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1) UTT/0118/08/FUL & 2) UTT/0126/08/FUL - WENDENS AMBO

1) Change of use from agricultural land to residential. Erection of two detached and a pair of semi-detached dwellings.

2) Change of use from agricultural land to residential. Erection of 6 semi detached dwellings

Location: Site on corner of Duck Street and Rookery Lane. GR/TL 509-359.

Applicant: Pelham Structures Ltd

Agent: Pelham Structures Ltd

Case Officer: Mr T Morton 01799 510654

Expiry Date: 21/03/2008

Classification: MINOR

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: The site is open land between houses on the west side of this lane, which is a public bridleway, but not an adopted highway. A remnant hedgerow with trees fronts the lane.

DESCRIPTION OF PROPOSAL: UTT/0118/08/FUL - 4 dwellings in three buildings – one detached 4 bedroom house with basement, one detached 3 bedroom house with basement, and 2 semi-detached dwellings one 2 bedroom and one 3 bedroom. Density 20.8 dph.

UTT/0126/08/FUL - 6 new dwellings in three buildings (plots 1 & 2 with basements) – 5 x 3 bedroom and 1 x 2 bedroom semi-detached houses. Density 31 dph.

In both schemes the houses are accessed from a private drive set parallel to the unsurfaced private road with a single point of access to the highways, this enables the existing frontage trees to be retained and the hedgerow reinforced with new planting.

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: UTT/1306/06/OP Outline application for erection of four detached dwellings with garages. Refused 22/09/2006. Appeal dismissed
[Note; the refusal was based upon the likelihood that it would not be possible to provide four detached dwellings as a row along the site frontage and that the eventual detailed layout would be likely to show a development in depth of the site, which would have been out of character with the pattern of development in the vicinity.

CONSULTATIONS: Comments are expected from the Highway Authority and the Water Authority.

Essex County Council archaeological advice: The Essex Historic Environment Record shows that the proposed development lies within a highly sensitive area. The archaeological evaluation undertaken on this site clearly indicates evidence of both Roman and medieval occupation on the site. The Roman deposits may be associated with the Roman villa complex on the western side of the M11. This site will provide important information on the use of the landscape around a villa. The medieval evidence relates to a rural settlement and will provide important informat(ol) on the occupation and development of Duck Street. It is recommended that the total area of disturbance caused by the development is excavated prior to development commencing.

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

RECOMMENDATION: Archaeological 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."

A professional archaeological team should undertake the archaeological work. The archaeological work would consist of an open area excavation of the development area to fully record the archaeological deposits.

Council Engineer: Condition C.8.27 as modified below should be applied to any approval.

In accordance with the submitted application details, all surface water shall drain to soakaways unless an alternative scheme is submitted to and approved in writing by the local planning authority prior to the commencement of the development.

Note: This condition applies to all surface water including that from impermeable ground surfacing.

REASON: To control the risk of flooding to the development and adjoining land.

Ramblers Association: Duck Street and Rookery Lane are narrow lanes which cannot accept additional traffic. The installation of these dwellings would increase the traffic by at least 4 cars but more likely double this. In addition as the roadway in front of the dwellings is a footpath/bridleway this will be interpreted as a reason to park away from the dwelling thus creating obstructions for pedestrians and horse riders. It must be noted in both of the proposals that the last dwelling is not provided with a garage and as access to rear of Bulse Farm Cottages is required from this driveway, it is difficult to see how any parking will take place on this. I also note that this driveway is to provide access to the area behind the proposed dwellings thus indicating that further building is planned in the future. As the footpath/bridleway along Duck Street is well used any proposal to increase vehicle use along it must be viewed with concern and the possibility that this would be further opened up to additional housing on the area which is some 7 times larger than that under discussion, makes it of very great concern. The Ramblers Association is not against the erection of the dwellings as laid down in either of the proposals but if it can not be guaranteed that there will be no building on the remaining land to the rear which would require vehicle access from Duck Street. It cannot support either of these proposals.

PARISH COUNCIL COMMENTS: Consultation period expired 24 February 2008
The PC comments are awaited at the time of writing this report.

REPRESENTATIONS: These applications have been advertised and 1 representation has been received. Period expired 20 February 2008.

Thank you for your notification of the application for these developments.

In the course of his application the applicant has made a number of assertions and tendentious statements that should be corrected.

Firstly, the land is only redundant because the applicant chooses it to be so. There is no reason for it not to be cultivated.

Secondly, there is no "spare capacity" for vehicular traffic in Duck Street and Rookery lane.

Traffic on these two roads is not "minimal" and is anything but "slow moving" as asserted.

There has been very little development of new dwellings in these two roads and yet the amount of traffic has increased enormously in the last few years. Partly it must be said because of the office use of Bulse Farm. There are numerous occasions when the roads are blocked for deliveries of oil etc or emptying of cess pits.

Thirdly, the walk to the station is more than 10 minutes and not the 5 as stated.

The locality can not take an increase in housing because of the increased traffic it will inevitably generate. The roads are really quite dangerous as they are.

The density of the development is far higher than the surrounding area and it is inappropriate for a rural area. It is not a suburban area as suggested

COMMENTS ON REPRESENTATIONS: Noted. The planning issues are discussed in the following sections.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) Principle of development (ULP Policies S3, H3);
- 2) Housing Mix (ULP Policy H10);
- 3) Design detail and amenity (ULP Policy GEN2);
- 4) Highways and access issues (ULP Policy GEN1)
- 5) Other material planning considerations.

1) This site was added into the Development Limit of Wendens Ambo by the Inspector dealing with the Local Plan enquiry. The principle of developing the land is therefore agreed subject to compliance with other relevant policies and planning standards. One issue of principle is the density of development, and UTT/0118/08/FUL involves a Density of 20.8 dph whereas UTT/0126/08/FUL involves a Density of 31 dph. There are two possible views to be taken of this, and one is to refer to the generally low density character of Duck Street, but a calculation of a numerical density of these houses is difficult to carry out here with any meaning, as the plots of these houses are extensive to their rear and in many cases the boundaries are not known. The alternative view is to say that this site stands well separated from the houses in Duck Street and will have its own character, particularly as it will be set in its own private drive. In this case either density, 20.8 or 31 dph, is low and both are considered acceptable.

2) The housing mix policy is concerned to achieve a supply of smaller units to redress the imbalance posed by the dominance of four bedroom or larger houses in the District. Policy H10 – Housing Mix
All developments on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties.

All developments on a site of 3 or more homes must include an element of small 2 and 3 bed homes, which must represent a significant proportion of the total, for those households who are able to meet their needs in the market and would like to live in a new home. In this respect the six house scheme is a better use of the site since it provides entirely 2 and 3 bedroom units, the four house scheme has one 4 bed and 3 smaller dwellings.

Either scheme could be said to comply with the policy however.

3) Both schemes involve three buildings in a row set back from the private road/bridleway, with a single point of access to the highway serving a private drive to the front of the three buildings. This minimises conflict with the use of the private drive and bridleway, and enables retention of the entire tree and hedgerow frontage to the site, which is to be reinforced with new planting to fill in the gaps. This will give a good layout and sense of place. The buildings are based upon vernacular designs with good quality materials and detailing, and these dwellings will help to reinforce the rural character of the locality. Indeed they are more appropriate than many of the 'suburban' house types built in Duck Street in the second half of the 1900s.

3) The use of a single point of access will minimise any potential conflict with users of the bridleway and provide a satisfactory and workable road layout. Each house is provided with a garage and / or parking spaces which meet adopted parking standards. Any new

dwelling will generate additional traffic, but there is no concept in planning or highways practice of a fixed capacity for a particular road which if used up prevents any further development. The highways are capable of carrying all types of vehicle that might be expected to call at these houses and are adequate to serve them. Wendens Ambo does have the benefit of the nearby railway station, which is within walking distance of Duck Street, one reason why houses here are so popular. Conditions that may be suggested by the highway authority should be included in any approval.

4) Both schemes retain an access to the land at the rear, and this has been seen by some representees as indicating further future development. The land to the rear will still need access if farmed, and lies outside of the Development Limit where development would not be approved.

No other issues are considered to arise.

CONCLUSIONS: Both proposals are considered satisfactory.

RECOMMENDATION: UTT/0118/08/FUL & UTT/0126/08/FUL APPROVAL WITH CONDITIONS

- 2 C.2.1. Time limit for commencement of development
- 3 C.3.2. To be implemented in accordance with revised plans.
- 4. No development shall take place until details of materials indicated on the submitted drawings to be used in the construction of the external surfaces of the building hereby permitted have been either confirmed to or any amendment thereto has been confirmed to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details. Subsequently, the external surfaces shall not be changed without the prior written consent of the local planning authority.
REASON: To ensure the building is visually well related to its surroundings.
- 5 C.16.2. Full archaeological excavation and evaluation.
- 6 C.8.27B Soakways.
- 7 C.8.29. Details of measures providing energy and water efficiency and sustainable power and drainage for new residential or commercial development.
- 8 C.28.1. Implementation of accessibility scheme.
- 9 C.6.7. Excluding conversion of garages.
- 10 C.8.30. Provision of bin storage.
- 11. C.4.1. Scheme of landscaping to be submitted and agreed.
- 12. C.4.2. Implementation of landscaping.

Background papers: see application file.

UTT/0058/08/DFO - LITTLE DUNMOW

Details following outline application allowed under appeal reference
APP/C1570/A/96/273656 for erection of a multi-purpose community hall
Location: Oakwood Park. GR/TL 665-205
Applicant: Enodis Plc & Enodis Property Development
Agent: G L Hearn
Case Officer: Mr M Ovenden 01799 510476
Expiry Date: 12/03/2008
Classification: MINOR

NOTATION: Within area subject to Oakwood Park Local Policy 1.

DESCRIPTION OF SITE: The site has an area of 0.24 hectares and is situated towards the southern edge of the proposed built up area of the Oakwood Park development. Land to the north is allocated for housing, although no detailed scheme has been submitted; to the east the approved Masterplan shows there to be playing fields; to the south is shown to be landscaping leading to the proposed Nature Reserve. The Primary school is under construction on land to the west and it is understood that this will open in September 2008.

DESCRIPTION OF PROPOSAL: The application relates to the submission of reserved matters for the erection of a community hall, car park and play area, following the overall outline permission for the Oakwood park site.

APPLICANT'S CASE: See summary letter attached at end of report.

RELEVANT HISTORY: The original outline permission (UTT/0302/96/OP) related to the reclamation of despoiled land and the demolition of redundant structures and redevelopment for residential purposes with associated local shopping, employment, school and recreational facilities; open space, highway, engineering and landscaping works. This was granted permission in 1998 by the Secretary of State and was subject to a Planning Obligation (S106) drafted by the applicant.

This permission left details of the siting, design and external appearance of the buildings, means of access thereto and the landscaping of the site for further approval.

Planning conditions dealt with the following issues:

Condition	Comments
1-4 Submission and approval of reserved matters	This application forms part of this submission
5 Requirement for compliance with Masterplan	See body of this report
6 Requirement for details of land reclamation	Dealt with under previous submission
7-10 Requirements for landscaping scheme, management, control over loss of trees	This submission includes indicative planting information rather than the details required by condition 7. The details will have to be submitted and agreed prior to commencement.
11 Protection of Nature Reserve (south of Stebbing Brook).	Dealt with under previous/separate submission
12 Restriction on development prior to opening of new A120	The new A120 is open

13 Control over hours of deliveries and work	The development is bound by these hours
14 Protection against noise of development	Dealt with under previous submission
15-16 Archaeology	Dealt with under previous submission
17-18 Drainage details	Dealt with under previous submission

The site was included within the area of land subject to the application for 162 further dwellings, refused by the authority in 2006, dismissed at appeal by the Secretary of state in May 2007 and currently subject to a High Court Challenge.

In October 2007 the committee refused a reserved matters application for a similar design for the following reason:

“The proposal is unacceptable because it would result in the erection of a utilitarian building of a design, external appearance and using materials that are not based on the local traditional style and would not be in keeping with the rest of the Oakwood Park estate as required by the Masterplan. It would fail to provide a design suitable for a community hall. Consequently the proposal fails to comply with Oakwood Park Local Policy 1 and GEN2 - Design.”

Apart from minor changes to the fenestration of the main element of the building (containing the main hall) the main change between the previously refused scheme and this revised proposal relate to the lower element. It gains a hipped pitched roof in place of the flat roof. The pitch of the roof would be 22.5° and it would be clad with reconstituted slates. This would bring the height of this section to about 8 metres, approximately 3 metres below the height of the main ridge. This roof continues over an open porch supported by four posts running along the front of the building. The revised design introduces a 1.6 metre high brick plinth around the lower section of the building, above which would be the previous larch boarding at ground floor level with Oak boarding at the upper level. As previously proposed the roof to the main element would have a 15° pitched roof clad with a mid grey single ply membrane.

CONSULTATIONS: Water Authority: To be reported.

ECC Highways: To be reported.

ECC Education: To be reported.

Environmental Services: To be reported.

Drainage Engineer: To be reported.

Building Control (Access officer): Advisory comments made.

PARISH COUNCIL COMMENTS: To be reported (due 15 February 2008).

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 7 February 2008.

1. Large car park area needs to be broken up visually with planting, Car Park could be greened by use of grass-crete in areas of low usage. A noise limiter power breaker needs to be fitted to all room electric circuits. Who will own, run and ultimately maintain the village hall? Various comments about suggested internal finishes.

PLANNING CONSIDERATIONS: The main issues are whether the:

- 1) proposal overcomes the reason for the refusal of the last application;
- 2) proposal complies with the requirements of the outline permission, its S106 Agreement, the approved Masterplan and ULP Policy Oakwood Park Local Policy 1; and

3) design and parking arrangements are acceptable (ULP Policies GEN2 and GEN8) and the Oakwood Park Design Guide.

1) One of the material considerations in this case is the recent refusal of reserved matters of a related design. Although recommended for approval the committee decided that the building was unacceptable because it would result in the erection of a utilitarian building of a design, external appearance and using materials that are not based on the local traditional style and would not be in keeping with the rest of the Oakwood Park estate and would fail to provide a design suitable for a community hall.

The changes to the design and appearance of the proposal, due to the introduction of the pitched roof, the open porch and introduction of a brick plinth to the lowered element of the building go some way to addressing the concerns expressed about the boxy appearance of the last scheme. The large scale use of timber is not common to Oakwood Park but there is some smaller scale use of it on the estate and on balance officers believe these materials and the revised design is acceptable given comments below.

2) The local plan and the outline permission require the development to be carried out in accordance with the Masterplan. The approved Masterplan dates from June 2004 and shows the hall to be located on this parcel of land. A further Masterplan was submitted in connection with the unsuccessful proposal to erect a further 162 dwellings. Originally this later (non approved) proposed Masterplan showed the community hall to be elsewhere, however during the appeal the proposed Masterplan was amended so that the hall's site reverted back to that shown in the approved Masterplan, i.e. in the location shown in this application, albeit with the parking to the south and hall to the north on this parcel of land in contrast to the opposite situation now proposed in the application. Consequently whatever the outcome of the High Court challenge to the appeal the location of the Community Hall site is unaffected. Officers are of the view that the relatively minor divergence in the precise position of the hall and car park on the approved site shown in this application is acceptable.

3) The outline permission requires the provision of the community hall as part of the facilities relating to the overall development. Appendix A of the associated S106 specifies the detailed requirements for the hall as reproduced below:

Gross internal floor area	500 square metres
Internal height	A minimum of 7.6 metres for a badminton court (to accord with Badminton Association of England recommendations)
Proposed external finish	Brick faced walls with tile roofing
Accommodation	Multi purpose accommodation to provide for sports and general cultural uses including: badminton, drama, playgroup, male/female toilets and changing facilities, a bar/kitchen area, storage area and a meeting room
Approximate construction costs (at February 1998 prices)	£313,000

The proposal complies with the requirements relating to floor area, internal height and accommodation. A minority of the building is proposed to be clad with brick and tiles as required by the S106. However the majority of the building would be clad with other materials which differ from the specification given in the S106 Agreement (the drawings show the building to be clad with Larch boarding on the ground floor with Oak at a higher level) and therefore would require an amendment to the S106/Obligation if the submitted details are accepted. No information has been submitted with the current application regarding the cost of the build or of maintaining the timber clad building in comparison to the

brick and tile building required by the S106 Agreement. At the time of the last application the applicant did acknowledge that there would be some greater degree of maintenance required. This would need to be reflected in a payment to form part of a revised S106 Agreement to permit the change in materials.

The school building on the site immediately to the west, approximately 55 metres distant from the boundary, is of contemporary design, with steeply pitched asymmetric, mono pitched and flat roofs, clad in brick, render and Larch boarding, with a contemporary placement of doors and windows. The Oakwood Park design guide provides no specific guidance on the design of the community hall.

The proposed car park would provide 31 spaces and it is envisaged that its use would be shared by users of the hall, the adjacent school and the adjacent playing fields. A 100 m² Local Area for Play (LAP) is proposed for use of children up to 6 years of age.

CONCLUSIONS: The proposal represents an acceptable scheme for the provision of the community hall subject to an amended S106 Agreement and submission of landscaping details (which include proposed finished level, means of enclosure, parking, circulation areas, hard surfacing, minor structures, retained trees and planting specification).

RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO S106 AGREEMENT TO REFLECT CHANGE IN MATERIALS FROM THOSE SPECIFIED IN THE ORIGINAL PLANNING OBLIGATION (INLCUDING A PAYMENT FOR THE INCREASED MAINTENANCE ASSOCIATED WITH THE NEW MATERIALS)

1. C.3.1. To be implemented in accordance with original and revised plans.
2. No development shall take place until such time as the following have been completed to the satisfaction of the Highway Authority:
Access is to be provided into the site via a dropped kerb crossover with all details to be agreed with the Highway Authority.
REASON: In the interests of highway safety.
3. Prior to commencement of the development visibility splays with dimensions of 2.4 metres by 60 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the access/junction. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.
REASON: In the interests of highway safety.
4. C.8.29. Details of sustainable construction for commercial development.

Background papers: see application file.

UTT/2265/07/DFO - BIRCHANGER

Reserved matters planning application for erection of 208 dwellings and associated works following outline permission UTT/1123/01/OP

Location: Land at Rochford Nurseries Forest Hall Road. GR/TL 509-238.

Applicant: Croudace Homes Limited

Agent: Mr C Viret

Case Officer: Mr J Pine 01799 510460

Expiry Date: 20/03/2008

Classification: MAJOR

NOTATION: Within Development Limits / Allocated for residential development in the ULP (720 dwellings – Policy SM4/BIR1). *Both policies are now saved beyond 18/1/08 by Direction by the Secretary of State.*

DESCRIPTION OF SITE: Rochford Nurseries lies on a plateau immediately south of Stansted Mountfitchet. This reserved matters application relates to the western part of the residentially allocated land, which is bordered to the north by houses in Brook View and Stoney Common, to the west by open private land between the Nurseries and the railway, to the south by Foresthall Road and to the east by the Taylor Wimpey / Persimmon (Pelham Homes) land. The application site consists of the western section of the Nurseries site (approximately 8ha), but excluding the Phase 1 land in the south western corner and the public open space behind Brook View along the northern boundary.

DESCRIPTION OF PROPOSALS: These reserved matters represent the 2nd and 3rd of 3 phases of residential development on the western part of the Rochford Nurseries site, which comprises Croudace's allocation of 285 dwellings. Phase 2 consists of land down the western boundary of the site and around the approved public open space along the northern boundary. Phase 3 is the central and southern parts of the site bordering the Taylor Wimpey / Persimmon land. The layout would reflect changes in road alignment required to accommodate the Taylor Wimpey / Persimmon layout and the open space along the northern boundary.

Phases 2 and 3 would be built at an overall density of 30/hectare. 66 affordable dwellings would be built, completing the 25% provision throughout the Croudace land. (5 x 2-bedroom houses were provided in Phase 1). The mix would be 4 x 1-bedroom, 16 x 2-bedroom, 10 x 3-bedroom and 2 x 4-bedroom houses and 28 x 1-bedroom and 6 x 2-bedroom flats distributed evenly throughout the two phases. The houses would be of 2 storeys, either terraced or pairs of semi-detached. The flats would be a mix of 2 and 3 storeys. At the request of the Moat Housing Association, lifts would not be provided for reason of construction costs. Of the total of 71 affordable dwellings in all 3 phases, 57 would be for rent and 14 shared ownership.

The private housing (total 142) would be detached, semi-detached, link-detached and terraced, ranging from 2 and 2+attic storey through to 3-storey. There would also be 5 x 3+attic storey houses located at focal points within both Phases 2 and 3, as anticipated in the approved masterplan. Also as per the masterplan, the density would be lower along the western and southern boundaries. The mix of private housing would be 5 x 2-bedroom, 16 x 3-bedroom, 89 x 4-bedroom and 32 x 5-bedroom.

Ridge heights would vary from between 7.2m for 2-storey houses to 10.6m for 3-storey and 11.8m for the 5 x 3+attic storey houses, which would have pyramidal roofs.

Pitched roofs would be covered in either plain tiles or slate, with all chimneys capped with clay pots. Facades would be of red or yellow stock brick, with some render or boarding. 1m high railings would define front garden spaces where they are provided. Other boundaries would consist of 1.8m high brick or rendered walls where they are more prominent; 1.8m high fences where they are not. As with Phase 1, houses would have private gardens ranging in size from 40-50m² to 200m².

There would be 6 Local Areas for Play (LAPs) located throughout Phases 2 and 3, including 2 in the large Green Square which would act as a focal point in the centre of the site. All would benefit from natural surveillance from adjoining houses. The large Green Square would also have 2 further sitting out areas.

Car parking would be a mix of on-plot provision and parking courtyards, with some visitor spaces for flats. There would also be a limited amount of roadside parking, mostly comprising further informal areas for visitors.

APPLICANT'S CASE including design and access statement: See file for full statement.

The main features highlighted are:

- Lower density development along the western and southern boundaries to reflect rural character
- Medium and higher densities to the centre and northern areas of the site
- Permeable layout linking the separate character areas together, in turn linking through to the new residential development to the east and through to Stansted Mountfitchet to the north
- Encouragement of walking and cycling
- Natural surveillance of the open space to the north
- Large "Green Square" linking through to the east
- Range of dwelling heights to enliven the street scene and create a varied and interesting roofscape
- Combination of structural and private landscaping / planting
- Design includes elements of both 18th and 19th Century building as per the adopted design brief
- Design to Lifetime Home standards, with 5% being wheelchair accessible
- Some garages with dedicated workspaces above. Other dwellings will have an additional telephone point in the smallest bedroom for use as office
- All affordable housing with southerly orientation to have solar hot water heating panels

RELEVANT HISTORY: Outline planning permission for 285 dwellings, public open space, associated access and infrastructure granted on the western part of the allocated land (Croudace) in February 2004. At the same time, outline planning permission for 315 dwellings, new vehicular access, public open space, play area and school was granted on the eastern part of the allocated land (Pelham Homes, now Taylor Woodrow / Persimmon). Both permissions included an approved masterplan / design brief, and were granted subject to appropriate conditions and a Section 106 Agreement.

The conditions that were imposed related to:

- Time limits for submission of reserved matters and implementation
- Implementation in accordance with masterplan
- Details of materials
- Landscaping

- Density requirements (min 30/hectare) + phasing
- Ecological survey
- Archaeological work
- Drainage requirements
- Parking and circulation areas
- Provision of street furniture
- Limits on construction noise
- Limits on hours of delivery
- Approval of contractors' vehicles routes
- Dust / mud suppression measures
- Submission of an affordable housing scheme
- Details of play areas and bus shelters

Taylor Woodrow land

Reserved matters approval for the housing layout was granted in May 2005 (UTT/0204/05/DFO). Separate applications for approval of reserved matters relating to landscaping (UTT/1026/04/DFO) access and bridge materials details (UTT/1194/04/DFO), ecology (UTT/1320/04/DFO), archaeology (UTT/1546/04/DFO), phasing and density (UTT/1846/04/DFO), drainage (UTT/1976/04/DFO) and construction routes and mud / dust suppression measures (UTT/2192/04/DFO) have also been approved.

Croudace land

Reserved matters approval for the construction of a roundabout access to the site has been granted (UTT/1968/04/DFO). (The approved masterplan actually shows the site served by a T-junction, but the wording of the condition that relates to implementation in accordance with the masterplan does allow for agreed written variation e.g. a roundabout). A separate reserved matters application for a T-junction access has also been submitted and approved subject to a variation to the existing Section 106 / section 278 Agreement to accommodate the revised design (UTT/1971/04/DFO). Reserved matters approval for the main roads including speed management measures such as a speed table, block paved sections, staggered junction and a mini roundabout was granted on 25 May 2006 (UTT/0554/06/OP).

Reserved matters approval for 77 dwellings as Phase 1 (UTT/0557/06/DFO) has been granted, along with consequential amendments to the approved masterplan. Phase 1 relates to the extreme south western portion of the Croudace land, fronting Foresthall Road. Reserved matters approval has also been granted for a play area and associated landscaping along the northern boundary (UTT/0353/07/DFO). A separate full application for 2 replacement dwellings on part of the Phase 2 land (UTT/2264/07/FUL) is due to be determined by 15 February.

CONSULTATIONS: ECC Highways & Transportation: No objections subject to conditions.

Essex Police Architectural Liaison Officer: Not received (due 6/1).

Environment Agency: No further comments in view of planning history.

Thames Water: No objections with regard to sewage infrastructure.

Natural England: Point out duties relating to the presence of any protected species.

Essex Wildlife Trust: No objections.

NATS: No technical safeguarding objections.

PARISH COUNCILS' COMMENTS: Stansted: No comment

Birchanger: To be reported (due 20 January 2008).

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 11/1/08.

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the layout and design would be acceptable and would be in accordance with the approved masterplan (ULP Policies S2, GEN1 & 2 and SM4/BIR1),
- 2) the mix of housing would be acceptable, the location and amount of affordable housing would be acceptable and whether there would be sufficient private open space (ULP Policies GEN2, H9 & 10 and SM4/BIR1), and
- 3) adequate car parking would be provided (ULP Policy GEN9).

1) The massing would be in accordance with the approved masterplan, which promotes lower density development fronting Foresthall Road and the site's western boundary in order to retain a semi-rural feel. As per Phase 1, there would be a variety of house styles and roof lines, including dual-frontage houses as feature buildings at prominent corner locations as envisaged in the approved masterplan. Members agreed the phasing details at the same time as they approved Phase 1, which included extending Phase 2 around the northern boundary open space to tie in with its provision.

Traffic management measures as previously approved would be integral to the design, and all areas of public space, such as the LAPs and the open space along the northern boundary, would benefit from natural surveillance. There would be gated rear access to all plots from parking courtyards.

2) The mix of affordable housing would be acceptable both in terms of dwelling sizes and tenure. The affordable flats would be provided in 2 locations within the northern part of Phase 2, the houses in a number of positions further to the south within Phases 2 and 3. Both the mix and the distribution of the affordable housing have been agreed with the Council's Housing Strategy Officers.

ULP Policy H10 requires that there is a significant proportion of market housing comprising small properties in addition to affordable housing. Looking at the provision of market houses within Phases 1-3 as a whole, there would be 48 x 2 and 3-bed houses, 126 x 4-bed and 40 x 5-bed. The weighting towards 3 and 4-bed houses would be consistent with the approved Taylor Wimpey / Persimmon layout.

A range of garden sizes would be provided, meeting the 100 m² average for 3 & 4-bed houses set out in the Design Guide. Most of the larger dwellings within the lower density parts of the layout would have larger gardens (200m² or so).

3) The amount of car parking provided would meet the requirements in the Uttlesford Local Plan, and would be increased provision over guidelines in PPG3. Parking would be provided at an overall level of approximately 3.46 spaces / dwelling, the developer allocating 2 garage and 2 hardstand spaces each for the vast majority of the larger (4-bed +) houses. This level of parking would be consistent with Phase 1, is welcome, and should help to reduce the amount of on-street parking likely to take place.

CONCLUSIONS: There are no objections to these reserved matters for Phases 2 and 3, which would be in accordance with ULP policies and the approved masterplan.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.3.3. To be implemented in accordance with original and revised plans.
2. No unbound material shall be used in the surface finish of the driveway within 6m of the highway boundary of the site.
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with Appendix G of the Local Transport Plan.

3. Prior to the occupation of each property, each vehicular access shall be provided on both sides with a 1.5m x 1.5m 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 in accordance with Appendix G of the Local Transport Plan.
4. 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 intending 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 (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.
REASON: In the interests of highway safety in accordance with Appendix G of the Local Transport Plan.
5. Any trees proposed within the highway shall be agreed with the local planning authority in consultation with the highway authority, and shall be sited clear of all underground services and visibility splays and shall be laid out to complement the street lighting scheme.
REASON: To protect services and highway safety in accordance with Appendix G of the Local Transport Plan.
6. For the first 8m as measured from the back of the footway, the mews court shall be restricted in width to 4.8m (except for the 1.5m x 1.5m sight splays) and contained by buildings or walls to a minimum height of 1.8m. The 1.5m x 1.5m vehicle / pedestrian sight splay shall be provided on both sides of the access and shall be adopted as part of the highway.
REASON: To ensure roads and footways are constructed to an acceptable standard in accordance with Appendix G of the Local Transport Plan.
7. There shall be no doors or other entrances onto the mews / mews court within the first 8 metres. No windows or doors shall open outwards or overflow / down pipes project over the net adoptable area of the court or over other areas where the public have unrestrained access.
REASON: To ensure roads and footways are constructed to an acceptable standard in the interests of highway safety in accordance with Appendix G of the Local Transport Plan.
8. The dwellings hereby permitted shall be constructed in accordance with the sustainability principles set out in Section 9 of the Design and Access Statement.
REASON: In the interests of promoting sustainable forms of development.
9. C.28.1.Accessibility – implementation.

Background papers: see application file.

1) UTT/2049/07/FUL & 2) UTT/2050/07/LB - WENDENS AMBO

(Called in by Cllr Menell – sensitive area)

1 & 2) Two-storey rear extension

Location: 2 Church Street Wendens Ambo GR/TL 512-363

Applicant: Mr R Fulford

Agent: Mr P R Livings

Case Officer: *Consultant telephone 01799 510478/605*

Expiry Date: 03/03/2008

Classification: OTHER

NOTATION: Within settlement limits; listed building; conservation area.

DESCRIPTION OF SITE: The application site comprises a two-storey detached listed dwelling. It is located within a short row of properties on the north side of this road that leads to St Mary's Church. The dwelling is elevated from the street and is accessed across a grassed bank. This dwelling, and the adjoining properties, is positioned close to the front boundary and each has a large rear curtilage. The rear curtilage slopes upward. The dwelling has an existing single storey flat roofed extension close to the boundary with the neighbour to the east.

DESCRIPTION OF PROPOSAL: Planning permission and listed building consent are sought for the erection of a rear extension. It would comprise two main elements, each set below the ridge of the main dwelling. The maximum depth of these extensions would be 7.5 metres and the maximum width 4.8 metres. The rearward two thirds would reduce in width to 3.8 metres. There would be habitable accommodation within the roof of these extensions at first floor level. The extensions would replace the existing single storey flat roofed extension.

APPLICANT'S CASE including Design & Access statement: As application forms, and Design & Access statement dated December 2007.

RELEVANT HISTORY: UTT/0146/99/FUL and UTT/0147/99/LB - Two-storey rear extension – Refused. UTT/1534/99/FUL and UTT/1535/99/LB - Two-storey rear extension – Approved.

CONSULTATIONS: Design Officer: No objection subject to the application of appropriate conditions

PARISH COUNCIL COMMENTS: Request decision made by Committee.

REPRESENTATIONS: These applications have been advertised and 1 representation has been received. Period expired 8 February 2008.

Would result in a "material overshadowing of nearby properties' and 'development would have an overbearing effect on neighbouring properties' 'as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing'. Do not seem to include any elevations as existing, any first floor plan as existing or any information on the proposed floor levels. Excessively high. Completely block out the west afternoon and evening sunlight, casting shadows. Significantly reduce the daylight entering the kitchen and would be overbearing in character. In 1999 an almost identical extension was approved but subsequently lapsed. Circumstances have changed.

COMMENTS ON REPRESENTATIONS: The issues raised are considered in the report below.

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

- 1) **design /Impact on CA/LB (ULP Policies H8, GEN 2, ENV1, ENV2; PPG15);**
- 2) **neighbour's amenity (ULP Policies H8 and GEN2);**
- 3) **other material considerations including Supplementary Planning Document "Home Extensions"**

Policy H8 requires development to have regard to the appearance of the existing dwelling and other policies require that new development preserves the setting and appearance of listed buildings and the character and appearance of Conservation Areas. It is also necessary to consider the fact that a similar extension was approved in 1999 and therefore whether there have been any changes in circumstances that might affect the planning considerations in this case. Of particular note is the fact that a revised local plan has been adopted and an extension has been erected to the rear of the property adjoining to the east.

With regard to design and appearance, it is considered that this extension would be a clearly articulated feature that would satisfactorily preserve the historic character and appearance of the building. It is considered that the design of this extension has regard to the character and design of this existing dwelling whilst also being visually subordinate in terms of scale and overall mass. In particular, the ridge of height would be set well below the main dwelling and its overall apparent mass broken down by its construction as two main elements. The detailed design comprises a variety of materials that have regard to the existing building whilst also emphasising the sense of visual separation; this also helps to reduce the apparent bulk of this extension. In these circumstances, it is considered that the historic character of this building would be satisfactory safeguarded and the character and appearance of the Conservation Area would be preserved, complying with the statutory requirements.

With regard to the impact on neighbours, the concerns expressed have been carefully considered. The Home Extension Design Guide requires there to be no intrusion into a 45° line drawn in both horizontal and vertical planes. In this case the extension would not intrude into such a 45° line in either plane. This arises largely because of the physical separation between the extension and the neighbouring dwelling, as extended. It is therefore considered that whilst there would be some loss of light and outlook, with shadowing being caused in the afternoon in particular, it is not considered that this would be at an excessive level.

On the basis of the submitted plans, this extension would not cause direct overlooking of habitable rooms or the patio area immediately to the rear of the dwelling adjoining to the east. However, to ensure reasonable privacy is safeguarded in the future, it is appropriate to apply a condition to prevent rooflights being inserted in the east facing side elevation.

Adequate off-street car parking would remain in the existing graveled area to the west side of the property.

CONCLUSION: The proposed development would not cause harm to the character and appearance of the village or the appearance and setting of the listed dwelling. There would be some impact on the amenities of the dwelling adjoining to the east, however having had regard to all material considerations, it is not considered that this would be at an excessive level.

RECOMMENDATIONS:

UTT/2049/07/FUL - APPROVAL WITH CONDITIONS

1. C.2.1 Standard time limit.
2. C.3.1 In accordance with plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.8.28 Cost Effective Energy Efficiency Measures.
5. C.19.1 Avoidance of overlooking.
6. C.8.27B Soakaways

UTT/2050/07/LB – LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development .
2. C.3.1. In accordance with plans.
3. C.5.1. Samples of materials to be submitted and agreed.
4. C.5.7. Window / rooflight details.
5. C.5.5. Clay plain tiles – hand made.
6. C.5.11. Smooth rendered walls.
7. C.5.16. No historic timbers to be cut.
8. All weather boarding shall be feather edge and painted, in accordance with details, which have been submitted to and approved in writing by the local planning authority prior to the commencement of the development. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.
9. Any historic mullion windows shall be retained undamaged.
Reasons 3-10: In the interests of preserving the historic character and appearance of the Listed Building and its setting.

Background papers: see application file.

UTT/2256/07/FUL - GREAT SAMPFORD

(Land is owned by the Council)

Proposed detached dwelling with vehicular access
Location: Land at Willets Field. GR/TL 644-353.
Applicant: Mr E J Bishop
Agent: Mr Jeremy Denn
Case Officer: Mr N Ford 01799 510629
Expiry Date: 13/02/2008
Classification: Minor

NOTATION: Within Development Limits. TPO tree adjacent.

DESCRIPTION OF SITE: A modern housing estate in Great Sampford comprising detached and semi detached two storey brick built dwellings. The site forms the gardens of adjacent dwellings. Dwellings named Robletts Villas front the main B1053 road to the north on land that rises from the site. There is also a two storey dwelling to the east. The land is bounded by a wooden panel fence and there is a Protected Walnut Tree on the corner of the bend.

DESCRIPTION OF PROPOSAL: This is a full planning application for the erection of a two storey three bedroom dwelling on this corner plot. There would be a detached garage with drive and turning area to front onto Homebridge. There would be a garden area to the rear of the plot. It would have a ridge height of approximately 7.5m and an eaves height of approximately 4.8m. Materials proposed consist of brick, stained boarding and roof tiles.

APPLICANT'S CASE including Design & Access statement: See Design and Access Statement received 19 December 2007.

RELEVANT HISTORY: On 10 December 2007 planning permission was refused for the erection of a detached dwelling with vehicular access (UTT/1838/07/FUL).
On 15 August 2007 planning permission was granted for the erection of a dwelling (UTT/1098/07/DC).
On 13 August 2002 outline planning permission was granted for the erection of a 3 bedroom two storey dwelling (UTT/1014/02/DC).

CONSULTATIONS: Highway Authority: To be determined by UDC. De minimis Agreement.
Three Valleys Water Authority: None received (due 10 January 2008).
Anglian Water Authority: None received (due 10 January 2008).
Environment Agency: No comment.
ECC Arborist: Principal concern relates to the proximity of excavations to the preserved walnut. No objection in principle. Recommends a method statement and arboricultural implications assessment and details of any pre-development tree work. No objection to the removal of the eucalyptus and poplar trees.
Building Surveying: Access for fire brigade is satisfactory. Outward opening door on ground floor wc. is required. Stairs do not comply from drawing. No details to support Lifetime Homes Standards.

PARISH COUNCIL COMMENTS: None received (due 19 January 2008).

REPRESENTATIONS: None received. Period expired 10 January 2008.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) whether the proposed new dwelling would be compatible with the character of the settlement, adheres to criteria of policy H3, has an appropriate layout, scale and design, is acceptable in terms of access and parking and meets accessible homes standards (ULP Policies S3, H3, GEN1, GEN2, GEN8 & SPD Accessible Homes and Playspace);
- 2) whether there would be any harm to neighbouring properties by way of overlooking, overshadowing or overbearing effect (ULP Policy GEN2);
- 3) whether the amenity of the protected Walnut Tree would be protected (ULP Policy ENV3).

1) This proposed dwelling would be sited in an area with a context of mixed dwelling styles and mostly of two storey. It should be noted that a dwelling has already granted planning permission by this Council earlier this year. The principle of a dwelling in this location is therefore considered to be established.

The proposed garden area is indicated to the rear of the property and is about 91 sqm. This provision is considered an acceptable provision for a three bedroom family home and of a reasonable amenity size subject to removal of permitted development rights.

The dwelling has been sited closer to the estate road and would respect the forward building line of the adjacent dwelling. The dwelling now has a similar height to the approved scheme and this is considered appropriate. It is therefore considered that it would accord with the character of the area.

Two off road parking spaces and a single garage are provided which is considered adequate provision for off road parking.

2) The dwelling is indicated as being sited about 7m from the rear boundary with Robletts Villas. This is significantly closer than the approved scheme. The dwelling is considered to be an adequate distance from the rear boundary so as not to be oppressive and overbearing on occupiers of dwellings to the north west.

Roof lights are indicated to the first floor rear elevation and there are no vertical facing windows. This is considered to restrict overlooking by offering only oblique views of neighbouring gardens rather than direct overlooking offered by vertically faced windows and is considered to be acceptable.

It is not considered that there would be any significant harm to amenity resulting from overshadowing of neighbouring habitable windows.

3) There are trees that may be affected by the proposed development. A protected walnut tree appears to stand on the corner of the site and there are two other trees within the site. The Arborist has been consulted, however, and has no objections subject to a method statement and tree protection plan.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1 Standard Time Limit.
2. C.3.1 In accordance with approved drawings.
3. C.4.3 Details of earthworks to be submitted and agreed.
4. C.4.6 Retention and Protection of trees and shrubs for the duration of the development and Standard Reason

5. C.5.2 Details of Materials.
6. C.6.2 Excluding permitted development rights.
7. C.8.29 Details of sustainable construction for new residential development.
8. C.11.6 No dwelling shall be occupied until the car parking spaces and hardstandings to which it relates as shown on layout no. DD396.02 dated December 2007 hereby approved have been hard surfaced, laid out and made available for use. Thereafter these areas shall remain available for the parking of domestic vehicles in connection with the normal residential use of the dwellings to which they relate and shall not be built over or similarly developed, notwithstanding Permitted Development Rights of extensions contained in the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification).
REASON: In the interests of highway safety.
9. All electrical and telephone services to the development shall be run underground. All service intakes to the dwelling shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwelling in accordance with details, which shall have been previously submitted to and approved in writing by the local planning authority and thereafter retained in such form. 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 the building or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior unless otherwise agreed in writing by the local planning authority.
REASON: In the interests of visual amenity.
10. All windows shall be balanced casements with equal size panes of glass unless otherwise agreed in writing by the local planning authority.
REASON: In the interests of visual amenity.
11. No demolition or construction work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08:00 am and 18:00 pm on Mondays to Fridays and between the hours of 08:00 am to 13:00 pm on Saturdays.
REASON: In the interests of the amenity of adjacent properties.
12. C.12.1 Boundary details
13. No unbound materials shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
REASON: In the interests of highway safety.
14. Any gates provided at the vehicular access shall only open inwards and shall be set back a minimum of 4.8 metres from the nearside edge of the carriageway.
REASON: In the interests of highway safety.
15. The development hereby permitted shall not commence until and arboricultural impact assessment in accordance with Section 6 of BS5837:2005, arboricultural method statement and tree protection plan in accordance with Section 7 of BS5837: 2005 and details of any pre-development tree work has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
REASON: To ensure that the tree is not damaged or otherwise adversely affected by building operations.
16. C.28.2. Accessibility Scheme.

Background papers: see application file.

UTT/0045/08/FUL - ELSENHAM
(Sister of applicant works for the Council)

Conversion of garage to annexe

Location: Orchard House Gaunts End. GR/TL 552-249.

Applicant: Mr S Harvey

Agent: Mr P R Livings

Case Officer: Mrs A Howells 01799 510468

Expiry Date: 10/03/2008

Classification: OTHER

NOTATION: Within the Countryside Protection Zone.

DESCRIPTION OF SITE: The site is located south east of Elsenham in Gaunts End, accessed via a lane next to the Elsenham Water building. The site contains a two storey rendered dwelling and a two storey weatherboarded double garage.

DESCRIPTION OF PROPOSAL: The proposal is for the conversion of the existing garage to be altered internally to allow the change to become an annexe. The ground floor would consist of a bathroom, lounge and kitchen area whilst the first floor would be for the bedroom and bathroom.

APPLICANT'S CASE: The conversion of this existing outbuilding is intended solely for the use of the applicant's elderly father. He presently lives on his own – but for health reasons it is necessary that he is near to his family for permanent care.

The first floor will be used initially but the ground can be converted to a bed sit so that all the accommodation is on ground floor level.

RELEVANT HISTORY: Garage – conditional approval 2003; conversion of garage to annex – refused 2007.

PARISH COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: None. Notification period expired 4th February 2008.

PLANNING CONSIDERATIONS: The main issues are

- 1) whether the development is required to be there, or is appropriate to a rural area. (ULP Policies S7 & S8) and
- 2) whether the proposal, amongst other things, provides an environment, which meets the reasonable needs of all potential users and it has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan. (ULP Policy GEN2 & [SPD](#) Home Extensions and Accessible homes).

1 & 2) The proposal is for conversion of the garage to a parent annexe. Accommodation including lounge, kitchen and bathroom are to be situated on the ground floor and the bedroom and shower/toilet on the first floor.

The recently refused application did not include any supporting information justify why the development was appropriate to a rural area; neither did it demonstrate that of it was suitable for access for a mobility impaired person consequently it was considered that the development would be tantamount to a new separate dwelling in the countryside.

This current application was submitted alongside a supporting statement which explains the need for the proposed annex and how the ground floor could be converted to create a bed sit and therefore everything would be available on one level.

The above would overcome most of the reason for refusal except the possibility that, at some future date a separate dwelling in the countryside could be created. To it would be necessary to enter into a S106 agreement which would prevent that occurring prevent the annex being sold separately from the main dwelling or physically separated from it.

CONCLUSIONS: The proposed development is considered acceptable subject to a legal agreement preventing it being separated or sold independently of the main dwelling.

RECOMMENDATION: APPROVAL WITH CONDITIONS and S106 AGREEMENT TO PREVENT THE SEPARATION OF THE ANNEXE AND GARAGE AND TO PREVENT THE SALE OF ONE WITHOUT THE OTHER

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.8.29.Details of measures providing energy and water efficiency and sustainable power and drainage for new residential or commercial development.
4. C.28.1.Implementation of accessibility scheme

Background papers: see application file.
