submitted with the application concludes that the building can be converted without major reconstruction, and the form and general design will be in keeping with the surroundings. The requirements of Policy C2 and RE2 of the Essex & Southend on Sea Replacement Structure Plan will be met, as will policy E4 and E5 of the Uttlesford Local Plan. The proposal would have no detrimental effect on nearby listed buildings. The building is described as sound, and some repairs have been carried out to it since the previous application. The conversion is based upon remedial repair, new entrance on the west side partly by cutting into the roof, a new gallery is inserted internally, an obscured glazed screen replaces the timber barn doors on the east side. . New windows and enlarged existing

windows are proposed for natural lighting. The new car parking entrance area is heavily landscaped to provide a transition from countryside to village.

An ecological survey has been carried out, looking especially at Bats. This is dated 13<sup>th</sup> October 2005, and concludes that no bats were found to be present in the buildings but it is probable that bats in nearby roosts will forage in the garden and paddock to the west of the property. It was concluded that the development would not have a detrimental impact on the local bat population. The assessment also looked at the possible use of the site by amphibians and concludes that it is unlikely to be so used. There is no evidence of badgers in the vicinity. The proposal provides potential to increase the nature conservation benefit of the site by native tree and hedge planting and creation of a void under the building ridge with access for bats and provision of bird nesting boxes on the building.

A transport assessment has been provided. This describes the local geography and states that bus routes 306 (single daily trip) and Village Link 7 (hourly service) stop within close proximity to the site. Other routes follow Cambridge Road about 500m away. The site is within a residential area and is accessible by modes other than the car. Of the existing 14 employees four are local and walk to work. Others presumably come by car, but this is not stated. Of the proposed 20 staff six are expected to come by non car modes, with 10 staff movements by car accessing the site in the morning, and 32 movements over the typical day. The proposed parking provision is slightly above adopted standards to meet the occupiers' expected needs. It is accepted that Stansted does not have the level of alternative modes of transport that would be available in town centre position. The track will be re-surfaced and sightlines at the highway junction are good. The proposal will have a negligible impact on the highway network.

A landscape and visual impact assessment has been provided which considers visual amenity residential amenity, effect on listed buildings effects on nature conservation and planning designations. This is lengthy and seeks to justify the development but accepts that approx 840 sq.m. of grazed paddock would be lost and replaced by approx 400 sq m of hard surfacing and 440 sq m of amenity grass and planting. There would be clear views of the proposal from the public footpath. The windows in the eastern elevation of the barn will be obscure glazed to protect residential amenity, with a 1.8m high fence erected on the boundary. The proposal would have no adverse effect on the setting of the listed buildings at 47 & 49.

**RELEVANT HISTORY:** UTT/1986/06/FUL - Repair and Conversion of the barn involving change of use to offices, with construction of a car park on part of the field to the west side of the building, with vehicle access from the adjacent trackway. Refused 29 January 2007.

**CONSULTATIONS:** Thames Water: We recommend that petrol / oil inceptors be fitted in all car parking areas. There are public sewers crossing the site and no building works will be permitted within 3 metres of the sewers without Thames Water approval.

Council Engineer: Condition C.8 27B should be applied to ensure all surface water drains to soakaways unless an alternative is agreed.

**PARISH COUNCIL COMMENTS:** Consultation period expired 27 September 2007.

The PC comments that it is concerned about the principle of establishing a car park in the green belt. We seek decision by committee for the decision on this principle. We are also concerned about the effect of cars upon the public right of way that goes through the site and the safety of pedestrians.

**REPRESENTATIONS:** This application has been advertised and no representations have been received. Period expires 18 October 2007. Any comments received will be reported at the meeting of the Committee.

## **PLANNING CONSIDERATIONS including Design & Access statement:**

The main issues are

- 1) **Green Belt policy (PPG2, PPS7 ULP Policy S6);**
- 2) **Conversion of redundant rural buildings (ULP Policy E5);**
- 3) **Landscape character (ULP Policy ENV8);**
- 4) **Traffic and pedestrian issues (ULP Policies GEN1 and GEN8);**
- 5) **Biodiversity issues (ULP Policy GEN7);**
- 6) **Amenity of adjacent residential premises (ULP Policy GEN2);**
- 7) **Setting of Listed Buildings (ULP Policy ENV2) and**
- 8) **Other material planning considerations.**

1) The building lies within the Green Belt, where Policy sets a general presumption against inappropriate development. PPG2 Green Belts explains the purpose of policy is; To check the unrestricted sprawl of large built up areas  
To prevent neighbouring towns from merging  
To assist in safeguarding the countryside from encroachment  
To preserve the setting and special character of historic towns  
And to assist in urban regeneration by encouraging the recycling of urban land.

PPG 2 sets a general presumption against inappropriate development and sets out specific categories of exception to this which includes the re-use of buildings.

Part of the proposal involves the formation of a small new pedestrian footpath to the new entrance to the office conversion upon currently open agricultural land. However, these works would be quite minor in nature and would not have a marked impact upon the openness of the green belt, and are therefore considered to be acceptable under Green Belt Policy.

PPG 2 states:

"The re-use of buildings inside a Green Belt is not inappropriate development providing:

- (a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- (b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (eg because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);
- (c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
- (d) the form, bulk and general design of the buildings are in keeping with their surroundings. (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).

Policy E5 of the Uttlesford Local Plan allows for;

The re-use and adaptation of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation will be permitted in the countryside, including the Metropolitan Green Belt, the Countryside Protection Zone and beyond, if all the following criteria are met:

- a) The buildings are of a permanent and substantial construction;
- b) They are capable of conversion without major reconstruction or significant extension;



- c) The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts;
- d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity).

The applicants describe the building in their submission based upon a consultants report as being a robust structure of brickwork all in good sound condition with no major defects, with some minor fractures in the walls that can be stitched, and with the masonry walls able to support the mezzanine. The adjoining stable section is described and it is stated that some replacement of timbers would be required. The south west section is a lean-to structure with distorted wall and failing roof with western flint wall in poor condition needing remedial work. Some repairs have been carried out to the building during recent months to remedy some of these defects.

It is considered that in principle a small scale use of this redundant building in the Green Belt could be acceptable in policy terms.

3) The proposal involves a car park for the proposed office use formed on the former farmyard area between existing buildings. Whilst this is strictly located in the Green Belt, it does not extend beyond the general edge of development defined by the surrounding buildings and is considered not to impact upon the openness of the Green Belt. There will be some enhancement by new landscape planting associated with this to generally improve the character of this corner of Stansted.

4) There are some concerns about the proposed access, along a narrow track, which is also a public right of way. Policy GEN1 of the Uttlesford Local Plan requires that the design of the site should not compromise road safety and must take into account the needs of cyclists, pedestrians etc. The vehicle access is already used by one adjoining house, and formerly served the farmyard when it would have had farm traffic using it. The level of vehicle flows into this essentially traffic free footpath is predicted to be low, and by the very nature of the site the speeds of vehicles would be slow, and their presence would be very obvious to pedestrians. Shared use roadways are of course accepted for example in the layout of new housing estates, and provided that vehicle speeds are low this is a satisfactory arrangement. On this basis the shared use is not considered to be problematic.

The parking standards indicate that about 6 parking spaces would be required for a unit of this size, whereas 8 spaces are proposed two of which are to disability standard, and a cycle parking area is also provided.

5) The Design and Access Statement contains Appendix F which is an ecological appraisal and bat survey. This concludes that the development would have no adverse impact upon the protected species, and in particular the barn is not used by bats.

The development can make gains for wildlife by providing native species for the hedge, by planning the creation of a void under the building's ridge for potential use by bats, and by the provision of bird nesting boxes or bricks on the building.

These are good ideas that would need to be secured by condition.

6) The potential negative effects of the proposals upon the amenity of the occupiers of the adjacent houses, would be the introduction of additional traffic movements in close proximity to their houses with consequent noise and disturbance and headlights at night, effect upon their access to and enjoyment of their garden space and any disturbance which may arise, and the presence of a large glazed opening in the existing doorway of the barn.

However, this is a B1 office use that can take place in a residential area without detriment to amenity, and a condition restricting operating hours would overcome any potential for disturbance at unsocial hours.

The glazed opening in the barn is to be obscure glazed, and it is also proposed to provide an 'architectural screen' to a height of 1800mm inside the window, but details of this are not provided. These can be secured by condition.

7) The setting of the Listed Buildings at 47 and 49, and 53 Bentfield Causeway has to be considered. The applicant contends that repair of the former barn building will prevent it falling into dilapidation, and thus would improve the setting for the other Listed Buildings. On balance the overall impact of the development is considered neutral.

8) No other issues are considered to arise.

**CONCLUSIONS:** The proposal is considered to be acceptable.

**RECOMMENDATION: SUBJECT TO NO FURTHER OBJECTIONS BEING RECEIVED THIS APPLICATION TO BE DETERMINED UNDER DELEGATED AUTHORITY AND FOR 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.5.2. Details of materials to be submitted agreed and implemented.
4. C.8.29. Energy Efficiency.
5. C.8.27B Soakaways.
6. C.25.1. Ban on airport related parking.
7. Details of features to make gains for wildlife by providing native species in the hedge planting, by planning the creation of a void under the building's ridge for potential use by bats, and by the provision of bird nesting boxes or bricks on the building shall be submitted to and approved in writing by the Local Planning Authority before commencement of development and shall be implemented before occupation of the development hereby approved.  
REASON: To enhance the value of the site for wildlife.
8. The glazed opening in the barn shall be obscure glazed with glass of obscuration level 4 or 5 and shall be so maintained thereafter, and an 'architectural screen' to a height of 1800mm shall be provided inside the window and shall be so maintained thereafter.  
REASON: In the interest of the amenity of adjacent residential occupiers.
9. C.4.1. Scheme of landscaping to be submitted and agreed.
10. C.4.2. Implementation of landscaping.
11. C.6.1. Excluding future changes of use without further permission.
12. C.8.15. Restriction of hours of operation.
13. The use hereby permitted shall only operate between the hours of 8.00am to 6pm Mondays-Friday; 8.30am to 1pm on Saturdays and not at all on Sundays and Bank and Public Holidays.  
REASON: In the interests of the amenity of the occupiers of nearby residential properties.
14. C.8.22. Control of lighting.
15. C.8.30 Provision of bin storage.
16. C.9.1. No outdoor storage.
17. C.10.10. Details of parking and surface materials.
18. C.10.17. No occupation until spaces laid out.
19. C.10.20. Tree in the highway.
20. C.10.23. Travel plan.

*Background papers: see application file.*

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**UTT/1599/07/FUL - NEWPORT**

***(Referred by Cllr Yarwood)***

***(Reason: to consider safety issues)***

Retrospective planning application for the use of existing offices, used in connection with the buildings use for non commercial storage purposes for commercial offices as defined within class A2 of the Use Classes Order 2005

Location: The Green Garages Cambridge Road. GR/TL 521-346

Applicant: Mr Stephen Bulling

Agent: Mr Martin Ranner

Case Officer: Mr T Morton 01799 510654

Expiry Date: 06/11/2007

Classification: OTHER

**NOTATION:** Inside Development Limit.

**DESCRIPTION OF SITE:** A tall single storey shed type building sited between the road and the railway embankment just to the north of the rail overbridge on the B1383. It has green painted sliding wooden doors as its entire front elevation, though these are sometimes left partially open to reveal a two storey mezzanine structure within the northern end. A small yard/hardstanding was created to the north end of the building in the last year or two, and this has metal gates to the frontage.

**DESCRIPTION OF PROPOSAL:** Retrospective consent for change of use of existing offices (Class A2) formed within a building used for non-commercial storage. See Planning Considerations section for discussion.

**APPLICANT'S CASE including Design & Access statement:** The statement is available in full on file. It describes the site and surroundings and the proposal.

**RELEVANT HISTORY:** The building is used principally by the occupier in connection with his hobby of old motor cars, but he also operates an accountancy business, partly from his home and partly from an office formed in the space beneath a mezzanine structure inside the building. This provides a place where he can meet clients. This application seeks retrospective approval.

**CONSULTATIONS:** None.

**PARISH COUNCIL COMMENTS:** Permission has been granted previously for a much larger extension. Parking on the pathway could cause problems  
Office accommodation may not comply with planning regulations.  
[NB approval granted in 1992 for extension to form two first floor flats with parking beneath was not implemented and has lapsed.]

**REPRESENTATIONS:** None. Notification period expired 11 October 2007.

**PLANNING CONSIDERATIONS including Design & Access statement:**  
**The main issues are**

- 1) Principle of use (ULP Policy S3);
- 2) Highway issues (ULP Policy GEN1) and
- 3) Other material planning considerations.

1) The site is within the Development Limit of Newport where in principle development is acceptable, and the plan offers general support for businesses in such locations. The D&A statement advises that the works to form the office were carried out more than four years ago, but of course the use does not acquire immunity from enforcement until 10 years have passed. The D&A statement advises that the business is small in nature employing one person plus the proprietor. This low level of activity would have no adverse impact on residential amenity.

2) The building is set back from the highway behind a wide verge and surfaced paved area which can provide all parking needs for this small business, albeit that this is highway land outside the applicant's control. However, given the low-key use the proposal is considered acceptable even if that parking facility were not available. The yard area formed at the north end of the building provides a further single parking space. The parking and access arrangements are considered workable here.

3) No other issues are considered to arise.

**CONCLUSIONS:** The works are considered satisfactory and may be retained.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.3.1. To be implemented in accordance with approved plans.

*Background papers: see application file.*

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**UTT/1612/07/FUL - NEWPORT**

***(Referred by Cllr Yarwood)***

***(Reason: to consider safety issues)***

Retrospective planning application for a set of security gates and creation of a hard standing adjacent to the northern flank elevation of the building

Location: Green Garages Cambridge Road. GR/TL 521-346.

Applicant: Mr Stephen Bulling

Agent: Mr Martin Ranner

Case Officer: Mr T Morton 01799 510654

Expiry Date: 06/11/2007

Classification: OTHER

**NOTATION:** Inside Development Limit

**DESCRIPTION OF SITE:** A tall single storey shed type building sited between the road and the railway embankment just to the north of the rail overbridge on the B1383. It has green painted sliding wooden doors as its entire front elevation, though these are sometimes left partially open to reveal a two storey mezzanine structure within the northern end. A small yard/hardstanding was created to the north end of the building in the last year or two, and this has metal gates to the frontage.

**DESCRIPTION OF PROPOSAL:** Retention of open yard/hardstanding and security gates.

**APPLICANT'S CASE including Design & Access statement:** The statement is available in full on file. It describes the site and surroundings and the proposal.

**RELEVANT HISTORY:** The yard and gates were formed without planning permission, though Building regulations consent was obtained. This application seeks retrospective approval.

**PARISH COUNCIL COMMENTS:** The PC advises it has no comment to make.

**REPRESENTATIONS:** None. Notification period expired 11 October 2007.

**PLANNING CONSIDERATIONS including Design & Access statement:**

The main issues are

- 1) Design (ULP Policy GEN2);
- 2) Highway issues (ULP Policy GEN1) and
- 3) Other material planning considerations.

1) The excavation works began in an effort to reduce damp penetration into the building from the embankment that surrounded it to the rear and north sides. The principal effect of the works has been to create a visual gap at the north end of the building, where before there was a section of the embankment. This has not greatly impinged upon the overall appearance of the site, and the gates are of a good standard.

2) The new access is set well back from the carriageway but is closer to the footway, however if a vehicle were to park in the yard it would have adequate sightlines toward pedestrians.

3) No other issues are considered to arise.

**CONCLUSIONS:** The works are considered satisfactory and may be retained.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.3.1. To be implemented in accordance with approved plans.

*Background papers: see application file.*

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