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UTT/0385/08/FUL - SAFFRON WALDEN

Redevelopment to provide 88 dwellings, a pocket park & associated open space, car parking, landscaping and new access

Location: Land to the East of the former Bell Language School Peaslands Road. GR/TL 543-376.

Applicant: British & Foreign School Society

Agent: Mr G Armstrong

Case Officer: Mr T Morton 01799 510654

Expiry Date: 03/07/2008

Classification: MAJOR

NOTATION: Inside Development Limit.

DESCRIPTION OF SITE: Approximately half of the site is open land laid to grass and with substantial hedgerows and trees, formerly used as a playing pitch and open space to serve Bell College. On the remainder of the site there is an accommodation block, caretaker's house, demountable classroom and tennis court.

DESCRIPTION OF PROPOSAL: Redevelopment to provide 88 dwellings, a pocket park and associated open space, car parking, landscaping and new access.

In more detail there would be 35 Affordable housing units: 9 no 1 bed flats, 10 no 2 bed flats, 7 no 2 bed houses 5 no 3 bed houses, 4 no 4 bed houses.

There would be 53 market housing units: 12 no 2 bed flat, 1 no 2 bed house, 15 no 3 bed houses, 20 no 4 bed house, 5 no 5 bed houses.

156 parking spaces would be provided.

The form of the buildings is a mix of houses (2 and 3 storey) and flats (2, 3 and 4 stories). All vehicular access to the site would be via the recent Countryside development to the east and its roundabout on Peaslands Road.

APPLICANT'S CASE including Design & Access statement: The Design and Access Statement is available in full on file. The application is accompanied by a huge volume of supporting documents comprising; a Planning Statement, the D&A Statement, an Arboricultural Statement in three volumes, A report on existing open space and play provision, an Ecological Appraisal, a Playing Pitch Assessment, a Transport Assessment (2 volumes), a Statement of Community Involvement, and a Flood Risk and drainage Assessment.

Some of the points raised are discussed in the appraisal in this report. The Applicants Planning Statement concludes that the proposal:

- Provides a high quality scheme that would make maximum use of a valuable source of previously developed land.
- An innovative and flexible layout that not only allows efficient use to be made of a sustainable site, but also allows the opportunity to fully integrate with the adjacent development.
- The provision of 20% of the site as usable public open space, comprising a 'pocket park' and two Local Areas of Play, together with a comprehensive landscaping scheme which seeks to retain and enhance valuable flora and fauna whilst also offering additional complementary planting.
- Enhance the appearance of the street scene by creating an attractive and usable urban space that optimises the landscape and topographical benefits of the location without detriment to the surrounding area.

- Provision of a comprehensive highway scheme that places the emphasis on pedestrian safety and ease of movement without detriment to the free flow of traffic in the surrounding area.
- Provides a scheme that can create a diverse community by offering a range of unit types and sizes to meet the requirements of a wide demographic.
- Provides 35 No. much needed affordable homes, to be dispersed across the site.
- Provides sufficient car parking spaces to meet the needs of future residents, without compromising wider objectives which seek to reduce car use.
- Provides sufficient, secure cycle parking facilities to meet the needs of future residents.
- Ensures a high standard of build quality and materials across all units, which would satisfy and in some cases exceed the energy performance requirements of Part L of the building regulations.
- Provides all units to 'Lifetime Homes' standards in order to accommodate the long term needs of future residents and to meet the specific requirements of a wide range of occupants.

RELEVANT HISTORY: No previous applications on this site. Land to the east also formerly part of the grounds of Bell College has been developed as a housing estate with the provision of a hard surfaced multi use games court and a football pitch. The Bell College Buildings (to the west) are currently vacant and proposals for that site are expected.

Planning advice was given to the applicant by letter dated 2 October 2007 which set out the case for about half of this plot to be set aside as a public park to address the shortage of open space in the eastern part of Saffron Walden. Despite this advice the two un-redeveloped parts of the Bell College site (this and the group of buildings to the west) have been sold in two parts to the developed separately.

CONSULTATIONS: Housing Policy Officer: The size mix of the affordable units on the scheme is generally acceptable, however, please can the following be considered:

- 1) Reduce the number of 2 bed flats from 10 to 6 and increase the number of 2 bed houses. This size of property would be allocated to small families, so more space and a garden would be required to make the lettings sustainable.
- 2) It is not clear which properties will be for affordable housing, however, properties should be pepper-potted around the site to aid integration.
- 3) A request for further information on the disabled units is needed to determine the housing need for these units.

Environment Agency: We received a Flood Risk Assessment (FRA) dated February 2008 (reference D130-02) for the former Bell Language College site. Following review of the FRA we must object until further details are supplied detailing the surface water disposal system, as detailed below.

Surface Water Drainage

From the Local Planning Authority reference we understand that the application is for full planning permission. We would expect the surface water disposal options to be discussed in the FRA and an agreed solution to be put forward.

The adjacent site was required to do specific soakaway trial tests in the locations where they wished to place them due to the vast changes in permeability of the site. We would expect any FRA to give full details of a proposed surface water disposal system which would work for the proposed impermeable area.

The adjacent site Highway drainage was shut down to a limited runoff rate and it should not be assumed that this rate is acceptable for this site. If the runoff from this site does not naturally drain towards The Slade then this site will have no right to discharge to the existing Highway system which in turn discharges to The Slade. We recommend that the surface water proposal, similar to those required for the adjacent site, are explored and at least one appropriate solution detailed within the FRA.

Standing advice relating to foul and surface water management is also given.

Three Valleys Water: You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) corresponding to Debden Road pumping station. This is a public water supply comprising a number of Chalk abstraction boreholes, operated by Three Valleys Water.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

Anglian Water: Foul sewer network has capacity to accommodate the proposed development.

Council Engineer: Conditions C.8.27.A and C29.1 should be applied to any consent.

Natural England: Based on the information provided, Natural England objects to the proposed development. We recommend that the local planning authority refuse planning permission on the grounds that the application contains insufficient survey information to demonstrate whether or not the development would have an adverse effect on legally protected species.

Our concerns relate specifically to the potential impact upon populations of great crested newts, native reptiles and bats.

The presence of protected species is a material consideration in a planning application (NB PPS9 Paragraphs 15-16). If protected species are suspected or present on a proposed development site then the following information should be provided by the applicant, usually in the form of an ecological survey by an appropriately qualified consultant, prior to the planning application being determined.

- a. What is the species concerned?
- b. What is the population level at the site, or affected by the proposal?
- c. What impact is the proposal likely to have upon the species present?
- d. What can be done to mitigate against this impact?
- e. Is the impact necessary or acceptable?
- f. Is a licence required from Natural England/Defra?

This information should be submitted to and considered by Uttlesford District Council prior to determining the planning application. If the submitted information leads you to conclude that you need further advice then please do not hesitate to contact us. Once Natural England has received this information we will be able to comment further.

Please note that if planning permission is granted, the applicants should be informed that this does not absolve them from complying with the relevant law protecting species, including obtaining and complying with the terms and conditions of any licences required, as described in Part IV B of Circular 06/2005.

Essex County Council Schools Children and Families: Will be seeking an education contribution under section 106 of the Planning Act. There will be a need for 7 early years and childcare places, 24 primary school and 16 secondary school places and thus request a developer contribution of £636,986 index linked from April 2008. If the Council is minded to refuse the application, the lack of education provision in the area can also be noted as an additional reason for refusal.

Essex Police: Request that some youth provision is made by for example a youth shelter, games area or basketball hoops within a reasonable distance of the development. With the larger homes to be provided and the anti social behaviour problems that many areas now suffer by youths could be reduced by providing equipment that will aid diversion away from this type of behaviour. We would request the development attain Secure by Design certification as a condition.

TOWN COUNCIL COMMENTS: No objection to make.

REPRESENTATIONS: This application has been advertised and 32 representations have been received opposing the development. Period expired 6 May 2008.

The issues raised cover:

Overdevelopment - This is an overdevelopment, only 50 houses should be provided insufficient schoolplaces exist. This would overload existing schools and doctors

Housing Type - The flats in the Countryside development are not all occupied, but the houses are, so there is no need for so many flats.

Traffic and Access – existing levels and congestion, additional traffic from the development will increase this. More traffic will increase the level of car fumes. The access through the adjacent new estate is insufficient to carry extra traffic. There is a need for a pedestrian access to the town

A footpath should be provided between the three developments (Countryside estate, this site and the former school buildings through to South Road).

The road through Crabtrees is already poorly designed and congested. It would be very dangerous to have all construction traffic coming through Hopfields.

There is insufficient parking provision/

Increased danger to pedestrians and schoolchildren.

The existing gateway should be the access to the new development.

Trees – Should all be protected. Are too close to the proposed flats and would mean insufficient light to their windows leading to pressure for removal.

Open Space – The existing semi wild open nature of the site should be retained.

Insufficient open space is being proposed.

A better equipped and larger play area is needed.

There is insufficient open space in the area.

Loss of Playing Fields – There is a restrictive covenant that the whole site be used for education, which would have to be lifted.

Design - The flats are too high, the apartments are not sited on the lowest part of the site and would have great visual impact out of keeping with any other building facing onto Peaslands Road, a building of character is needed on the south east corner.

No comprehensive design approach together with adjacent sites

The flats in the north east corner have north facing windows and the building should be rotated by 180 degrees to provide better lighting and to avoid overlooking Victoria Gardens.

Amenity - Overlooking/ overshadowing / loss of privacy to nearby houses in Peaslands Road, Crabtrees, Victoria Gardens. Disturbance from vehicle movements in car parking areas

Other - Comparison with the refused Friends School development.

A shop should be provided in the development.

Cumulative impact of this with other developments in the area.

No information on where the construction site office would be located. It could overlook nearby houses.

Public consultation has been inadequate, residents comments in the Statement of Community Involvement are ignored in the applicants summary of the event.

COMMENTS ON REPRESENTATIONS: The material planning issues are discussed in the evaluation below. Restrictive Covenants are not material issues for the Local Planning Authority, as they are private contractual arrangements between other parties.

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

- 1) **Principle of Development (ULP Policy S1);**
- 2) **Affordable Housing (ULP Policy H9);**
- 3) **Housing Mix (ULP Policy H10);**
- 4) **Design (ULP Policy GEN2);**
- 5) **Amenity (ULP Policy GEN2);**
- 6) **Public Open Space (ULP Policy GEN6, LC1 and LDF Open Space Study);**
- 7) **Protected Species (ULP Policy GEN7);**
- 8) **Highway issues, access parking footpaths (ULP Policies GEN1, GEN8) and**

9) Education provision (ULP Policy GEN6)
10) Other material planning considerations.

- 1) The site is inside the Development Limit of Saffron Walden where development can be considered subject other policy and design requirements of the Uttlesford Local Plan.
- 2) Policy H9 calls for 40% provision of affordable housing, and the total proposal of 88 units therefore generates a requirement for 35 units, as proposed. However the comments of the Housing Policy Officer are that the proposal should reduce the number of 2 bed flats from 10 to 6 and increase the number of 2 bed houses with a garden for small family occupation.
- 3) Policy H10 calls for all developments on sites of 0.1 hectares and above or of 3 or more dwellings to include a significant proportion of market housing comprising small properties. This would normally be interpreted as providing at least a 50% mix of 2 and 3 bedroom dwellings in the market housing element of a development. This scheme provides 53 market units, 28 of which are such small dwellings, a percentage of 52.8%.
- 4) Policy GEN2 calls for design to be well related to its surroundings and has regard to guidance on layout and design – this refers to the Essex Design Guide and its Urban Place Supplement. The overall design of the proposed development includes a mix of two storey and three storey houses and two, three and four storey flats. Although the existing accommodation block for the former Bell School is a multi storey building, it is very much the odd man out in an area otherwise typified by two storey housing, especially on the frontage to Peaslands Road. The proposed three and four storey blocks of flats are would also be out of character with this setting, especially the block containing units 17-37, sited on the frontage to Peaslands Road and close to the corner with Hop Fields where it would appear unduly dominant particularly when approaching uphill from the east.

Within the development, the rows of housing consist of a mix of two and three storey house types, apparently arranged at random with no overall sense of coherence, with many gaps between them and with some two and three storey houses attached to each other in a way that does not relate them in appearance. The overall character that results is visually weak with a poor sense of streetscape or of place, and does not meet the design aspirations that either the Essex Design Guide or CABA (Commission for Architecture and the Built Environment – Government Advisor on Designing Issues) would wish to see for new places. With regard to energy efficiency the applicant only claims to satisfy and in some cases exceed the energy performance requirements of part of the Building Regulations. In other words the proposal meets the mandatory minimum standards of the Building Regulations, exceeding them in 'some cases' although this is unspecified.

- 5) The points raised in objection by nearby occupiers are noted. Flat Block 56-61, in the north east corner, does not accord with the design guide criterion to set any new building adjacent to the boundary of an existing property a minimum of 15 metres from that boundary. (It is set only 13 metres from the boundary).

Other concerns about overlooking and privacy, whilst understandable, are not considered to be in breach of planning standards.

- 6) Policy LC1 says that permission will not be given for development that involves the loss of sports fields or other open space for recreation, unless better facilities are provided to meet local needs or the need for the facility no longer exists.

Work on the LDF has looked at open space provision in Saffron Walden and concludes the town is short of total provision of playing space by 23.2 Hectares, and maps will be displayed

at Committee to show the uneven access to open space across the town, with the area around Peaslands Road, South Road and Victoria Avenue being deficient in open space access. The maps will also demonstrate the significant contribution to meeting this deficiency that this site could make, if a large part of it was retained for open space purposes. It should be noted that the whole site offers a potential of 2 hectares site area. The development proposal includes a small “pocket park” that fronts onto Peaslands Road, but also fronts onto the windows of proposed flats. It is not reasonable to expect occupiers of those flats to have the public immediately in front of their windows, and so a strip of 5 metres width has been removed from the calculations of the area provided by officers in assessing this element of the proposals. This leaves an area of 4375 sq.m available.

Council Officers had previously advised the applicant that a park area of 1.175 Hectares (11,075 sq metres – broadly the half of the site closest to Peaslands Road), should be provided to meet the amenity open space needs of the area around the site to meet the existing deficiency identified by the Local Planning Authority for houses in the Peaslands Road, South Road, Victoria Avenue area).

The application site represents the only opportunity for the creation of public open space in the otherwise densely built up inner south eastern part of Saffron Walden to create such informal amenity space. The playing pitches that have been created in the housing development to the east do not address the need for informal open space for the benefit of the existing, and proposed, occupiers in the area.

The application has a study of playing pitch provision in the area that concludes that no additional provision is necessary, but it misses the point; the need is for informal amenity open space, where for example people can go to sit outdoors or where families with young children can go to play.

Natural England recommends that Local Authorities adopt its Access to Natural Green-space Standards (ANGST). These state that local communities should have access to an appropriate mix of green-spaces providing for a range of recreational needs, of at least 2 hectares of accessible natural green-space per 1,000 population. This can be broken down by the following system:

- No person should live more than 300 metres from their nearest area of natural green-space;
- There should be at least one accessible 20 hectare site within 2 kilometres;
- There should be one accessible 100 hectares site within 5 kilometres; and
- There should be one accessible 500 hectares site within 10 kilometres.

It should be noted that Saffron Walden as a whole fails to achieve these standards. Access to countryside footpaths would not count towards meeting these standards. The town is critically short of public open space in general. To meet this standard the whole of this site would need to be retained as open space.

The proposals do not address this identified shortfall in amenity open space, and it is considered that too much of the site would be developed for housing.

7) The bat survey submitted with the application concludes that bats would not be affected by the proposals.

8) Representations have been made calling for footpath links between adjacent sites in this vicinity. The Council cannot impose a condition on one landowner requiring them to do something on land over which they have no control. So the Council cannot insist that this

development make footpath connections with adjacent sites. There would of course be a road and footway connection to the Countryside Homes development as part of this proposal. There appears to be a general under provision of car parking places, with in some cases the parking space for a dwelling being remote from the property that it would supposedly serve. This makes such spaces less likely to be used, resulting in kerbside parking, or if they are used then they disturb other residents.

9) The County Council has pointed out the under provision of educational places at all levels in the area to serve the development, and have asked for a financial contribution, or otherwise refusal of consent.

10) No other issues are considered to arise.

CONCLUSIONS: The proposal is considered unacceptable.

RECOMMENDATION: REFUSAL REASONS

1. Uttlesford Local Plan Policy, LC1 and the LDF Open Space Study calls for retention of open space for recreation, unless the proposed development includes better replacement facilities or the need no longer exists, however the surrounding area is deficient in access to open space and the provision for open space made in these proposals does not address the needs of the area, and Policy GEN6 calls for the provision of infrastructure including public open space as part of development proposals. The application site represents the only opportunity for the creation of public open space in the otherwise densely built up inner southern part of Saffron Walden to create such general informal amenity space, and Council Officers had previously advised the applicant that a park area of 1.175 Hectares (11.075 sq metres) should be provided to meet the amenity open space needs of the area. The proposed area of 4375 sq.m of amenity open space is inadequate in size to make proper provision for public amenity open space, and would be seriously restricted in use by the proximity of the dwellings and flats that would be adjacent to it. Conversely those houses and flats would suffer a serious loss of amenity due to the proximity of the public open space to them, contrary to the aims of Policy GEN2 of the Uttlesford Local Plan.
2. The provision of affordable housing to meet the requirements of Policy H9 of the Uttlesford Local Plan is considered to provide too many flats and not enough houses, to match the identified needs for family accommodation in the area. Specifically the proposal should reduce the number of 2 bed flats from 10 to 6 and increase the number of 2 bed houses with gardens for small family occupation.
3. Uttlesford Local Plan Policy GEN2 calls for design to be well related to its surroundings and has regard to guidance on layout and design - this refers to the Essex Design Guide and its Urban Place Supplement. The overall design of the proposed development includes three and four storey blocks of flat which would be out of character with their setting typified by two storey housing, especially the block containing units 17-37, sited on the frontage to Peaslands Road and close to the corner with Hop Fields where it would appear unduly dominant particularly when approaching uphill from the east. Within the development, the rows of housing consist of a mix of two and three storey house types, are apparently arranged at random with no overall sense of coherence, with many gaps between them and with some two and three storey houses attached to each other in a way that does not relate them in appearance. The overall character that results is visually weak with a poor sense of streetscape or of place, and does not meet the design aspirations that either the Essex Design Guide or CABE would wish to see for new places.
4. Essex County Council estimate that there is a shortfall of 7 early years and childcare places, 24 primary school and 16 secondary school places in the area to serve this

development, and the development would exacerbate the lack of education provision in the area, contrary to the aims of Policy GEN6 of the Uttlesford Local Plan.

Background papers: see application file.

UTT/0356/08/FUL - GREAT HALLINGBURY

Erection of 10 No. bedroom accommodation as part of existing hotel

Location: Great Hallingbury Manor Hotel. GR/TL 522-209

Applicant: Escape Hotels (UK) Ltd

Agent: Lindy Livings & Howes

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 28/04/2008

Classification: MINOR

NOTATION: Within Countryside Protection Zone.

DESCRIPTION OF SITE: The site covers an area approximately 1.78ha and has a hotel building located in the centre with a detached accommodation building currently under construction located to the southeast of the site. There are three existing accesses to the site with car parking located adjacent to the eastern site boundary, to the rear of the main building.

An area outside, and to the southeast, of the application site has been utilised for the erection of a marquee with a hardened access leading from the southernmost site access. This marquee and associated activities do not benefit from any valid planning permission.

DESCRIPTION OF PROPOSAL: This application relates to the erection of a new building to provide 10 additional bedrooms in association with the existing hotel use on the site. The building would be located to the south of the site and adjacent to an existing detached accommodation building. The building would cover an area of 276m², would be 30m long, 12m wide and would have a maximum ridge height of 9m.

The submitted plans indicate that approximately nine trees would be removed between the southern access and the building which is currently under construction in order to facilitate the proposed building.

APPLICANT'S CASE including Design & Access statement: D&A Statement indicates

1. The location of the site within Great Hallingbury;
2. Some of the local plan policies which are relevant to the proposal;
3. No pre application consultations have been carried out;
4. ULP paragraph 7.7 indicates support for the proposal; the hotel is generally full and can easily accommodate the proposal;
5. The rustic design of the proposed building replicates that of the adjacent building currently under construction.

Further information is also provided regarding the proposed use, the amount, layout, scale, landscaping, appearance and access arrangements. (Full statement can be viewed online or on file at the council offices)

RELEVANT HISTORY: This site has a long history of planning applications, those dating from 1989 – 2003 relate to both approved and refused applications for change of use of the original dwelling to restaurant and hotel, extensions to the hotel and removal of conditions relating to number of occupants (refused). The more recent planning history is most relevant to this proposal and these are detailed below:

1. Erection of block of eight guest bedrooms and car parking withdrawn by applicant 2003.
2. Erection of eight guest bedrooms and parking withdrawn by applicant 2005.

3. Erection of two-storey extension to existing hotel to provide eight guest bedrooms and owners flat condition conditionally approved 2005.
4. Change of use from car repairs workshop to 6 letting bedrooms conditionally approved June 2006.
5. Demolition of workshop and construction of an eight bedroom hotel annex conditionally approved December 2006.
6. Removal of condition c) attached to planning permission UTT/0781/93/FUL restricting the number of occupants to 20 persons at any one time conditionally approved December 2006.
7. Two-storey rear extension with two-storey link to existing building – amendment to scheme approved in 2005 – conditionally approved February 2007.
8. Removal of condition b) attached to planning permission UTT/0781/93/FUL restricting the use of the dining space within the hotel to be used solely by staff and resident guests conditionally approved May 2007.
9. Erection of two-storey rear extension with two-storey link and alterations to existing building – revision of previous scheme – conditionally approved August 2007.

CONSULTATIONS: Building Surveying: No adverse comments. Sustainability: Refer applicant to new guidance doc. In short they must provide an SBEM calc that shows their target emissions rate (TER) is beaten by 25%. I understand that the applicant is using a ground source heat pump, so this should be easily achievable. We also require details of water efficiency, sustainable drainage etc in line with BREEAM 'very good' rating. A full BREEAM rating is not required as this development is less than 1000m².

Drainage Engineer: Requests conditions regarding details of foul and surface water drainage.

BAA Safeguarding: The proposal has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to conditions regarding the maximum height of cranes and construction equipment. Also provides information regarding the use of cranes during construction.

Natural England: None received (due 20 March 2008).

Essex Wildlife Trust: None received (due 25 March 2008).

Stansted Airport: None received (due 20 March 2008).

PARISH COUNCIL COMMENTS: While this proposal does not comply with Policy LC5 being for a new building outside Development Limits, it is in effect an extension of the existing hotel, supporting tourism in the area.

In the event of permission being given, we would like to be assured that there would be enough trees to screen the building so that the visible impact from the road is minimal, and that disruption to road users during construction is kept to an absolute minimum.

REPRESENTATIONS: None. Notification period expired 25 March.

PLANNING CONSIDERATIONS including Design & Access statement:. The main issues are whether the proposal complies with the requirements of Development Plan policies regarding:

- 1) the Countryside Protection Zone (ULP Policy S8);
- 2) Hotels and Bed and Breakfast Accommodation (ULP Policy LC5); and
- 3) design (ULP Policy GEN2);

1) This site is located outside any development limit within the Countryside Protection Zone (CPZ) surrounding Stansted Airport. ULP Policy S8 relates to the CPZ and specifies that planning permission will only be granted for development that is required to take place there or is appropriate to a rural area and that there will be strict control on new development. In addition if new buildings or uses would promote coalescence between the

airport and existing development in the countryside or it would adversely affect the open characteristics of the zone, development will not be permitted. This policy aims to provide an extra level of protection over and above that offered by normal rural restraint policy (S7) as this area around the airport is under particular development pressure. The policy needs to be consistently applied to avoid incremental development that will defeat the long term objective of keeping of the airport being located in its countryside setting and avoid generating a tide of development blurring the distinction between airport and other development as happens at other airports.

The proposed building would be located adjacent to the southern access to the site. This access has been upgraded to be used as the primary entrance to the site and a number of the existing trees adjacent to the entrance and the road would need to be removed to facilitate the erection of the building. The proposed building would therefore prominent when viewed from the public highway and by any customers entering or leaving the site. The new building would be clearly visible in the landscape and detract from the rural character of the surrounding area and no justification has been provided as to why this proposal needs to take place on the site. The design and access statement indicates that the hotel could provide sufficient demand to fill the rooms however this would appear to be a premature judgment prior to the completion of the adjacent building which is intended to provide an additional eight bedroom and two offices.

The proposed building would involve the erection of additional built form within the CPZ which would result in coalescence between the airport and existing development contrary to the requirements of ULP Policy S8.

2) ULP Policy LC5 specifies that outside Development Limits, development relating to tourist accommodation will only be permitted if a) it involves the re-use of a rural building or b) it is an extension or replacement of existing serviced accommodation. This proposal does not relate to the re-use of a rural building or the replacement of existing serviced accommodation. The erection of a new building on the site, in relation to the existing hotel use is an extension, albeit not an extension to any of the existing buildings on the site, of the hotel and therefore complies with the requirements of ULP Policy LC5.

3) The design of the proposed building would reflect that of the adjacent building under construction. In this respect the building would have a satisfactory design and appearance. There are no residential properties situated close to the site and therefore the proposal would have no detrimental impact on residential amenity.

CONCLUSIONS: The proposal would comply with the requirements of ULP Policies LC5 and GEN2 relating to tourist accommodation and design however the explanatory text to policy S8 is clear that the objectives of this policy are the over riding issue when determining applications relating to development within the CPZ. The proposal would fail to comply with the requirements of policy S8 as a result of the detrimental impact that the built form would have on the rural character of the surrounding area and because this would promote coalescence between Stansted Airport and existing development.

RECOMMENDATION: REFUSAL REASON

The proposal would involve the erection of a large building to provide 10 units of hotel accommodation. This building would be prominent to public view and in the landscape. The additional built form within the Countryside Protection Zone would be detrimental to the rural character of the surrounding area and would promote coalescence between Stansted Airport and existing development contrary to the provisions of ULP Policy S8 – The Countryside Protection Zone.

Background papers: see application file.

UTT/0799/08/FUL - FELSTED

Erection of 7 No. dwellings. Construction of new vehicular access and alteration of existing vehicular access. Demolition of existing dwelling

Location: Lyndfields Bannister Green. GR/TL 696-207

Applicant: Mr S Wheelhouse

Agent: Mr S Wheelhouse

Case Officer: Mr N Ford 01799 510629

Expiry Date: 27/06/2008

Classification: MINOR

NOTATION: Within Development Limits. Protected Tree within application site.

DESCRIPTION OF SITE: The application site is centrally positioned in Bannister Green and comprises an area of 0.22 hectares and consists of a detached two storey dwelling named Lyndfields and its garden curtilage.

The site is bounded to its west by a mature hedge adjacent Stevens Lane which is a narrow road providing access to modern dwellings to the rear of the site. There is a triangular junction to the west of Lyndfields that links Stevens Lane with Bannister Green which is the main road to the front of Lyndfields. Beyond Stevens Lane to the west are two detached dwellings named Crossways and Yew Tree Cottage, which is Grade II listed.

To the south of the site opposite the junction of Stevens Lane are two pairs of bungalows and a further junction with Burnstie Road. Next to that junction and near opposite Lyndfields as a two storey detached dwelling named Birkbeck. To the eastern boundary of Lyndfields is a detached two storey dwelling named Royhouse and its rear garden.

There is a large garden to the rear of Lyndfields and there is a Nissan type shed adjacent the northern boundary and a smaller shed adjacent. Within the hedge next to the Nissan building is a Field Maple tree subject to a preservation order. There are other mature trees within the site and in particular the south western corner adjacent the junction with Stevens Lane.

DESCRIPTION OF PROPOSAL: This is a full planning application relating to the demolition of the existing dwelling and the erection of 7 new two storey dwellings, garages and accesses. The total of 7 dwellings would comprise 1 x two bed, 3 x three bed and 3 x four bedroom dwellings.

The layout drawing shows two dwellings facing Bannister Green road with a single point of access set forward of the adjacent dwelling to the east 'Royhouse'. Fronting Stevens Lane would be five dwellings with four points of access of which three would be detached dwellings and there would be 2 no. pairs of semi detached dwellings.

Each dwelling would have at least two off road parking spaces on hard standing and a garage. Private gardens would generally be located to the rear of the dwellings abutting the boundary with 'Royhouse' although plot 6 would have its garden on the front corner between the junction of Bannister Green Road and Stevens Lane.

The dwellings would be of a basic modern design utilising brick, render, boarding and concrete tiles. Plots 1-5 would have front gables.

APPLICANT'S CASE including Design & Access statement: See Design and Access Statement received 2 May 2008. Salient points summarised:

States that the dwellings have been sympathetically positioned to align with the neighbouring properties to account for and compliment the street scene. They have been set back further into the site than the existing buildings and are positioned behind the existing perimeter boundary hedge to protect the visual rural street scene.

The properties are all of two storey design and are compliant with the requirements of the Essex Design Guide in order to blend in with the local building theme. Different building forms have been used to ensure variation in design.

The site viewed from both Bannister Green Road and Stevens Lane is partly hidden from view due to the existing and established perimeter hedge. The hedge is considered a very important part of the site and will be protected and retained. All drives and parking areas will be behind the hedges and hidden from view. Additional planting will be provided to enhance the site. All existing boundaries with neighbouring properties will be reinforced with 1.8m high fencing and further planting.

RELEVANT HISTORY: On 7 February 2008 planning permission was refused for the erection of 8 dwellings due to over development resulting from an inappropriate layout not in character with the area, harm to the health of a protected tree due to the proximity of a drive way and lack of evidence that the dwellings would meet Lifetime Homes standards. (UTT/2238/07/FUL).

CONSULTATIONS: Highway Authority: No objection subject to conditions.

Water Authority: To be reported.

Drainage Engineer: To be reported.

Building Surveying: To be reported.

Landscaping: To be reported.

PARISH COUNCIL COMMENTS: Proposed density would be an excessive over development of this site. Concerned at increase in use of the access facing Burnstie Road junction and the proposal to add six new accesses to Stevens Lane which is a narrow designated Quiet Lane.

REPRESENTATIONS: Three. Notification period expired 27 May 2008. Comments are summarised as follows:

Additional traffic will put pedestrians and children at risk.

Dangerous junctions will increase risk of accidents.

Construction traffic would damage the road.

The application is not materially different.

The density is out of character with the area.

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

- 1) **whether the proposed dwellings would be compatible with the character of the settlement, adheres to the criteria of policy H3, has an appropriate layout, scale and design, is acceptable in terms of access and parking and meets accessible homes standards, and the amenity of the TPO Walnut Tree would be protected (ULP Policies S3, H3, H10, GEN1, GEN2, GEN8, ENV3, ENV8 & 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) and**

1) The application site is located within the defined development limits of Bannister Green contained in the Uttlesford Local Plan and therefore the erection of new dwellings is generally acceptable in principle but is subject to matters of detail.

The governing policy for development limits here is ULP Policy S3 which states that within development limits development compatible with the settlements character and countryside setting will be permitted. ULP Policy H3 relates to new houses within development limits. It generally states that they will be allowed if the development is compatible with the character of the settlement and, depending on the location of the site, its countryside setting. ULP Policy GEN2 requires that amongst other things development be compatible with the scale, form, layout, appearance and materials of surrounding buildings.

The erection of 7 dwellings (6 net increase) would result in a density of development of 31 dwellings per hectare (dph). 30 dph is the national minimum density target for guiding housing until local density policies are in place through the development framework. More intensive development is however not always appropriate but when well designed and built in the right location, it can enhance the character and quality of an area. The previously refused scheme for 8 dwellings on this site would have had a density of 36 dph. The proposed development falls below the threshold for the requirement of affordable housing (i.e. 0.5 hectares or 15 dwellings or more).

Whilst the application site is within defined development limits it does have a rural character. This is generally established by the mature landscaping bounding and around the site. Lyndfields itself is visible from Bannister Green Road behind a low hedge. However, there is a much taller mature hedge that sweeps around the boundary of the garden with Stevens Lane. Behind this are tall mature trees. Further along to the north opposite Yew Tree Cottage is a Field Maple which is a tree subject to a Preservation Order. Stevens Lane is also narrow with a generously wide grass verge. Dwellings are also set back from the highway and particularly so with Yew Tree Cottage and Crossways to the west of the site which contribute to the more spacious arcadian character of this part of the village.

With the previously refused scheme Officers' concern rested with the siting of two plots fronting Bannister Green Road adjacent to Royhouse as they would have set forward of Royhouse by nearly 5 metres. This corner of the site is very prominent being at the junction of two roads and has a rural aspect provided by its mature trees and hedge. The siting of the two buildings that close to the highway was therefore considered uncharacteristic and visually prominent, detrimental to the character and appearance of the area. This was indicative of a proposal for too many dwellings for the site.

The proposal now removes one dwelling from the scheme resulting in a lower density. This results in a more spacious setting for the two dwellings fronting Bannister Green Road which have now been positioned further away from the road by 2-3 metres. This results in a better street scene and a less harsh urban edge to this prominent corner of the site.

Similar to the previous application there is no harm identified as a result of the siting of plots fronting Stevens Lane and the Arborist has advised that the health of the protected field maple tree would be preserved subject to a protective condition.

ULP Policy H10 requires that for all developments of 0.1 hectares and above or three or more dwellings are required to include a significant proportion of market housing comprising small properties. This is defined as 2 and 3 bed homes. The application proposes 1 x 2 bed dwellings and 3 x 3 bed dwellings which is more than 50% small market housing provision and is therefore a significant proportion of the total and complies with ULP Policy H10.

A number of representations are concerned with an increase in traffic and potential conflict and accidents with road users. The Highway Authority has no objection to the proposal in terms of highway safety. They have suggested a number of conditions to attach in the event of the grant of planning permission.

The comments of Building Control on the acceptability of the house designs in meeting Lifetime Homes Standards in accordance with the SPD will be reported to Members.

2) The impact of the development on neighbouring properties' amenity through overlooking, overshadowing or overbearing effect is pertinent. It is considered that the dwellings are sufficiently set away from Yew Tree Cottage and Crossways to the west not to cause significant material harm through overlooking and similarly to Royhouse to the east (provided no bedroom windows are inserted into the first floor side elevation of plot 7 and the bathroom and landing of plot 1 facing Drummonds be obscure glazed by condition).

It is considered that there would be no significant material harm to the amenity of neighbouring properties through overbearing or overshadowing impact.

CONCLUSIONS: The erection of 7 dwellings is considered to be appropriate development of the site and would result in a form of development that would preserve the character of the area.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.5.1. Samples of materials to be submitted agreed and implemented.
5. C.7.1. Slab Levels.
6. C.8.29. Code Level 3 Sustainable Homes.
7. C.8.32. 10% rule on site renewable energy.
8. C.28.2. Lifetime Homes Details.
9. C.8.30. Bin storage details.
10. C.11.6 Prior provision and retention of parking.
11. C.8.15. Construction hours and storage.
12. 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, all rainwater goods shall be black, eaves to all roofs shall be open with expose rafter feet rather than boxed, all windows and doors in masonry walls shall be inset at least 100mm and shall be fitted with sub-cills unless otherwise agreed in writing by the local planning authority.
REASON: In the interests of visual amenity.
13. All casement windows shall be balanced (equal size panes of glass) unless otherwise agreed in writing by the local planning authority.
REASON: In the interests of visual amenity.
14. C.8.27B Soakaways.
15. C.19.1. Avoidance of overlooking – 1.
16. The linked vehicle accesses to plots 6/7 and 4/5 shall be 5m wide and shall be constructed at right angles to the existing carriageway.

- REASON: To ensure vehicles can enter and leave the highway in a safe and controlled manner.
17. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.
 18. Any gates to be 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 order to enable vehicles using the access to stand clear of the carriageway/footway whilst gates are being opened and closed.
 19. The access shall be laid to a gradient not exceeding 4% for the first 6 metres for the highway boundary and not exceeding 8% thereafter.
REASON: In order to ensure that vehicles can enter and leave the highway in a safe and controlled manner.
 20. Prior to commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.
REASON: To prevent hazards caused by flowing water or ice on the highway in the interests of highway safety.
 21. Prior to the commencement of the development hereby permitted turning spaces of a design to be submitted to and agreed in writing by the local planning authority enabling a motor car to enter and leave the highway in a forward gear shall be constructed, surfaced and made available for use and shall be retained for that sole purpose.
REASON: To ensure appropriate turning facilities are provided so that vehicles can enter and leave the highway in a safe and controlled manner.
 22. All single garages shall have a minimum internal measurement of 6m x 3m. Any garage erected with its vehicular doors facing the highway shall not be set back more than 1.5m from the highway boundary, unless a full 6m parking space is provided in front.
REASON: To encourage the use of garages for their intended purpose and to enable vehicles using the garage to stand clear of the highway whilst the doors are being opened/closed and prevent vehicles parking and overhanging the highway.

Background papers: see application file.

UTT/0375/08/FUL - GREAT HALLINGBURY

Alteration and extensions to existing hotel. Alteration to existing vehicular and pedestrian access

Location: Yew Tree Farm Tilekiln Green. GR/TL 522-209

Applicant: Mr L Marcelo

Agent: Lindy Livings & Howes

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 01/05/2008

Classification: MINOR

NOTATION: Within Countryside Protection Zone.

DESCRIPTION OF SITE: The site is approximately opposite Great Hallingbury Manor and covers an area of 0.36ha and is located approximately 650m to the southeast of the B1256. There is a detached two-storey guest house with a range of single storey outbuildings forming a courtyard, located to the front of the site. There is a central access to the site into the courtyard in addition to another access to the north of the site. The two-storey guest house has five bedrooms within it.

DESCRIPTION OF PROPOSAL: This application relates to the redevelopment of the site incorporating internal alterations to the guest house, conversion of the northern existing outbuilding and the replacement of the western outbuilding. The replacement building would be linked to the altered, existing outbuilding. The proposed works would increase the number of bedrooms within the site from five to twenty-four.

The replacement building would cover an area of 147m² and would have dimensions of 25.8m by 5m (excluding the link to the existing brick outbuilding). A car parking area would be provided to the rear of the buildings with access proposed via the existing courtyard access and between the replacement building and the two-storey building.

APPLICANT'S CASE including Design & Access statement: D& A statement has been submitted summarising some of the recent planning history relating to the site, ULP Policy LC5 and the development proposed. Details of the proposal have also been submitted relating to the design, amount, layout, scale, landscaping, appearance and access (See attached).

RELEVANT HISTORY: Change of use from residential to office use conditionally approved 1990. Detailed application for the conversion of stable block to caretaker's accommodation refused 1992. Change of use from office to guest house (providing five bedrooms in the main house) conditionally approved 1993. Conversion and additions to two barns to form 12 units of bed and breakfast accommodation refused 2003. Conversion of two buildings to form 8 units of motel accommodation conditionally approved 2003. Application for removal of condition regarding the number of people present on the site at any one time conditionally approved June 2007.

Application for alterations and extensions to existing hotel, construction of vehicular access and parking area submitted October 2007 – awaiting appeal decision against non-determination of application. The appeal proposal indicates a similar scheme to that contained within the current application. The main differences are that within the scheme currently at appeal:

- a) it was proposed to construct an additional access to the site, to the south of the two-storey building, in order to gain access to the proposed parking area to the rear of the site;
- b) A two-storey extension to the guest house was proposed which would link the guest house to the proposed building to the rear; and
- c) The number of units of accommodation was proposed to be twenty-five.

CONSULTATIONS: ECC Highways: Recommends refusal. The proposal would intensify the use of a substandard access onto a classified highway where the main function is that of carrying traffic freely and safely between centres of population. The existence of an access in this location is a matter of fact and therefore some degree of conflict and interference to the passage of through vehicles already occurs but the intensification of that conflict and interference which this proposal would engender, would lead to a deterioration in the efficiency of the through road as a traffic carrier and be detrimental to highway safety.

Drainage Engineer: Requests imposition of condition regarding surface water disposal arrangements to be agreed prior to the commencement of development.

Natural England: Objects to the proposal on the basis of insufficient survey information to demonstrate that the development would not have an adverse effect on legally protected species – relating specifically to the possibility of roosting bats.

Environmental Services: No concerns.

ECC Archaeology: Recommends archaeological monitoring and excavation.

PARISH COUNCIL COMMENTS: The Parish Council are not happy with the increased use to the existing access point and would like this application to be determined by the Development Control Committee so that a site visit can be made.

REPRESENTATIONS: None. Notification period expired 4 April.

PLANNING CONSIDERATIONS including Design & Access statement. The main issues are whether the proposal complies with the requirements of Development Plan policies regarding:

- 1) **The Countryside Protection Zone (ULP Policy S8);**
- 2) **Hotels and Bed and Breakfast Accommodation, the Re-use of Rural Buildings and Access (ULP Policies LC5, E5 & GEN1) and**
- 3) **Design (ULP Policy GEN2).**

1) This site is located within the Countryside Protection Zone (CPZ) surrounding Stansted Airport. An explanation of the CPZ is given in the report for Great Hallingbury Manor (UTT/0346/08/FUL). ULP Policy S8 relates to the CPZ and specifies that planning permission will only be granted for development that is required to take place there or is appropriate to a rural area and that there will be strict control on new development. In addition if new buildings or uses would promote coalescence between the airport and existing development in the countryside or it would adversely affect the open characteristics of the zone, development will not be permitted.

In addition to the proposed alterations to the existing two-storey guest house to provide eleven guest bedrooms, it is also proposed to convert an existing brick outbuilding to form six units of accommodation and to replace an existing low-key timber outbuilding with a new building linked to the brick outbuilding to provide seven units of accommodation. In order to provide sufficient a car parking area to accommodate the proposed increase in the number of guest bedrooms on the site, a parking area with 28 spaces would be provided to the rear of the site.

The proposed new building would significantly increase the amount of built form on this site through the introduction of a structure 25.6m long with a ridge height of approximately 5.5m. This would adversely affect the open and rural characteristics of the CPZ by virtue of the additional built form on the site and would promote coalescence between the existing development and Stansted Airport. The application is not accompanied by any supporting information except the mandatory Design and Access statement and that document does not provide any information to address the issue of why the development is either required to take place on this site or why it is appropriate to a rural area. The associated car parking required to accommodate the vehicles of guests using the proposed facility would also result in an inappropriate form of development which would extend further away from the courtyard grouping of buildings, further spreading the impact of the development into the surrounding countryside.

2) ULP Policy LC5 specifies that outside Development Limits, development relating to tourist accommodation will only be permitted if a) it involves the re-use of a rural building or b) it is an extension or replacement of existing serviced accommodation. This proposal relates to the re-use of the existing brick outbuilding and an intensification of the existing use of the guest house, in addition to the erection of a purpose built building to the rear.

The scale of the proposal does not amount to an extension of existing serviced accommodation as it would result in an increase of five times the existing accommodation. Even taking into account the extant permission for conversion of the outbuildings to form an additional 8 units of accommodation, which has not been implemented, this proposal would almost double that provision. Therefore the proposal would amount to redevelopment of this site and is not an extension of the existing accommodation.

As the proposal involves the re-use of existing buildings, it is also necessary to consider the application against the criteria set out in ULP Policy E5. These are that:

- 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)."

No information has been submitted to demonstrate that the buildings are of a permanent and substantial construction or that they are capable of conversion without major reconstruction. As detailed above in section 1), the additional built form and the proposed car parking area would be detrimental to the open and rural character of the CPZ and the proposal would therefore fail to protect or enhance the character of the countryside. The final criterion specifies that for development to be acceptable, it must not place unacceptable pressures on the surrounding rural road network. Essex County Council, as the Local Highway Authority, has been consulted with regard to this proposal. They have recommended refusal of the application as the intensification of the use of the existing substandard access would lead to the intensification of conflict and interference between vehicles entering and leaving the site and through traffic using the road to the east of the site. This would lead to a deterioration in the efficiency of the through road as a traffic carrier and be detrimental to highway safety.

ULP Policy GEN1 also specifies criteria which development must comply with in order to be permitted. As detailed above, the Highways Authority has recommended refusal as the intensification of the use of the substandard access to the site, resulting from the proposal,

would be detrimental to highway safety. The proposal would therefore fail to comply with the requirements of the following criteria contained within this policy:

- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.
- c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.

The proposal fails to comply with the requirements of ULP Policies LC5, E5 and GEN1.

3) The design of the proposed building would incorporate traditional features and would not be unlike the building currently under construction at Great Hallingbury Manor to the east of this site. In this respect, the design and appearance would be acceptable. There are no residential properties located close to the site and therefore there would be no impact on residential amenity as a result of the proposal.

CONCLUSIONS: The proposal would result in the redevelopment and intensification of the existing low-key use on the site with an associated increase in built form and car parking to the rear. This would have a detrimental impact on the open and rural character of the CPZ, would promote coalescence between Stansted Airport and existing development and would have a detrimental impact on highway safety. The redevelopment of the site would also be so great that it would not amount to an extension of existing serviced accommodation and insufficient information has been provided to demonstrate that the buildings are of a permanent and substantial construction and are capable of conversion without major reconstruction. The proposal is contrary to the requirements of ULP Policies S8, LC5, E5 and GEN1.

RECOMMENDATION: REFUSAL REASONS

1. The proposal would involve the erection of a large building to provide additional units of accommodation on the site and also a large area of car parking to the rear of the buildings. The additional development would be visible from the entrance to the site and to passers-by traveling along the road adjacent to the site. The additional built form and car parking area within the Countryside Protection Zone would be detrimental to the rural character of the surrounding area and would promote coalescence between Stansted Airport and existing development contrary to the provisions of ULP Policy S8 – The Countryside Protection Zone.
2. The proposed new building, in addition to the increase in the number of guest rooms within the site would result in an increase in accommodation of almost five times the existing number of units currently provided. This level of development would amount to the redevelopment of the site rather than an extension to existing serviced accommodation contrary to the provisions of ULP Policy LC5.
3. The application does not contain any information to demonstrate that the existing buildings proposed to be converted are of a permanent and substantial construction and are capable of conversion without major reconstruction. In the absence of such information the proposal is contrary to the requirements of ULP Policy E5 which allows for the re-use of existing rural buildings but does not allow rebuilding or major reconstruction works.
4. The proposal would result in the intensification of vehicles using the existing substandard access to the site. This would lead to the intensification of conflict and interference between vehicles entering and leaving the site and through traffic using the road to the east of the site. This would lead to a deterioration in the efficiency of the through road as a traffic carrier and be detrimental to highway safety contrary to the requirements of ULP Policies GEN1 and E5.

Background papers: see application file.

UTT/0854/08/FUL - STANSTED

Erection of 4 No. one bedroom flats

Location: Garage Site Land adj 54 Manor Road. GR/TL 515-243

Applicant: Flagship Housing Group

Agent: Ther Design Partnership (Ely)

Case Officer: Mr N Ford 01799 510629

Expiry Date: 07/07/2008

Classification: MINOR

NOTATION: Within Development Limits. Adjacent Public Right of Way.

DESCRIPTION OF SITE: The application site is located to the west of Church Road, Stansted. It has an access from the estate road and appears to have been used formerly as garaging. There is evidence of concrete bases on the land.

To the north is the gable end wall of a terrace of two storey dwellings and their rear gardens. To the south beyond a chain link fence is a Public Right of Way footpath which connects Manor Road with Church Road. There are detached dwellings fronting Church Road adjacent to this foot path. There are various styles of dwellings in the area including bungalows to the south west of the site.

There are mature trees to the boundary with Church Road and the foot path with a low hedge to the highway verge of Church Road.

The land is owned by Uttlesford District Council and therefore the application falls to be determined by the Development Control Committee.

DESCRIPTION OF PROPOSAL: This scheme is an amendment to one approved at the end of 2007 and relates to a modest single storey extension to the south elevation to provide a small office space. The office space formally indicated in the building could then be used as a w.c. for disabled accessibility. This is a full planning application for the erection of a detached building to accommodate 4 no. one bedroom flats for homeless persons for the Flagship Housing Group.

The building proposed is two storey with a pitch roof. It would be set back from the dwellings to the north with its front elevation level with their rear elevations. Access is indicated to the front of the building with a parking area for four vehicles leading onto Manor Road.

APPLICANT'S CASE: An extract from the Design and Access Statement received 12 May 2008 is below.

The objectives of the development are to:

- Provide four high quality homes
- Achieve development that makes best use of land
- Provide a much needed housing resource to respond to local housing need
- Create a development that is appropriate to its location that enhances the village and is harmonious with the area generally
- Create a development that is accessible and does not segregate disabled people

RELEVANT HISTORY: Approval granted for a similar scheme on 21 December 2007 (UTT/2048/07/FUL).

CONSULTATIONS: Highway Authority: To be determined by UDD under the terms of the deminimis agreement.

Water Authority: Surface water drainage is the responsibility of the developer. Provides advice for the applicant.

Landscaping: As previous application advice – The build is close to mature trees including Sycamores and a Pine tree which are of amenity value. Care needs to be exercised in the construction of the development to ensure that damage to the trees is minimised. Recommends a condition for protective tree measures. Recommends a scheme of landscaping.

Housing: To be reported.

Ramblers Association: To be reported.

Environmental Services: To be reported.

Drainage Engineer: To be reported.

Building Surveying: To be reported.

PARISH COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: None. Notification period expired 2 June 2008 (Site Notice expired 9 June 2008).

PLANNING CONSIDERATIONS including Design & Access statement.

The main issue is whether the proposed development 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 S1, H3, GEN1, GEN2, GEN8, ENV3 & SPD Accessible Homes).

The application site is located within the development limits of Stansted and therefore the erection of a building to accommodate residential flats is generally acceptable in principle and furthermore a very similar building on this site has also recently been granted planning permission by the Development Control Committee which is material to the consideration of this application. This scheme provides for an extension to the side elevation to provide a small office and allow space within the building to be used for a w.c. suitable for use by disabled persons.

The building would be sited to the rear of the terrace of dwellings to the north and closer to Church Road. This is acceptable in street scene terms given that dwellings to the south face Church Road. This siting allows for parking to be provided to the front of the building with one space for each flat. This is acceptable for a small one bedroom flat in an urban location and was agreed by the last application. A communal garden area would be available between the rear of the building and Church Road, which is considered to be appropriate.

The access and parking are identical to that permitted last year.

CONCLUSIONS: The erection of the proposed building to accommodate flats is acceptable with the amended scheme to incorporate a modest extension subject to appropriate conditions as previously consented.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.

5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. C.5.2. Details of materials to be submitted agreed and implemented.
7. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented – extension.
8. C.8.30. Details of bin/recycling storage areas.
9. C.8.29. Details of sustainable construction for new residential or commercial development.
10. C.11.6. Prior provision of residential communal parking.
11. C.19.1. Avoidance of overlooking.
12. C.28.1. Implementation of accessibility scheme.
13. 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, all rainwater goods shall be black, eaves to all roofs shall be open with expose rafter feet rather than boxed, all windows and doors in masonry walls shall be inset at least 100mm and shall be fitted with sub-cills unless otherwise agreed in writing by the local planning authority.
REASON: In the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005 and the Essex Design Guide 2005.
14. 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 in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.
15. All porches shall not have fascias but shall have exposed rafter feet unless otherwise agreed in writing by the local planning authority.
REASON: In the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

Background papers: see application file.

UTT/1910/07/FUL - GREAT DUNMOW

Erection of 6 no. dwellings with associated garages and highway works

Location: Sector 1 Emblems 2 Land to north of Godfrey Way Woodlands Park
GR/TL 623-226

Applicant: Wickford Developments Co Ltd

Agent: John Finch Partnership

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 26/12/2007

Classification: MINOR

NOTATION: Within Development Limits / Local Plan Policy GD5 – Woodlands Park.

DESCRIPTION OF SITE: The site covers an area of 0.38ha and is broadly triangular in shape. It is located to the north and west of existing residential development and is located to the south of other approved but as yet not constructed residential development, as part of the Woodlands Park development.

DESCRIPTION OF PROPOSAL: This application relates to the erection of six detached, two-and-a-half storey, five-bedroom dwellings with detached double garages. Two house types are proposed and are detailed below.

House type / Plot no.	Area covered	Ridge height
WD.LHH / 117, 118, 121, 122	80m ²	9.7m
WD.LHL / 119, 120	100m ²	9.6m

At 16 dwellings per hectare this is a low-density scheme but one that should be viewed as a small element of the overall estate that achieves higher densities.

APPLICANT'S CASE including Design & Access statement: Design and Access Statement has been submitted in addition to supporting letters from the applicant. The statement details the history of the site, the design principles and concepts of the proposal (including the use, amount, layout, scale, landscaping and appearance) and access relating to the site.

RELEVANT HISTORY: Approval of reserved matters following the grant of outline permission for erection of 105 dwellings and garages, with associated highway works conditionally approved 2004.

CONSULTATIONS: Natural England: Objects on the basis that insufficient survey information has been submitted with the application to ensure that legally protected species would not be adversely affected.

Essex Wildlife Trust: None received (due 22 November 2007).

Building Surveying: None received (due 15 November 2007).

Landscaping: I advise that the planting details shown on the site layout plan (drwg no 2240:50) should be treated as only illustrative. Any approval should be made subject to condition requiring the submission and approval of full planting details.

Members have previously approved the "Woodlands Park Woodland Management Plan" allowing the removal of a number of Poplar trees which were subject to a UDC tree preservation order (1/85). This included a group of 7 no. Poplars (G22) situated to the west of Berbice Lane. The Management Plan showed 12 trees to be planted as replacements along the boundary. Following discussions with the Applicant, the total number of trees as planted is 23, together with a triple row replacement native species hedge. The tree planting

stations have been incorporated into the hedging belt within a protective post and wire fence which is considered beneficial in ensuring successful establishment and management. The trees planted are as follows: 5 no. Alder, 6 no. Hornbeam, 7 no. Field Maple, 3 no. Whitebeam and 2 no. Oak. The total number of hedging plants is 456.

Environmental Services: No comments.

TOWN COUNCIL COMMENTS: Original Plans: Object. The distance between the proposed development and Berbice Lane has been reduced from that originally proposed with the consequent:

- a) reduction of the area where it was agreed tree planting would be undertaken to replace trees removed by the developers;
- b) reduction of Berbice Lane residents' amenities.

Revised Plans: To be reported (due 26 May).

REPRESENTATIONS: Original Plans: 10 Letters. Notification period expired 22 November 2007. Main points raised:

1. Concerns regarding the approved removal of poplars covered by a TPO and the associated approved landscaping scheme relating to the implementation of replacement planting. Primarily that this has not gone ahead during agreed timescales, planting appears to be insufficient and close to boundaries and over ditches which have been piped.
2. Existing properties adjoining the site have not been indicated on the site layout plans – therefore UDC and neighbours would not be able to adequately assess the potential impacts of the proposal.
3. Requests that trees along the southern site boundary are retained.
4. Content with density at proposed level rather than a higher density to satisfy PPS3 requirements.
5. Concerns regarding overlooking between existing and proposed dwellings.
6. Access to the site should be via Woodlands Park and not Godfrey Way, The Mead and Emblems.
7. Clarification requested regarding height of dwellings, positioning of boundary fences, legal position regarding potential damage/mess which may occur during construction, is there any right of appeal to answers to my questions, what is the proposed commencement date?
8. No need to further development, all of the green areas of Gt Dunmow are being built on.

Revised Plans: 3 Letters. Notification period expired 26 May 2008. Main points raised:

1. The positioning of trees adjacent to site boundary would result in loss of light and leaves will drop onto existing properties.
2. Access should not be through Godfrey Way for the additional development.
3. Overlooking will occur due to them being positioned closer than the previously approved scheme.
4. Further comments regarding the issues regarding the landscaping scheme following removal of the TPO Poplars.

COMMENTS ON REPRESENTATIONS: This revised scheme for 6 dwellings would remain linked to and gain access from the development approved under reference UTT/1006/04/DFO. No access is proposed via Godfrey Way, Emblems or The Mead and the 2004 approval ensures that this would not be possible. The height of the proposed dwellings is set out at the start of the report, any damage to property during construction would be a civil matter between the owner and the developer, there is no third party right of appeal against a planning decision however the issues raised in the writer's letter are factual

answers and do not primarily relate to the planning merits of the application. For other general planning matters see planning considerations below and for landscaping issues also refer to Landscape Officer's comments.

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

- 1) **the proposal represents an acceptable revised scheme to the reserved matters scheme approved in 2004 (ULP Policies S1, H3, GD5, GEN2); and**
- 2) **there are other material planning considerations.**

1) This is a revised scheme following the approval of reserved matters for six dwellings on this site as part of a larger site area relating to a scheme of 105 dwellings. The principle of development on this site has been established by its inclusion within Local Policy GD5, as part of the Woodlands Park development, in addition to the site's history of outline and reserved matters applications which have previously been approved.

The submitted drawings indicate that the dwellings would comply with Lifetime Homes Standards as required by adopted Supplementary Planning Document – Accessible Homes and Playspace. The appearance of the proposed dwellings would not be unlike others approved on Woodlands Park and is considered to be satisfactory.

The dwellings proposed on plot nos. 117 – 119 and 122 would have no greater impact on the amenity of neighbouring properties than those previously approved. The original plans relating to this application indicated that the dwellings on plot nos. 120 and 121 would have been located in positions on site which would have resulted in the minimum distances required to prevent material overlooking of neighbouring private amenity areas, as set out in the Essex Design Guide, being breached. The dwellings on these plots have been repositioned as indicated on the revised site layout and the additional distance between the proposed and existing dwellings as well as the reorientation of the dwelling to plot 121 would now prevent material overlooking.

2) There is a long history relating to the proposed landscaping of the eastern site boundary following the approval of a scheme to remove trees protected by Tree Preservation Orders and the subsequent replacement planting. The Council's Landscape Officer has been consulted with regards this application and has advised that planting above that required by the approved scheme has been implemented, incorporating a mix of species to provide trees and hedging, along this boundary. A further drawing has been submitted by the applicants relating to this boundary planting and the Landscape Officer has advised that if planning permission is granted a condition should be imposed to ensure that full details of a planting scheme are approved and subsequently implemented. Therefore further controls regarding the boundary treatment can be dealt with by way of condition.

CONCLUSIONS: This revised scheme is acceptable and complies with the requirements of all relevant Development Plan policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Standard time limit.
2. C.4.1. Landscaping scheme to be submitted.
3. C.4.2. Implementation of landscaping scheme.
4. C.7.1. Levels
5. C.8.32. Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
6. C.8.30. Provision of bin storage.

7. C.28.1. Accessibility – Implementation of scheme.
8. Prior to the commencement of development scaled drawings shall be submitted to and approved in writing by the local planning authority detailing the elevations to the garages hereby permitted.
REASON: No details of the elevations of the garages have been submitted with this application.
- 9.-13. Standard highway requirements.
14. C.20.2. Protection of other species.
15. All footpaths shall be laid out to a minimum of 2m in width, shall be lit and, where necessary shall be drained adequately.
REASON: In order to ensure a satisfactory standard of development.
16. No development shall commence until the design of the proposed locked barrier has been submitted to and approved in writing by the local planning authority, together with a timetable for its erection/provision once erected the barrier shall remain closed except for use by vehicles traveling to or from an emergency.
17. No development shall commence until either the locked barrier referred to in the previous condition or a temporary barrier performing the same function has been provided/erected or installed in the location identified on the approved drawings. This barrier the approved locked barrier or an approved alternative shall thereafter remain to preclude the passing of non emergency vehicular traffic
REASON 12 and 13: In the interest of highway safety and the amenity of neighbours.
18. No construction traffic shall access the development site hereby permitted via Godfrey Way. Details shall be submitted to and approved in writing by the local planning authority prior to the commencement of development showing access arrangements for construction traffic via an alternative route.
REASON: In the interests of highway safety and residential amenity.

Background papers: see application file.

UTT/0406/08/FUL - GREAT DUNMOW

Erection of 34 affordable dwellings, car parking, cycle & bin stores, boundary treatment, landscaping, foul & surface water drainage as an amendment to planning permission UTT/0392/05/DFO

Location: Sector 3, Woodlands Park. GR/TL 619-225

Applicant: Wickford Development Company Ltd

Agent: Melville Dunbar Associates

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 27/06/2008

Classification: MAJOR

NOTATION: Within development limit and within the area subject to GD5 Woodlands Park.

DESCRIPTION OF SITE: The site is at the southern end of Sector three, well within the agreed development of Woodlands Park. At this point the land is broadly level. Members may recall visiting the site when considering a previous application two years ago. To the immediate east there is permission for a portion of development of affordable housing and both that and this scheme are within the area agreed for part of the affordable housing provision for the estate in the approved Masterplan.

DESCRIPTION OF PROPOSAL: Permission was granted under reference UTT/0450/02/OP for 300 dwellings. The reserved matters submission (reference UTT/0392/05/DFO) included the provision of 54 affordable dwellings as part of the 300 dwellings. This proposal re-plans part of that allocation and adds a further seven units representing the number of affordable units generated by the extra 17 dwellings (i.e. 41%) proposed under reference UTT/0399/08/FUL. Of the permitted 54 affordable units, 27 remain unaltered; the other 27 would be replaced by 34 dwellings in the following mix:

Six 1 bed flats in a three storey block with lift to all floors

One 1 bed dwelling in a two storey end of terrace

Seventeen 2 bed two storey dwellings

Nine 3 bed two storey houses

One 4 bed two storey house

Fifty one parking spaces are proposed for the thirty four dwellings; an average of 1.5 spaces per dwelling (i.e. a slightly higher provision than in the approved scheme), although the three and four bed units have two spaces and the one bed units have a lower provision.

The materials proposed to be used in the development are within the range of materials used elsewhere on the estate – i.e. bricks red/orange multis and Gaults, with slate and concrete tiles.

The affordable units would be located within the area identified in the approved Masterplan for affordable units. Other than an increase in the number of dwellings this is a similar scheme to that approved in 2005.

APPLICANT'S CASE : A design and access statement has been submitted with the application and can be viewed in the offices or online. The conclusion is as follows:

"The proposals contained in the application are consistent with the master Plan which set out the planning terms of reference for the development of Sector 3, Woodlands park.

The proposed range of dwellings will contribute towards meeting the needs for affordable housing in the District.

It is considered that the proposed development will provide an attractive living environment that will be fully integrated with and harmonise with the remainder of Woodlands Park. In the light of the foregoing and having regard to the letter of the Director of Planning, it is hoped therefore, that officers will recommend that the application is approved"

RELEVANT HISTORY: Outline permission for 300 dwellings granted in 2002. Approval of reserved matters for 300 dwellings in 2005, including the provision of 54 affordable dwellings.

CONSULTATIONS: ECC Learning Services: Require contribution of £39,106 index linked to April 2008 prior to commencement for early years, primary and secondary education.

ECC Highways: Request revisions to layout to provide size 3 turning head. Request conditions relating to pedestrian visibility splays, no loose material with 6m of highway, construction of estate road to at least base course prior to commencement of any dwelling.

Building control (Lifetime homes): All comply with lifetime homes standards.

Building control (Sustainability): Fails to meet current requirements to achieve Code for Sustainable Homes Level 3. The relevant conditions should be used.

Environment Agency: No objection

Anglian Water: Provide informative only.

Essex Wildlife Trust: No objection.

TOWN COUNCIL COMMENTS: None received.

REPRESENTATIONS: Notification period expired 21.4.08.

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

- 1) **The principle of residential development (ULP Policy GD5) and its relationship to the extant permission on the site;**
- 2) **Acceptability of design and layout (ULP Policies GEN2, GEN4, GEN8 & Supplementary planning documents including Accessible homes and playspace & Essex Design Guide);**
- 3) **Provision of affordable housing (ULP Policy H9);**
- 4) **Sustainable design and technologies (ULP Policy GEN2 & Supplementary planning documents Energy Efficiency and Renewable Energy) and**
- 5) **Other material planning considerations.**

1) Permission has been granted previously for the residential development of this site (both outline and reserved matters) and its development for affordable housing is in accordance with the approved Masterplan – a requirement of Policy GD5. Consequently the principle is accepted under policy GD5 as well as siting the affordable housing in this area. There is an extant permission that varies only in the number of units (54 affordable units rather than 61) and matters of detail.

2) The proposed buildings are attractive and would fit in well with the rest of the estate. The resultant development would be very similar to that previously approved. The properties would have decent gardens including a communal garden for the new flat block. One of the benefits coming from new policies is that all six of the newly proposed flats would have lift access. Car parking provision is at an appropriate level. An indicative landscaping scheme has been submitted but this does not provide complete details of species, size and spacing etc and will need to form part of a landscape submission covered by planning conditions.

3) The extra seven dwellings are generated by the development of the 17 dwelling in the accompanying application UTT/0399/08/FUL. The operative Masterplan agreed by the committee permits the affordable housing to be provided in a group. This is in contrast to Masterplans and S106 agreement restrictions introduced in more recently negotiated schemes at the other major housing sites. However the purpose of the Masterplan is to provide certainty for all parties and the policy requires adherence to the Masterplan which limits the scope for decisions by either party (developer or planning authority). Officers have sought to negotiate pepper potting of affordable housing but the developer has not been persuaded. In recognition of the support for the developer's position provided in the Masterplan, its support in policy GD5 and the similar arrangement in the extant permission, officers consider that it would be difficult to resist this proposal. The applicant has stated that the development of the overall estate would progress in such a way (broadly from the south northwards) that affordable units here would be delivered earlier than if located elsewhere. The committee should bear this benefit in mind.

4) The Council adopted the Supplementary Planning Document- Energy Efficiency and Renewable Energy – in October 2007 and now requires developers to meet its standards including achieving Code for Sustainable Homes Level 3. Unlike others this developer has not set out to achieve this and therefore planning conditions will be used to achieve this.

5) With regard to other material considerations it is accepted practice to require developers to make a contribution to the provision of education of future occupants and in this instance ECC learning services has requested a sum of £39,106 index linked to April 2008. To achieve such a contribution a S106 is required.

CONCLUSIONS: The proposal is satisfactory.

APPROVAL WITH CONDITIONS AND S106 AGREEMENT TO ACHIEVE CONTRIBUTION OF SUM FOR PROVISION OF EARLY YEARS, PRIMARY AND SECONDARY EDUCATION

1. C.2.1. Time limit for commencement of development.
2. C.17.1. Revised plan required.
3. C.10.5. Carriageways of estate roads.
4. C.10.18. Unbound material/surface dressing.
5. C.10.7. Visibility splay for crossover access.
6. C.8.29. Condition for compliance with code level 3 (five or more dwellings).
7. C.8.32. Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
8. C.28.1. Accessibility – Implementation of scheme.
9. No dwelling shall be occupied until the car parking spaces, garage forecourts and hardstandings to which it relates as shown on layout no. 498-P500 dated January 2008 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.
10. The development hereby permitted shall not commence until details of measures to improve occupants and visitors safety and security (measures in accordance with Secured by Design) have been submitted to and approved in writing by the local

planning authority. The approved measures shall be implemented prior to the occupation of the dwellings and thereafter retained.

REASON: In the interests of residents and public safety and security.

11. C.4.1. Submission of landscaping scheme.
12. C.4.2. Implementation of landscaping scheme.

Background papers: see application file.

UTT/0399/08/FUL - GREAT DUNMOW

Construction of 17 dwellings and associated estate roads, footpaths, garages, car spaces, foul and surface water drainage, boundary treatment and landscaping including provision of landscape margin to north west by-pass

Location: Sector 3(i) Woodlands Park. GR/TL 619-225

Applicant: Wickford Development Company L

Agent: Melville Dunbar Associates

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 27/06/2008

Classification: MAJOR

NOTATION: Within development limit and within the area subject to GD5 Woodlands Park.

DESCRIPTION OF SITE: The site is at the far end of the development area of Woodlands Park, at the northern tip of Sector Three. At this point of Woodlands Park the land begins to dip down towards the north. To the immediate north is the approved location of the water pumping station, to the east is the woodland associated with Newton Hall, to the south is the rest of sector three and the western boundary of the site is formed by the north west relief road. Running along the southern boundary is the northern most junction with the relief road into Sector Three. Members may recall visiting the site when considering a previous application two years ago.

DESCRIPTION OF PROPOSAL: This proposal relates to the erection of seventeen dwellings on this 0.8 hectare site (21 dwellings per hectare) along a single cul-de-sac joining up with the approved layout of the rest of Sector three, shown by plots 186 and upwards. The effective density is approximately 25 dwellings per hectare as the site contributes approximately 1000 sqm to structural landscaping. The dwellings would be a mix of three bedroom (types LH6 x two and LH7 x four), four bedroom (types LH9 x two LH12 x three) four plus study (LH10 x three LH11 x three). House types LH6 and 7 are two storey; LH9, 10 and 11 are two and a half storey and LH12 is a three storey house type. These house types are similar to those that have been permitted elsewhere on Woodlands Park. Another similarity is the level of parking is a minimum of two spaces but mostly more. The materials are proposed to be a mix of brick, render, weatherboarding with plain tiles, slates and pantiles on the roofs.

APPLICANT'S CASE: A design and access statement has been submitted with the application and can be viewed in the offices or online. The conclusion is as follows:

- 7.1 The proposals contained in the application are consistent with the Master Plan which set out the planning terms of reference for the development of Sector 3, Woodlands Park.
- 7.2 The development will make a contribution towards the need for new homes in Uttlesford in accordance with the adopted Uttlesford Local Plan.
- 7.3 The range of dwellings proposed will satisfy the increasingly discerning demands of the home-owner. Also, the informal layout proposed on the site will be an appropriate means by which the northern end of the Woodlands Park development which lies at the extremity of the existing Great Dunmow urban area will be rounded-off and completed.
- 7.4 It is considered that the proposed development will provide an attractive living environment that will be fully integrated with and will harmonise with the remainder of Woodlands Park. In the light of the foregoing and having regard to the letter of the

Director of Planning it is hoped, therefore, that Officers will recommend that the application is approved.

RELEVANT HISTORY: Application for construction of 17 dwellings and associated estate roads, footpaths, garages, car spaces, foul and surface water drainage, boundary treatment and landscaping including provision of landscape margin to north west by-pass refused for reason of failing to provide affordable housing 2005.

Application for Construction of 17 dwellings and associated estate roads, footpaths, garages, car spaces, foul and surface water drainage, boundary treatment and landscaping including provision of landscape margin to north west by-pass withdrawn 2006

Roads, foot paths, Type 3 turning bay, pumping station with associated control box, telemetry aerial, 1.8m high close boarded timber fence, vehicular access onto by-pass and turning area and foul and surface water drainage approved 2006.

CONSULTATIONS: ECC Learning Services: Require contribution of £134,846 prior to commencement for early years, primary and secondary education.

ECC Highways: Request revisions to layout to provide size 3 turning head, transition to footways, 6m gap in front of garage to plot 418, gates to plot 417 to be a minimum of 6m from back of footway. Request conditions relating to pedestrian visibility splays, no loose material with 6m of highway, construction of estate road to at least base course prior to commencement of any dwelling.

Building Control (Lifetime homes): All comply with lifetimes home standards but one dwelling has to be built to wheelchair accessible standards,

Building Control (Sustainability): Fails to meet current requirements to achieve Code for Sustainable Homes Level 3. The relevant conditions should be used.

Natural England: No objection.

Environment Agency: No objection

Anglian Water: Provide informative only.

Essex Wildlife Trust: No objection.

TOWN COUNCIL COMMENTS: Object: Three-storey roofline is too high for the location adjacent to Newton Hall.

REPRESENTATIONS: Notification period expired 21.4.08.

COMMENTS ON REPRESENTATIONS: NA.

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

- 1) The principle of residential development (ULP Policy GD5);
- 2) Acceptability of design and layout (ULP Policies GEN2, GEN4, GEN8 & Supplementary planning documents including Accessible homes and playspace & Essex Design Guide);
- 3) Provision of affordable housing (ULP Policy H9);
- 4) Sustainable design and technologies (ULP Policy GEN2 & Supplementary planning documents Energy Efficiency and Renewable Energy);
- 5) Other material planning considerations.

1) The boundaries of this extra element of sector three were agreed by the local plan Inspector at the Inquiry in 2003 as being appropriate for development for 17 dwellings as part of Woodlands Park. The site is not subject to the Masterplan or an outline permission

but given the inclusion of the site within the development limit the principle of development is accepted. There is an extant permission for the road layout which is as proposed here.

2) The design of the dwellings is similar to the range of dwellings found to be acceptable and therefore have received permission elsewhere on Woodlands Park. Those dwellings include two, two and a half and three storey dwellings. The comments of the Town Council are noted but the distance between Newton Hall and the units (house type LH12) of 64 metres, the landscaping between them and Newton Hall and that this house type although three storeys is 10.5 metres tall is the same height for example as house type LH11 a two and a half storey dwelling. Officers consider these dwellings to be satisfactory.

3) The development of seventeen dwelling generates a requirement for seven affordable units and these are proposed to be allocated as part of the accompanying application UTT/0406/08/FUL.

4) The Council adopted the Supplementary Planning Document- Energy Efficiency and Renewable Energy – in October 2007 and now requires developers to meet its standards including achieving Code for Sustainable Homes Level 3. Unlike others this developer has not set out to achieve this and therefore planning conditions will be used to achieve this.

5) It is accepted practice to require developers to make a contribution to the provision of education of future occupants and in this instance ECC learning services has requested a sum of £134,846. To achieve this contribution a S106 is required.

CONCLUSIONS: The proposal is satisfactory.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND S106 AGREEMENT TO ACHIEVE CONTRIBUTION OF SUM FOR PROVISION OF EARLY YEARS, PRIMARY AND SECONDARY EDUCATION

1. C.2.1. Time Limit for commencement of development.
2. C.17.1. Amendments to design.
3. C.10.5. Carriageways of estate roads.
4. C.10.18. Unbound material/surface dressing.
5. C.10.7. Visibility splay for crossover access
6. C.8.29. Condition for compliance with code level 3 (five or more dwellings).
7. C.8.32. Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
8. C.28.2. Accessibility – further submission.
9. C.4.1. Submission of landscaping scheme & reason.
10. C.4.2. Implementation of landscaping scheme & reason.
11. None of the dwellings hereby permitted shall be occupied until the affordable housing development permitted under reference UTT/0406/08/FUL has been made available for residential occupation. REASON: To ensure the appropriate provision for affordable housing generated by this development.
12. C.7.1. Slab levels, Reason: In order to achieve a satisfactory form of development on this sloping site.

Background papers: see application file.

UTT/0670/08/OP - LITTLE CANFIELD

Outline application for the erection of 6 dwellings (includes details of layout and access)

Location: Land adjacent the Rest Dunmow Road GR/TL 574-212

Applicant: Goldsand Estates Ltd

Agent: Frederic Chadburn

Case Officer: Mr N Ford 01799 510629

Expiry Date: 06/06/2008

Classification: MINOR

NOTATION: Takeley Local Policy 3.

DESCRIPTION OF SITE: The site is located approximately 1.2km to the northeast of the Takeley Four Ashes junction north of the B1256 Dunmow Road and lies within the boundary of the Parish of Little Canfield. The site covers an area of approximately 0.22ha and comprises garden land previously associated with a dwelling named The Rest to the east and has mature trees both on site and contained within the hedgerow boundaries. It currently has a wooden summer house located to the south of the plot. Detached dwellings lie either side of the site to the east and west, to the north are new dwellings constructed on the Priors Green estate. Across Dunmow Road to the south lies the former BP garage/DJR cars site.

DESCRIPTION OF PROPOSAL: This outline application is for the erection of 6 dwellings on an area of approx. 0.22 ha (i.e. 27 dwellings/hectare). Four dwellings would be detached and two would be semi detached. Access and layout and all matters of principle are matters to be determined at this stage. The layout drawing proposes a new access to serve the 6 dwellings.

Only Appearance, landscaping, and scale would all be determined at the reserved matters stage. This site is identified in the Supplementary Planning Guidance (SPG) that covers the area as an "Island Site".

APPLICANT'S CASE including Design & Access statement: See Design and Access Statement received 11 April 2008.

RELEVANT HISTORY: On 7 November 2006 an outline planning application for the erection of 11 dwellings from two points of access was refused (UTT/1161/06/OP). A subsequent appeal was dismissed.

The Inspector considered that the material increase in vehicle trips associated with 11 dwellings both from a new access and the greater use of an existing one would interfere too much with the free, safe and convenient flow of traffic on this stretch of road.

The adopted Supplementary Planning Guidance for 'Island Sites' requires that vehicle access to such sites be gained from the Priors Green development itself. The Inspector supported this and whilst had no objection to the principle of the residential development of the land itself considered there to be no good reason to allow the proposal contrary to well established highway policies. The Inspector considered it unfortunate that measures were not put in place to anticipate a more comprehensive development to include it and provide it with suitable access.

CONSULTATIONS: Highway Authority: Uttlesford District Council's Supplementary Planning Guidance to Takeley/Little Canfield Local Policy 3 – Priors Green (The "Island")

Sites) states that “New development will gain access from the approved internal road network”, the applicant is unable to do this as built development now encloses the site. If the Committee were minded to forego this requirement then no objection is raised subject to conditions.

Building Control: Lifetime Homes Standards – Ensure that the SPD is adopted on these dwellings. Sustainability – Will need to achieve the Code for Sustainable Homes Level 3 and 10% on site renewable energy systems.

Water Authority: No objection to sewerage infrastructure. Water is covered by Three Valleys Water.

ECC Archaeology: Recommends a trial trench and open area excavation condition.

Environmental Services: No comments other than there be no burning if site clearance is required.

Landscaping: To be reported.

ECC Education: ECC seeks an education contribution under Section 106 of the Act.

PARISH COUNCIL COMMENTS: No further comments to those previously submitted - One entrance will limit access for amenity vehicles. This is not in keeping with detached properties in Dunmow Road. Foul water drainage should be connected to Priors Green.

REPRESENTATIONS: None. Notification period expired 5 May 2008.

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

- 1) **the development would be compatible with the Master Plan and the Council’s Supplementary Planning Guidance (PPS3, ULP Local Policy 3, H10, GEN1, GEN2) and**
- 2) **Social, amenity and infrastructure contributions are required (ULP Policy GEN6).**

1) Development of this site is however acceptable in principle provided it is contiguous with the development of the Prior’s Green site overall. Policy LP3 recognises that there is opportunity for infill of development where there are remaining pockets of existing housing with the allocation of the master plan for Priors Green ‘The Island Sites’.

The SPG emphasises that the principle of development of this and the other “island sites” is acceptable; that new development should gain access from the approved internal road network; that financial contributions should be made towards education, transport, sports, community and landscaping facilities; that affordable housing should be provided; and that no permissions should be granted on the island sites until UTT/0816/00/OP has outline planning permission.

The Inspector considered that the previous scheme for 11 dwellings to be cramped with generally little space between dwellings. He considered that the then proposed arrangement of dwellings would much contrast with and be out of sympathy with the lower densities being achieved with housing constructed to the north of the site in Priors Green. He also considered that the resultant scheme would amount to over development and give rise to a poor level of amenity.

This scheme proposes 6 dwellings and would result in a density of nearly 27 dwellings per hectare (dph) whereas the previous scheme proposed 11 dwellings at 44 dph. 30 dph is the national minimum density target for guiding housing until local density policies are in place through the development framework. The proposed development falls far beneath the threshold for the requirement of affordable housing which is for sites of 0.5 hectares or 15 dwellings or more.

The density and layout is now considered to be appropriate. It is significantly improved to the scheme refused and dismissed at appeal. It provides for six dwellings that will be set back from Dunmow Road and facing the highway with a building line that will respect that of adjacent properties. Two storey dwellings would be characteristic here. Garden sizes are on reasonably adequate for the size of dwelling proposed.

It is considered that the dwellings are adequately sited so as there would not be significant harm to the amenity of neighbouring properties. Whilst the position of windows would be considered at the detailed design of reserved matters stage it is considered appropriate that there be no first floor windows facing west or east from plots 1 and 6 to prevent overlong and this can be attached as a condition.

The applicant states that they were unable to agree with Countryside Homes for access to made available for later development of this site and hence internal access onto estate roads required by the SPD in not possible.

With regard to the previously refused application and access onto Dunmow Road the Inspector considered that the material increase in vehicle trips associated with 11 dwellings both from a new access and the greater use of an existing one would interfere too much with the free, safe and convenient flow of traffic on this stretch of road.

The adopted Supplementary Planning Guidance for 'Island Sites' requires that vehicle access to such sites be gained from the Priors Green development itself. The Inspector supported this and whilst had no objection to the principle of the residential development of the land itself considered there to be no good reason to allow the proposal contrary to well established highway policies. The Inspector considered it unfortunate that measures were not put in place to anticipate a more comprehensive development to include it and provide it with suitable access. This however would now stem development of the site. The Highway Authority raise no objection to access onto Dunmow Road if Members accept that in this instance the access be accepted. Officers consider that in the circumstances of this case access onto Dunmow Road is appropriate in order to secure the development of the land that would otherwise be prevented. The Highway Authority are content with the proposal subject to conditions relating to highway safety.

The matter of dwelling size and mix must be considered at this stage as it would not be covered under the reserved matters i.e. scale, appearance and landscaping. Policy H10 of the Local Plan requires that for all developments of 0.1 hectares and above or three or more dwellings are required to include a significant proportion of market housing comprising small properties and this is defined as 2 and 3 bed homes. The application proposes six dwellings and three of these would be smaller properties 2x3 bed and 1x2 bed and this would mean that 50% of the total would be smaller market housing and therefore the scheme meets policy H10.

2) SPG requires that all the island sites other than the land adjacent to Takeley Nurseries should make appropriate and proportionate contributions to social, amenity and infrastructure requirements. These are based on an assessment of the costs of primary and secondary education, a contribution to transport enhancement and a contribution to the enhancement of local sports and/or community facilities, a contribution to fitting out, equipping and furnishing the on-site community centre. The total basic financial contribution for wider and longer-term benefits excluding affordable housing and any associated additional educational payments and landscape contributions totals approximately £6000 per dwelling at 2002 prices. Because this site is outside the Master Plan area these contributions will need to be made in full.

CONCLUSIONS: The development of this site is acceptable in principle provided it is developed contiguously with planning permission UTT/0816/00/OP and not in isolation. A Section 106 agreement will be necessary to ensure contributions to social, amenity and infrastructure requirements as set out above and to link this site with the larger development, preventing its development in isolation.

RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO A SECTION 106 OBLIGATION REQUIRING CONTRIBUTIONS IN ACCORDANCE WITH THE TAKELEY/LITTLE CANFIELD SPG ALSO COVERING THE ISSUES DETAILED ABOVE

1. C.1.1. Submission of reserved matter: 1.
2. C.1.2. Submission of reserved matter: 2.
3. C.1.3. Time limit for submission of reserved matters.
4. C.1.4. Time limit for commencement of development.
5. The land the subject of this planning permission shall not be developed other than contiguous with planning permission UTT/0816/00/OP. The site shall be included within the approval of phasing and development densities set out in condition C.90A of planning permission UTT/0816/00/OP. REASON: To secure appropriate phasing and densities in a comprehensive manner.
6. The development hereby permitted shall be carried out in accordance with the Master Plan, drawing no. 1071/MP/6 Rev A dated 10.08.00 unless otherwise agreed in writing by the local planning authority. REASON: To ensure development proceeds in broad accordance with the principles set out in the approved Master Plan.
7. C.5.2. Details of materials.
8. C.4.1. Scheme of landscaping.
9. C.4.2. Implementation of landscaping.
10. C.4.6. Retention of trees and shrubs.
11. C.16.2. Full archaeological excavation and evaluation.
12. No development shall take place until a program of works for the provision of foul and surface water drainage has been submitted to and approved in writing by the local planning authority, following consultation with Thames water. Subsequently the works shall be implemented as approved, including any phasing in relation to the occupation of buildings. REASON: To ensure there adequate surface and foul drainage systems are provided for the development and there are no adverse effects on the wider community.
13. C.28.2. Accessibility Drawing/Statement.
14. C.6.2. Remove permitted development rights REASON: In order to prevent over development of the site.
15. C.6.7. Excluding the conversion of garages REASON: In the interests of highway safety.
16. 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.
17. Except in emergencies no deliveries of materials shall be made to and no construction works shall be carried out on the site during this period of construction of the development:
 - a) before 07:30 or after 18:00 hours on weekdays (i.e. Mondays to Fridays inclusive);

- b) before 08:00 or after 13:00 on Saturdays;
c) on any Sunday or Bank or Public Holidays.
REASON: To safeguard the amenities of nearby residential properties.
18. Construction noise associated with the development of the site shall not exceed 60LAeq measured as 15 minutes LAeq at any point with 5 metres of the boundary of any occupied residential property existing within or adjacent to the site at the date of this permission, without the prior written consent of the local planning authority.
REASON: To protect the amenities of residents during construction.
19. No development (including demolition) shall be carried out until the developer has submitted to the local planning authority details of a system to limit so far as is possible the amount of mud, dust or other materials carried onto the adjacent highways by vehicle and plant leaving the site. The approved system shall be implemented and maintained during the period of the development.
REASON: In the interest of road safety and to protect the amenities of the neighbourhood.
20. C.8.30. Provision of bin storage.
21. The detailed design of the dwellings forming the reserved matters application shall show no windows or other form of opening into the first floor side west elevation of plot 1 and east elevation of plot 6 hereby permitted without the prior written consent of the local planning authority. No further windows shall be inserted into those elevations unless otherwise agreed in writing by the local planning authority. REASON: In order to prevent overlooking in the interests of the amenity of adjacent properties.
22. C.8.32. Compliance with the 10% on site renewable energy rule.
23. C.8.29. Condition for compliance with code level 3 sustainable homes.
24. Prior to the commencement of the development hereby permitted the provision of suitable access arrangements to the application site in connection with the demolition/construction operations, to include wheel washing facilities, turning and off loading facilities for delivery /construction vehicles within the limits of the site together with an adequate parking area for those employed in developing the site shall be submitted to and approved in writing with the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
REASON: In the interests of highway safety.
25. No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.
26. Any gates provided at the vehicular access shall only open inwards and shall be set back a minimum of 6 metres from the nearside edge of the carriageway.
REASON: To enable vehicles using the access to stand clear of the carriageway/footway whilst gates are being opened and closed in the interest of highway safety.
27. An access shall be formed at right angles to the B1256. Such access to provide visibility splays with dimensions of 2.4 metres by 90 metres to the west and 2.4 metres by 70 metres to the east, as measured from and along the nearside edge of the carriageway. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times. The access to be of sufficient dimensions to allow for the simultaneous entry and exit of cars.
REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.
28. The mix of dwelling sizes shall be as set out in this application. REASON: To meet the policy objectives of policy H10.

Background papers: see application file.

UTT/0430/08/DFO - TAKELEY

Details following outline application (UTT/1000/01/OP) for erection of an aircraft maintenance hangar with ancillary office & training facilities, warehouse & associated parking & landscaping

Location: Land part of Site D Long Border Road. GR/TL 539-221

Applicant: Ryanair Ltd

Agent: Dalton Warner Davis LLP

Case Officer: Mr J Pine 01799 510460

Expiry Date: 19/06/2008

Classification: MAJOR

NOTATION: Within airport development boundary (Policy S4) / Subject to Policy AIR2 – Cargo handling/ Aircraft Maintenance Area

DESCRIPTION OF SITE: The site measures 2.59 hectares (165m x 155m) and is located in the southern part of the airport to the southeast of the runway, and north of Long Border Road. It is immediately to the north east of the 30 metre tall SR Technics 'diamond hanger', with its associated engine testing bays and 15 metre tall blast fences. The hangar which received reserved matters approval last year is currently being built on the site. Members will recall visiting the site last summer prior to determining that application.

DESCRIPTION OF PROPOSAL: This is a revised reserved matters application following outline permission for expansion to 25 mppa. The reason it has been submitted is that the applicant now requires a 54 x 33m warehouse extension onto the southwestern side of the hangar, i.e. between the main part of the hangar and the blast fences. The warehouse extension would add 1,800 sqm (ground floorspace only) to the 8,337 sqm already permitted, and would be used for the storage of aircraft maintenance parts for use in the hangar. Currently these parts are stored elsewhere on the airport, which is inefficient. 10 extra members of staff would work in the warehouse extension, with 50 in the main hangar as before.

Members will recall that the hangar approved last year and currently being erected is a steel framed building of rectangular plan form, capable of accommodating three 737 800 aircraft for maintenance purposes, two simulator rooms and offices with limited accommodation (training room and offices) on the first floor and a computer room and offices on a second floor. The first and second floor cover only a small proportion of the floorspace of the building. To the rear will be a paved apron leading to the taxiway and to the front a vehicular access following the edge of the SR Technics site. The apron and most of the building would be airside, with the training area, offices and car park landside. 65 parking spaces would be provided along with spaces for people with disabilities and spaces for cyclists. This is a reduction of 9 spaces from the previous plans in order to provide a turning circle for a fire tender. In relation to the last application, officers stated in their report that 74 spaces represented slight overprovision compared to Council standards which in any case are expressed as maxima.

The footprint of the hangar as now proposed would be approximately 160m x 58m and would consist of 3 main elements. The first 2 elements would be as previously approved, namely a 22 to 24.5m high mono pitched roof element (22m deep) and a lower element also mono pitched incorporating the first and second floors at a height of 15.2 m dropping down to 11.5m (36m deep). The new third element would be an asymmetric roof plan section over the new warehouse extension, incorporating the front mono-pitch. This element would have a ridge height of just under 15m (i.e. same as the immediately adjacent blast fencing) reducing to 11.8m at eaves height. Its side elevation fits neatly within the silhouette of the

lower element of the approved building. It is of similar design to one at Prestwick. The building is orientated so that the higher element faces the runway with the lower elements facing south east. The walls and roof of the building are being clad with panels in two shades of grey, to match the approved building.

(Note: next to the site is the SR Technics ‘diamond hanger’ which was permitted in 1986 and is 170m long, 170 m wide and 30 metres high. It has an unrestricted internal height of 23 metres and was a revised scheme following permission earlier that year for a 34 metre tall building. It is clad with sheeting in various grey/blue hues).

APPLICANT’S CASE including design & access statement:

Planning and design & access statements have been submitted and are available for inspection at the offices or on the website. Extracts from the planning statement (‘6.0 Conclusions’ and ‘4 Project Description’) and ‘5 Design Strategy’ from the design and access statement are attached to this report.

RELEVANT HISTORY: Outline planning permission for expansion of airport to 15 about mppa granted in June 1985. Planning permission for diamond hanger granted 1986. Planning permission for *“additional aircraft stands and taxiways, aircraft maintenance facilities, offices, cargo handling facilities, aviation fuel storage, passenger and staff car parking and other operational and industrial support accommodation, alterations to airport roads, terminal forecourt and the Stansted rail, coach and bus station; together with associated landscaping and infrastructure”* relating to an increase in passenger numbers from about 15 to 25 million passengers per annum was granted in May 2003.

Reserved matters for hangar approved on 17/8/07 following a Members’ site visit.

CONSULTATIONS: BAA (safeguarding): No objections.

NATS: No safeguarding objections. Although the proposed development is likely to impact on our infrastructure, this impact can be managed such that it does not affect the provision of a safe and efficient en-route ATC service.

Environment Agency: No objections.

PARISH COUNCIL COMMENTS: Stansted: No comment.

Takeley: Object unless the following conditions are met:

- Any further extension beyond light maintenance and defect rectification as specified in the maintenance approval granted to Ryanair by its National Aviation Authority (Republic of Ireland) be reviewed by UDC
- The hanger and its environs should be included in the BAA ISO 14001 Environmental Management Systems audit programme
- The proposal suggests up to 24 hr operations 7 days a week. This is unacceptable. Aircraft movements and ground running for maintenance purposes must conform to existing operational constraints in place for the diamond hanger operation
- Noise baffles should be in place to protect Takeley residents from engine testing noise
- The bunding to screen residents of Takeley Street should be extended/increased. Current bunding does not work effectively to protect the residents from the visual impact and light pollution from existing buildings
- There should be no external illuminated signage

Officer comment: The Parish Council expressed the same concerns on the last application. The building would be used for light maintenance; ISO 14001 is not the appropriate environmental instrument – it relates to organizations or parts of organizations rather than buildings. The issue of maintenance is covered under the outline planning permission for

expansion to 25mppa. Engine testing is permitted to occur only in the adjacent testing bays and therefore will not occur in or outside this building. Landscaping will be addressed by submission under condition LAN1 on the outline permission. Signs are dealt with under the Control of Advertisement Regulations rather than on planning applications

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 10.4.08.

PLANNING CONSIDERATIONS: The main issues are as previously, namely:

- 1) the principle of the development (ULP Policies S4 & AIR2);
- 2) the design, parking arrangements and highway aspects of the proposal (ERSP Policies EG4, T3 T12 & ULP Policies & GEN2, GEN5 GEN8);
- 3) safeguarding (assessment of whether the proposal has implications for the safe operation of the airport) considerations and
- 4) other material planning considerations.

1) This use is clearly related and associated with Stansted Airport and complies with the requirements of Policy S4 relating to development likely to be acceptable within the airport boundary.

Policy AIR2 states that the principal uses to occur on this part of the airport should be limited to a short list that includes the maintenance of aircraft. This hangar as revised would be used principally for the maintenance and checking of aircraft. Consequently this development is supported by the policy in principle.

The principle of the development was agreed at the 25 mppa outline stage when this land was identified as part of the Site D specifically for aircraft maintenance. Condition C90E contained conditions specific to the Aircraft hangar facilities and ancillary development approved for this site:

- D1 Approval of the details of the siting, design and external appearance of the building(s) hereby permitted and the landscaping of the site (herein referred to as "reserved matters") shall be obtained from the local planning authority in writing before any development hereby permitted within Site "D" is commenced.
- D2 Plans and particulars of the reserved matters referred to in condition D1 above shall be submitted in writing to the local planning authority and the development hereby permitted shall only be carried out as approved.
REASON for D1 &2: The outline application as submitted does not give particulars sufficient for consideration of these reserved matters.
- D3 The aircraft hangar facilities hereby permitted within Site "D" shall not exceed a height of 35m above the existing ground level of Site "D".
REASON: To ensure that the height of the hangar facilities will be in context with the existing hangar in that area.

Consequently this application seeks amended approval of siting, design and external appearance of the revised hangar and the landscaping of the site. One of the central material considerations in this case is the permission last year for the same building (albeit without the lower third element) as subject to this application.

2) As stated at the time of the last application, the proposed building would be a very large building, much larger than the vast majority of buildings considered by this authority. Such a building has the potential to be highly visible in the landscape. In order to accommodate modern aircraft, particularly multiple modern aircraft any building for this

purpose has to be of very significant size. The revision to the approved scheme is for a low rise extension. The supporting information accompanying the outline application (1980's) envisaged a much larger building than now proposed – possibly a further diamond hanger. In this context the building is not considered to be of excessive size. It is of simple design and its height progresses down in two steps. In principle the outline permission has accepted the erection of a building of up to 35 metres in height and therefore the height of this building at over 10 metres lower should be considered in this context. This was accepted by the approval of reserved matters last year.

This building must also be considered in the context of the locality. It would be sited next to the diamond hanger which is 5.5 metres higher than the top of the proposed building over a much greater length which stands out in the landscape and is visible from many vantage points. Due to the relative positions of the two buildings the proposed new building would be screened from view from the south and be seen against the backdrop of that building when viewed from the north. The approved lower element of the building and the proposed extension would be approximately at or below the level of the adjacent blast fencing adjacent to the engine testing bay.

The design of the building reflects its function and the application drawings show it to be in two tone grey with some blue accents. It would be difficult to call it a high quality design meeting the aspirational tones of the explanatory text in the airport section of the local plan but the applicant has sought to minimise its silhouette and avoid competing with the altogether larger diamond hanger. Officers consider its appearance to be acceptable. Again the majority of the proposal has already been permitted.

The level of car parking provided would be acceptable given the known distribution of uses within the hangar building. Some additional planting is proposed adjacent to the new vehicular access. This should limit views towards the car park which should not be prominent in the landside environment, especially since the parcel of land to the front of the site of similar size (2.59 hectares) is likely to be developed in the future. Visibility from the access in both directions would be adequate.

3) BAA Safeguarding raises no objections to the proposal.

4) It is officers' clear advice that this building stems from the previously approved expansion of the airport and the approval or refusal of this application would have no bearing on the current appeal against the increased use of the airport or for the current application to provide a second runway.

Nature conservation, archaeology and landscaping are reserved matters on the outline application and will be the subject of further submissions.

CONCLUSIONS: The proposal is satisfactory and is recommended for approval. In the interests of consistency the same conditions are recommended as before, but with amended wording to suit the current circumstances.

RECOMMENDATION: APPROVAL OF RESERVED MATTERS WITH CONDITIONS

1. C.3.1. In accordance with approved drawings.
2. The development hereby permitted shall be implemented in accordance with the details from the Kier Group of energy-efficient construction materials and processes, including measures for long term energy and water efficient use submitted as part of the planning application documents. Any variation to the approved details shall be agreed in writing with the local planning authority prior to its implementation.
REASON: In the interests of promoting sustainable forms of development.

- 3 No lighting shall be provided on the exterior or outside of the building without the prior submission and written agreement of the local planning authority. Subsequently any such lighting provided shall be in accordance with the submitted details.
REASON: In the interests of air safety and to protect the amenity of the area.
4. The provisions of the travel plan as submitted and approved under Condition C.10.23 of application UTT/0904/07/DFO shall relate to these revised hangar proposals.
REASON: To make provision for more sustainable forms of transport.

Background papers: see application file.

UTT/0243/08/FUL - CLAVERING

(Called in by Cllr Abrahams)

(Reason: Not given)

Erection of detached four bay cart lodge and store

Location: Barnsford Further Ford End. GR/TL 447-328

Applicant: Mr & Mrs Baker

Agent: Pelham Structures Limited

Case Officer: Mr N Ford 01799 510629

Expiry Date: 11/04/2008

Classification: OTHER

NOTATION: Outside Development Limits.

DESCRIPTION OF SITE: A detached dwelling with outbuildings located to the north west of Clavering in a relatively isolated countryside location. Agricultural fields surround the property and its curtilage.

DESCRIPTION OF PROPOSAL: This planning application relates to the erection of a four bay garage with attic accommodation in the roof space accessed by an external stair case and is described as a store. The floor area of the building would be 12.3 x 6m. The ridge height would be approximately 6.2m and the eaves height approximately 2.4m. Materials proposed consist of featheredge timber, 'tudor' roof tiles and an oak frame.

APPLICANT'S CASE: Supporting Statement received 15 February 2008. This describes the site and its surroundings and the nature of the proposal.

It is available to view with the application documents as the Council Offices.

RELEVANT HISTORY: On 6 August 2007 planning permission was refused for the same scheme proposed here for the erection of a four bay garage and store (UTT1045/07/FUL).

Applications for change of use of barn to playroom/studio/lectures/meetings and various applications for extensions.

CONSULTATIONS: None.

PARISH COUNCIL COMMENTS: To be reported.

REPRESENTATIONS: None received. Notification period expired 11 March 2008.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) whether the garage is compatible with the scale, form, layout, appearance and materials of surrounding buildings, does not cause harm to the amenity of neighbouring properties, and accords with the character and appearance of the countryside (ULP Policies S7 and GEN2) and
 - 2) other material considerations.
-
- 1) Policy S7 of the adopted Uttlesford Local Plan deals with development in the countryside and places strict controls on development in such areas. It makes it clear that

planning permission will only be given for development that needs to take place there or is appropriate to a rural area.

The garage building would be large both in footprint and scale and at over 6m in height is a tall building with room in the roof space. It would be situated on a significant area of informal hardstanding used for car parking.

It is not an outbuilding of a subservient scale to the parent dwelling and would visually compete in terms of scale. Further, the garage would be tall due to roof accommodation and would be sited so as to extend built form to the west away from the existing building group. Therefore the erection of this large garage would harm visual amenity and would not protect the character and appearance of the countryside for its own sake.

The applicants state that they could erect a building under permitted development rights (i.e. without planning permission) that would not benefit the character and appearance of the countryside. The applicants' alternative proposal is to build a permitted development garage. This could be a maximum of 4.0 metres tall rather than the 6.2 metres proposed in this application. The application building would therefore be more than 50% taller than the maximum possible as permitted development. It is this much greater height that adds to the bulk of the building. The reduced footprint of the application building in comparison to the permitted development building does not mitigate the visual harm of this bulky application building.

The applicants' disparaging comments about their own permitted development proposal are noted and whatever the outcome of this proposal the applicants would be able to decide to proceed with a permitted development building or to not build it if they are unhappy about its design. It could be argued that the permitted development building overcomes the harm of the application proposal by being a much lower less bulky building.

Whilst the applicants have permitted development rights that they could use to erect an outbuilding for garaging it is necessary here to carefully consider the impact of the application proposed which for the aforementioned reasons of scale and its height would, cause harm to the countryside.

The applicants consider in their supporting case that due to ownership of a number of vehicles and visitors there is the presence of a number of unsightly vehicles to the visual detriment of the countryside and that the garage would allow secure parking of vehicles and safely store belongings reducing potential for crime. The applicants have already shown that parking and security can be provided by a much lower permitted development design. Furthermore parked vehicles come and go whereas the building would be permanent. Therefore whatever modest harm would be caused by vehicles it would be short lived but the harm caused by such a tall large building would be permanent.

However, the desire to provide garage space for vehicles would not be a sufficient reason to allow development which would conflict with adopted planning policy. Furthermore, while it may be an opinion that garaging would be visually beneficial for parking vehicles within rather than in the open, the first floor accommodation, as proposed, would negate the aim of reducing the visual impact of the parking on the appearance of the countryside.

Having regard to the parking available within the curtilage of the dwelling there is no essential need for the proposed garaging and accommodation. Consequently, it would be an unnecessary and visually intrusive development which would fail to protect the countryside for its own sake as required by the policy. Therefore, it is considered that the proposal would not accord with adopted planning policy.

2) It is material to the determination of this application that an application for an identical proposal was refused last year. There has been no change in policy since that time and therefore planning circumstances have not changed. This too indicates that the application should be refused.

RECOMMENDATION: REFUSAL REASONS

The proposed garage is unacceptable because it would have an inappropriate scale and height such that would increase built form so be harmful to visual amenity and not protect the countryside for its own sake contrary to Policies S7 and GEN2 of the Uttlesford Local Plan adopted 2005.

Background papers: see application file.

UTT/0786/08/FUL - ASHDON

Change of use from agricultural land to a community playing field

Location: Land Adjacent All Saints Close. GR/TL 578-413

Applicant: Mr D Green

Agent: Mr D Green

Case Officer: *Madeleine Jones 01799 510606*

Expiry Date: 26/06/2008

Classification: OTHER

NOTATION: ULP: Outside Development Limits.

DESCRIPTION OF SITE: The application site is a 0.65 hectares of agricultural land on the western side of Church End. To the north of the agricultural land are 32 affordable housing units, to the east are residential housing.

DESCRIPTION OF PROPOSAL: The proposal is for the change of use from agricultural land to a community playing field. There would be a 1.2m chain link fence to the boundaries of the site.

APPLICANT'S CASE: Community agrees to proposal.

RELEVANT HISTORY: Adjacent to the site 19 social housing development approved 2005.

CONSULTATIONS: Fisher German (pipelines): Our client's apparatus is not located within the vicinity of the application site.

PARISH COUNCIL COMMENTS: Enthusiastically support.

REPRESENTATIONS: None. Notification period expired 23 May 2008.

PLANNING CONSIDERATIONS: The main issues are

- 1) **impact on character of countryside and effect on neighbours amenity (ULP Policies S7, GEN4);**
- 2) **whether the proposal conforms to relevant policy criteria for farm diversification and alternative uses of farmland. (ULP Policies E4);**
- 3) **whether the proposal meets relevant policy objectives relating to community facilities, the provision of outdoor sport and recreational facilities and access to leisure and cultural facilities (ULP Policies LC2, LC3, LC4);**

1) Policy S7 states: 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. 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. Although the village of Ashdon was not included in the recent Green Space Strategy Audit (because the population of the village is less than 1,000), the Ashdon Parish plan states that: 39% of the population of Ashdon support the development of a games field in the village and that 25% of the population are under 16. It is therefore considered that there are special reasons that the development in the form proposed needs to be there. The change of use would retain the openness of the site with only the erection of a 1.2m chain link fence around the site, it is felt that this would not be detrimental to the character of this part of the

countryside. A landscaping, lighting and parking condition are proposed to protect the amenity of neighbours. No proposed access details have been provided with the application, although there is reasonable access via All Saints Close. No extra parking spaces are proposed as part of this application, and therefore any parking would be within All Saints Close. (35 spaces provided - 2 spaces per house and 1.5 per flat for affordable housing development).

2) Policy E4 states: Alternative uses for agricultural land will be permitted if all the following criteria are met:

The development includes proposals for landscape and nature conservation enhancement;
The development would not result in a significant increase in noise levels or other adverse impacts beyond the holding;
The continued viability and function of the agricultural holding would not be harmed;
The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity).

All the above criteria would be met by this proposal.

3) The playing field would be for the use of the whole community and therefore the policy objectives of LC2 would be met. The site is well related to the settlement of Church End and the need for the facility is supported by the survey results within the Ashdon Parish Plan 2007. There are additional facilities at the recreational ground in Ashdon and also a public open space area north of the site in Church End, however the site within Church End is intended to be used for younger children (a children's playground) and the proposed site as a games area for older children. The recreational site is some distance away from Church End and with the recent development of 32 units to the north of the site, there is an increase in the number of children into the community.
LC4 states that provision of outdoor sport and recreational facilities beyond development limits will be permitted.

CONCLUSIONS: The proposal is satisfactory and complies with policy.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time Limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping scheme.
5. C.8.22. Control of Lighting.

Background papers: see application file.

UTT/0778/08/LB - SAFFRON WALDEN
(Council employee)

Secondary glazing to windows
Location: 56 Gold Street. GR/TL 538-382
Applicant: Mr J Roos
Agent: Mr J Roos
Case Officer: Mr J Salmon 01799 510458
Expiry Date: 25/06/2008
Classification: Other

NOTATION: The property is grade II listed with the site being located within development limits and within the Conservation area of Saffron Walden.

DESCRIPTION OF SITE: The property is mid terraced brick painted house. The existing windows are wooden framed, single glazed horizontal sliding sashes with glazing bars.

DESCRIPTION OF PROPOSAL: The proposals are to install secondary double glazing to the 3 front windows and 2 rear facing windows. The secondary frames would be hardwood with aluminum sub frames. Several properties in Gold street already have secondary glazing including 54 where the applicant had an application approved early 2007.

APPLICANT'S CASE including Design & Access statement: The purpose is to soundproof the building from noise from the street including The Sun public house opposite the property and the shared garden at the rear. It will also conserve energy and stop the cold draughts which are currently experienced when the wind is blowing.

CONSULTATIONS: Design Advice Subject to any historical windows remaining undamaged the secondary double glazing would not diminish the special architectural or historical interest of the listed structure. Suggest condition to ensure all existing windows be retained undamaged.

TOWN COUNCIL COMMENTS: No objections

REPRESENTATIONS: None. Notification period expired 12/06/2008.

PLANNING CONSIDERATIONS including Design & Access statement: **The main issue is whether the alterations would have any harmful affect on the fabric, character, and setting of the listed building. (ULP Policies ENV1, ENV2);**

The installation of secondary glazing would not adversely affect the special characteristics of the listed building nor would it the conservation area. Instead it would preserve its character and appearance and make the building more environmentally friendly.

CONCLUSION: Proposals comply with all the relevant policies and should be approved.

RECOMMENDATION: LISTED BUILDING CONSENT WITH CONDITIONS

1. C.2.2. Time limit for commencement of development - listed buildings.
2. C.3.1. To be implemented in accordance with approved plans.
3. All existing windows shall be retained undamaged.

REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.

Background papers: see application file.
