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UTT/0776/08/FUL - GREAT DUNMOW

Erection 3 storey extension for 38 No. bedrooms and restaurant

Location: Travelodge Hoblongs Industrial Estate Chelmsford Road. GR/TL 636-206

Applicant: Travelodge/Aldis of Barking

Agent: David Mackenzie

Case Officer: Mrs A Howells 01799 510468

Expiry Date: 01/08/2008

Classification: MAJOR

NOTATION: Within Development Limits and within part of an Industrial Estate covered by ULP policy GD7 – Safeguarding of Existing Employment Areas.

DESCRIPTION OF SITE: The application site is located on the southeastern edge of the town of Great Dunmow, to the west of the old Chelmsford Road, now a cul-de-sac. The eastern part of the site was formerly used as a distribution depot until 1999 with the remainder of the site occupied by industrial units. These buildings have been demolished and a ninety two bedroom Travelodge Hotel has been developed on the site. The area to the north and west comprises industrial units associated with Hoblongs Industrial Estate. A garage/car showroom and petrol filling station is located immediately to the north of the eastern end of the site and an ambulance station and three dwellings occupy a position on the opposite boundary immediately to the south. The site extends to about 0.6 ha (1.5 acres).

The existing 92 bedroom hotel has 76 No. car parking spaces including 3 No. disabled spaces.

DESCRIPTION OF PROPOSAL: The application seeks approval to increase the footprint of the hotel to provide an additional 34 No. bedrooms and a restaurant and create a further 4 No. bedrooms within the existing footprint. This proposal would therefore extend the approved building to provide an additional 38 bedrooms, resulting in a total of 130 bedrooms. The extension would occupy the eastern flank elevation of the existing building and comprise a foot print of approximately 30metres in length by 14 metres in depth. Design and choice of external materials matches the existing building as would does the height with the ridge of the main roof standing at just over 13 metres above ground level. Also, as with the existing building, accommodation will be arranged over three floors. The number of parking spaces would increase by 55 spaces to 131 spaces including 5 No. disabled spaces.

APPLICANT'S CASE: A full design and access statement was submitted with the application but in summary:

The material constraints of the site were identified as the existing hotel and car parking/access arrangements.

The design of the building has sought to take into account this consideration through maintaining the building at 3 storeys in height. Furthermore a dense area of landscaping is to be maintained between the site and the existing line in Hoblongs Brook.

The building will integrate sensitively within the wider setting.

The materials proposed are to match the existing building.

The provision of an accessible hotel family facility forms a fundamental design consideration with the proposal. The building is designed to be built to Disability Discrimination Act (DDA) standards, ensuring accessibility to all groups.

There is an extant permission UTT/1496/04/OP comprising a 465Sqm family restaurant with 23 car parking spaces.

This proposal seeks to rationalise the outline approval by incorporating it with a 34 No. Bed hotel extension plus additional 4 No. bedrooms within the existing hotel footprint and the provision of an additional 55 parking No. Car parking spaces.

An addendum to the design and access statement was received by email on the 12th June 2008 - The existing 92 bedroom hotel contains the following facilities for the disabled all in compliance with the Disability Discrimination Act (DDA) standards:-

- 3No. fully accessible rooms – one each located adjacent the main lift on ground, first and second floors.
- 3 ambulant rooms located immediately adjacent the accessible rooms.
These rooms were all provided within the initial phase of the construction.

- 2No. additional accessible rooms located on the ground floor immediately adjacent the flank wall of the first phase.
- 2No. ambulant rooms again located immediately adjacent to these 2No. rooms.
These rooms were all provided within the second phase extension.

With a total of 92No. bedrooms currently in use, there is a total of 5No. accessible and 5No. ambulant rooms at the ratio of in excess of one per every 20No. bedrooms in total.

Proposed Second Extension (Phase 3)

4.4 As it is proposed to further extend the hotel by 38No. bedrooms, and in order to retain the same proportion of accessible and ambulant rooms, the hotel extension will include for the following:-

- 2No. accessible rooms located on the ground floor as close to the existing reception/main lift area as possible.
- 2No. ambulant rooms located immediately adjacent the 2No. accessible rooms.

Total facilities

4.5 The completed 130No. bedroom hotel will contain a total of 7No. accessible and 7No. ambulant rooms, being well in excess of the 1 in 20 ratio previously mentioned.

RELEVANT HISTORY: There have been a number of industrial permissions granted over a long period. However of most relevance to this application is the Outline planning permission (UTT/1591/01/OP) which was granted for a ninety bedroom hotel on the site on 4 May 2004. This permission was subject to a Section 106 Legal Agreement for a financial contribution from the developers to contribute towards road improvement works at the junction of the A130 and Chelmsford Road. Other applications have followed including a proposal for a 120 bed hotel on five floors with parking for 120 cars and 260m² fast food drive thru outlet (UTT/1952/03/OP). This application was appealed and subsequently dismissed. This was followed by a second outline application (UTT/1781/04/OP), which sought outline permission for a 120-bed hotel, although this was refused on 20 December 2004 on design grounds. The site is also subject to a current outline permission (UTT/1496/04/OP) for a single storey family restaurant, comprising 465m² with 23 car parking spaces with all matters reserved. It was granted outline planning permission subject to a Section 106 legal agreement for a financial contribution to road junction improvements.

A reserved matters application for a 63 bedroom hotel, ref UTT/0399/05/DFO, was refused on grounds of poor design at the committee meeting on 18 May 2005. Following this a revised scheme for a 63 bedroom hotel (UTT/14441/05/DFO) was approved at Committee at the meeting on 23 November 2005. Permission was granted in 2006 for a further 27 bedrooms (total of 90 rooms) and 2 more rooms were permitted in 2007 (total 92 rooms).

CONSULTATIONS: Essex County Highways: No objections subject to conditions which include a financial contribution of £11,611 index linked from December 2002, towards the investigation and improvements of capacity and safety at the B184 Chelmsford Road/A130 junction.

Environmental Services: No adverse comments and will contact the agent directly concerning kitchen layout.

Drainage Engineer: Conditions with regard drainage and surface water disposal should form part of any permission.

Building Regulations: Sustainability – The extension is over 1000sqm of floor area and this development must achieve 10% onsite renewable energy provision and BREEAM ‘very good’ rating. Full independent assessment.

Disability Requirements – Part M of the Building Regs requires one wheelchair accessible bedroom for every 20 bedrooms or part thereof. They are not clearly identified in the new extension.

TOWN COUNCIL COMMENTS: Object

This application will increase the amount of traffic using the Chelmsford Road/A130 junction. No further development on this development on this site should be allowed until the junction is improved.

REPRESENTATIONS: This application has been advertised and 0 representations have been received. Period expired 25 June 2008.

COMMENTS ON REPRESENTATIONS: Please see planning considerations

PLANNING CONSIDERATIONS:

- 1) **The appropriateness of the design and layout of the proposed development (ULP Policy GEN2.);**
- 2) **Matters of highway safety (ULP Policies GEN1, and GEN8);**
- 3) **Hotels and Bed and Breakfast Accommodation (ULP Policy LC5) and**
- 4) **Any other matters.**

1) The proposed extension has been designed to match the massing, form and design of the existing building, which is articulated by the use of gable projections, applied gables, false dovecots and contrasting external materials, which results in a building with traditional design elements. Views from the main highway to the east will be largely of the flank elevation of the building and to the south the existing screen of trees provides some screening from the A120. Therefore the resultant enlarged building would cause no demonstrable harm to the appearance or character of the surrounding area.

2) The vehicular access to the site would remain unchanged from the details approved under the previous scheme in terms of position, alignment; width etc. The Section 106 Legal Agreement pertaining to the outline planning permission for the site already has required the applicant to make an index linked financial contribution to road improvements.

Essex County Council Highways has stated that it does not wish to object to the application subject to conditions and a further financial contribution. A contribution of £27,500 was required for the initial planning application for a 90 bed hotel. The of £11,661 contribution now requested for the current application was calculated pro rota using the previous figure.

With regard to parking, there are an existing 72 spaces provided for the 92 bedroom hotel. The altered parking layout proposed as part of the current application increases the number of spaces to 130 spaces. The local plan standards require a maximum of 130 parking

spaces for a hotel and restaurant of this size. Additional parking provision would be at the expense of proposed landscaping and would be detrimental to the appearance of the site.

3) Uttlesford Local Plan policy LC5 supports the development of tourism to increase the benefits to the district and the policy states that 'extension to existing accommodation will be permitted within development limits if the development would not harm the character or amenities of the surrounding area.' The site has an extant permission for the erection of a restaurant. Given this as a material consideration any harm to the character or amenities of the area from the proposed restaurant have previously been addressed. A restaurant attached to the hotel would be convenient to the users of the hotel and could be used by non residents.

In terms of neighbouring residential amenity, the nearest residential properties are located approximately 60 metres to the south and 40 metres to the north east of the proposed building, which is sufficient in the view of officers to ensure that the development does not give rise to any significant overlooking, overshadowing etc.

The plans did not indicate where the wheelchair accessible rooms are to be located within the proposed extension. Subsequent to the application being received the agent has submitted details of the existing and the proposed wheelchair accessible rooms. The requirements of the disability discrimination act and is therefore acceptable.

Finally, turning to the Town Councils comments about the nearby road junction, the principle of a restaurant on the site which would give rise to an increase in vehicular access has been agreed by a previous permission. County Highways recommends approval subject to conditions an S106 to fund road improvements. A previous application for a 120 room hotel on the site was refused for design reasons as it was proposed to provide an unsightly building including 20 dormer windows on each flank elevation. It was not refused for highway reasons (it too was supported by the Highway authority). Such an absence of objection on highway grounds for the 120 bed hotel with 126 spaces indicates that the authority accepted a 120 room hotel on highway grounds. The proposal involves the provision of only 10 more rooms officers consider that the difference between 120 rooms and 126 spaces and the 130 rooms and 130 spaces now proposed changes highway issues significantly.

CONCLUSIONS: The application meets the requirements of policy and is recommended for conditional approval.

RECOMMENDATION: APPROVAL WITH CONDITIONS & S106 TO ACHIEVE A FINANCIAL CONTRIBUTION OF APPROXIMATELY £11,611 (INDEXED TO DECEMBER 2002 PRICES) FOR IMPROVEMENTS TO JUNCTION OF B184 & A130

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.3. Matching materials.
4. C.11.7. Prior implementation of residential parking.
5. C.25.1. Ban on airport related parking – 1.
6. Adequate space for the parking of construction workers vehicles, and for the delivery and storage of materials, shall be provided within the site, prior to the commencement of construction works, and the use of such areas shall not interfere with the public highway.
REASON: To ensure adequate off-street parking facilities in the interests of highway safety and traffic flows.
7. C.8.33. Condition for compliance with BREEAM 'very good' (non-domestic buildings with 1000 sqm or greater floor area)

8. No development shall take place until a revised plan has been submitted to and approved by the local planning authority in writing showing the following amendments which shall be incorporated into the design for the development hereby permitted and the permission shall be implemented in accordance with the amendments listed below: The exact layout and position of the two wheelchair accessible and two ambulant rooms within the extension hereby approved.
REASON: To ensure compliance with the Disability Discrimination Act (DDA) Standards.
9. C.8.27. Drainage details to be submitted, agreed and implemented.
10. C.8.27A. Surface water disposal arrangements.
11. Prior to development the provision of suitable temporary access arrangements to the application site in connection with the land forming/construction operations, to include wheel washing facilities, any necessary traffic management, 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. Details to be submitted to and agreed in writing with the Local Planning Authority.
REASON: In the interests of highway safety in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07.
12. The provision of secure parking for powered two wheeler vehicles in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001. Details of the location and design of the facilities shall be submitted to and approved by the Local Planning Authority.
REASON: In the interest of highway efficiency and accessibility in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07 and Uttlesford District Council Local Plan Policy GEN8 Vehicle Parking Standards.
13. The provision of secure and covered cycle parking in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001. Details of the location and design of the facilities shall be submitted to and approved by the Local Planning Authority.
REASON: In the interest of highway efficiency and accessibility in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07 and Uttlesford District Council Local Plan Policy GEN8 Vehicle Parking Standards.
14. C.8.18. Control of odour & other effluvia – cooking equipment.

Background papers: see application file.

UTT/0865/08/FUL - LEADEN RODING

Erection of 5 No. dwellings and garages

Location: The Windmill Cafe Stortford Road. GR/TL 592-133

Applicant: Devere Homes Ltd

Agent: Devere Homes Ltd

Case Officer: Consultant South 3 telephone: 01799 510452/510471

Expiry Date: 11/07/2008

Classification: MINOR

NOTATION: Within Development Limits. The land to the north, south and west of the site is located outside the village Development Limits and is within the Metropolitan Green Belt.

DESCRIPTION OF SITE: The site is located on the western edge of Leaden Roding, adjacent to the village hall. It is broadly 'L' shaped and covers an area of approximately 0.167ha. The last use was for the storage of commercial vehicles. There are two mobile homes and a range of outbuildings located on the site. A new dwelling was granted planning permission to the southeast of the site in 2002. To the east of the site are residential properties and to the north is open farmland (in the Metropolitan Green Belt).

DESCRIPTION OF PROPOSAL: This application relates to the erection of five detached dwellings and associated garaging. The development would result in a density per hectare of 30 and would consist of 5 x two bedroom dwellings, including 2 with home offices. The details of the dwellings and plots are set out in the table below.

Plot	Maximum height	Bedroom no.	Allocated Parking	Private amenity area (as stated on submitted plans)
1	7.5m	2 + Home Office	Single garage + 1 space	100m ²
2	7.5m	2 + Home Office	Single garage + 1 space	124m ²
3	6.2m	2	Single garage + 1 space	170m ²
4	6.2m	2	Single garage + 1 space	99m ²
5	6.2m	2	Single garage + 1 space	104m ²

There is existing vehicular access from Stortford Road onto the site, and this would be relocated slightly to the east, to serve all the units.

APPLICANT'S CASE including Design & Access statement: the submitted statement provides details of the site and surrounding area, the proposal and revisions made following refusal of the previous scheme.

RELEVANT HISTORY: Application for an established use certificate for stationing of a mobile home approved 1992. Stationing of three mobile homes for residential occupation conditionally approved 1993.

Erection of 6 dwellings with associated garages and cart lodge refused October 2007 for reasons of poor design and layout, impact of development on surrounding Metropolitan Green Belt, poor provision of amenity space and impact of proposed dwelling on neighbouring property.

Erection of 4 dwellings with garages refused February 2008 based solely on the inadequate density (24 dwellings per hectare)

CONSULTATIONS: Three Valleys Water: none received (due 6 June)

Thames Water: no objection with regard to sewerage infrastructure. Advice to applicant regarding surface water arrangements.

Building Surveying: (1) Advisory comments sent to applicant regarding the width and construction of the access road, provision of a turning facility, possible requirement for domestic sprinkler system & the provision of refuse and recycling facilities. (2) The energy measures in the Design & Access statement are not sufficient. Will need to achieve Code Level 3 with full independent accreditation & 10% on site renewable energy provision. Condition accordingly. (3) With regard to Lifetime Homes, must confirm 900mm width on stairs. No through floor lift is shown. Clear opening width of front door should be 800mm not 300mm as stated in the narrative.

ECC Transportation: No objection subject to conditions.

Drainage Engineer: Recommends condition is added requiring that the surface water disposal arrangements are approved by the local planning authority prior to the commencement of development.

PARISH COUNCIL COMMENTS: Any received to be reported – (Due 6 June 2008)

REPRESENTATIONS: None received. Notification period expired 18 June 2008.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are whether the proposal complies with policies regarding:

- 1) **Development within Development Limits (ULP Policies S3, H3 & PPS3 - Housing);**
- 2) **Design (ULP Policy GEN2 & [SPD](#) Accessible Homes and Playspace) and**
- 3) **Access & Vehicle parking standards (ULP Policies GEN1, GEN8).**

1) This site is located within the development limits for Leaden Roding where ULP Policy S3 applies. This specifies that development compatible with the settlement's character and countryside setting will be permitted. The development of this site is therefore acceptable in principle subject to the proposal complying with any other relevant development plan policies. However, notwithstanding this, PPS3 requires that new development should make efficient use of land and sets a minimum density of 30dph. It continues that if local authorities wish to agree to densities below this minimum then this will need to be justified.

The previous application for 4 dwellings was refused on the basis of the low density. This was the only reason for refusal, and the proposal was considered acceptable in all other respects. This increase to 5 units would result in a density of 29.9 dwellings per hectare, effectively the minimum requirement of 30 dph. Although this would only just meet the target, given that the site is on the edge of the settlement, and surrounded by metropolitan green belt, anything greater than this number is likely to appear overly dense in this sensitive location. This proposal would achieve more efficient use of land whilst retaining an appropriate level of openness in this location. It would not compromise the character and appearance of this part of the settlement.

2) This site is located on the edge of the development limits for the village, which are drawn along the northern, western and southern site boundaries. The land immediately adjacent to these boundaries is identified as Metropolitan Green Belt. This land is open to

the north and south of the site and to the west lies the village hall with associated car parking and open land. There are residential properties located to the east of the site.

One characteristic of this area of the village is that dwellings are located, often in pairs, close to the highway. There is no dominant design of property in the vicinity of the site with the design of the existing dwellings generally being representative of the eras they were constructed.

The design of the proposed dwellings has been simplified following the refusal of application UTT/1127/07/FUL on design grounds, and it is now proposed to erect two pairs of dwellings and a detached unit. Each pair would have similar designs and as a result there would be an almost matching pair to the front of the site and a second matching pair to the rear. All but one of the units would have garden areas which exceed 100m², but as the 5th unit would have 99m² this shortfall is negligible. Each would therefore have adequate private amenity areas for the occupiers of the dwellings.

The previous refusal was based solely on the low density of development, providing only 4 units. The fifth unit has been created by increasing the footprint of the former dwelling 4. Distances to external site boundaries would be unchanged, as would the separation distance to Unit 3. The proposal would result in the loss of some open space to the front of the former unit 4, but this impact would be negligible in street scene terms, as ample openness is retained by the communal turning arrangements. Compared to the refused scheme for six units, this would be an improved layout and design, which would reduce the prominence of the proposal when viewed from outside the site and prevent the scheme having a detrimental impact on the open character of the surrounding Metropolitan Green Belt.

The position of the windows in all five dwellings, in addition to the distances between the dwellings and their orientation would prevent any overlooking occurring within the site and also between the dwellings and neighbouring properties. It is also unlikely that any material overshadowing of neighbouring properties would occur as a result of the proposal. Although a distance of only 16m would be provided between the existing frontage dwelling and proposed Unit 5, neither Units 4 or 5 would have any first floor front-facing windows, other than small obscure glazed bedroom windows. This would prevent overlooking and loss of privacy.

The Council's Accessibility Officer has provided comments indicating that there are several issues where the dwellings would not comply with the lifetime homes criteria. However, these issues could be dealt with by way of a condition requiring revised plans.

3) The Highway Authority has been consulted with regard to the proposed development and its associated access arrangements. It has no objections subject to the imposition of suggested conditions. It is therefore considered that the access arrangements are acceptable and would comply with the requirements of ULP Policy GEN1. A satisfactory level of parking provision would also be provided within the site for each proposed dwelling.

CONCLUSIONS: The proposal overcomes the previous reasons for refusal relating to design, layout and density, and would not cause any loss of amenity to adjacent residents.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.4.2. Implementation of landscaping.
4. The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated on the approved drawings unless otherwise first

agreed in writing by the local planning authority. Subsequently, the external surfaces shall not be changed without the prior written consent of the local planning authority.
REASON: To ensure a satisfactory standard of development in the interests of visual amenity.

5. The new access shall be 4.8 metres wide, with 7.5 metre radius kerbs and visibility splays with dimensions of 2.4 metres by 120 metres as measured from and along the nearside edge of the carriageway, provided on both sides of the access. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.
REASON: To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.
6. Prior to occupation of any of the dwellings hereby permitted the existing crossover onto the county road shall be permanently removed and the footpath resurfaced and kerb reinstated for use, in accordance with details first submitted to and approved in writing by the Local Planning Authority. The means of closure shall thereafter be retained in the approved form.
Reason: In the interests of highway safety.
7. There shall be no direct pedestrian access to the site from Stortford Road, to avoid possible short term parking on the highway by visitors.
Reason: In the interests of highway safety.
8. C.10.18. Unbound material/surface dressing.
9. Any gates provided at the vehicular access shall only open inwards and shall be set back a minimum of 4.8 metres from the nearside edge of the carriageway.
Reason: To enable vehicles using the access to stand clear of the carriageway/footway whilst gates are being opened and closed.
10. C.10.19. Access gradient.
11. All single garages shall have a minimum internal measurement of 6m x 3m. Any garage erected with its vehicular door(s) 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 also 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. In accordance with the Essex Local Transport Plan 2006/2011 Appendix G: Development Control Policies and Processes Policy 7 Vehicle Parking Standards.
12. C.8.29. Condition for compliance with code level 3 (five or more dwellings).
13. C.8.32. Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
14. variation of C.28.1. Implementation of accessibility scheme.
15. C.11.5. Provision of residential parking for one dwelling.
16. C.19.1. Avoidance of overlooking -1.
17. Prior to the commencement of any part of the development, all mobile homes, commercial buildings, and stored commercial vehicles shall be completely and permanently removed from the site.
REASON: In the interests of the appearance of the site and to avoid overdevelopment.
18. Amended version C.8.27A. Surface water disposal arrangements.
19. Provision of wheelwashing facilities.
REASON: In the interests of highway safety.

Background papers: see application file.

UTT/2287/07/FUL – TAKELEY

Demolition of two semi detached houses and erection of 14 No. dwellings with associated parking. Construction of new pedestrian access, alteration of vehicular access

Location: 1 & 2 Broadfield Villas Dunmow Road. GR/TL 569-211

Applicant: David Wilson Homes

Agent: David Wilson Homes

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 28/03/2008

Classification: MAJOR

NOTATION: Within Takeley / Little Canfield Local Policy 3 – Prior’s Green Site.

DESCRIPTION OF SITE: This site contains a pair of semidetached dwellings with rear gardens to the north of the B1256 approximately 0.85km to the east of the Four Ashes crossroads. The site covers an area of 1485m² and is bounded to the west, east and north by hedging and mature vegetation. The rear gardens to the dwellings have a hedge dividing the gardens running north – south. To the rear of the site is Broadfield Wood and to the east, running north – south, is Broadfield Road. Construction work is currently underway on the land to the west as part of the residential development on the site of the former Laurels Yard.

DESCRIPTION OF PROPOSAL: This application relates to the demolition of the two existing dwellings on the site and the erection of 14 units in the form of 12 new dwellings and 2 flats with associated parking, construction of a new pedestrian access and alteration of the existing vehicular access. The development would have a density of 56 dwellings per hectare (dph) and would consist of entirely 2 and 3 bedroom properties.

Details of the dwellings are set out below:

Plot	No of Bedrooms	Garden Area	Parking spaces
1	3	64m ²	3
2	2	68m ²	2
3	2	48m ²	1
4	3	125m ²	2
5	2	48m ²	1
6	2	66m ²	1
7	2	58m ²	1
8	3	78m ²	2
9	3	34m ²	2
10	2	None	2
11	3	38m ²	2
12	3	54m ²	2
13	2	38m ²	1
14	2	37m ²	1

It is proposed that the development would be accessed via the residential development currently under construction on the Laurels Yard site to the west, with no vehicular access from the B1256.

It is noted that the plans contain inaccuracies including the omission of details of the link between the dwellings on plots 1 and 2. This is shown on the proposed site layout plan but not within the floor or elevation details for these properties. The drawings for plot 8, 9, 11 and 12 also have a heading indicating that they are two-bedroom properties however the floor plans indicate that they are three-bedroom properties.

APPLICANT'S CASE including Design & Access statement: D&A statement submitted and details the following:

Evaluation and context of the site and surroundings, the character and wider context and the site location and transport links.

The Design Principles set out how the scheme has been constrained by physical features on the site in addition to the need for the access to be via the adjoining site to the west. The design concept is to create a higher density scheme of smaller dwellings which reflects the development to the west while adhering to the advice contained in the Essex Design Guide (EDG). Rear garden sizes for the dwellings would have an average area of 54m². The layout aims to provide inconspicuous parking with parking within the curtilage for plots 1-4 and a courtyard for the remaining units.

The properties would generally consist of two-storey properties with two and a half storey properties located to the rear of the site to prevent these being visually dominant.

In relation to access, the main vehicular access is from the already approved access road within the adjoining Laurels Yard site. There will only be pedestrian access from properties onto Dunmow Road.

All dwelling access will conform to Part M of the Building Regulations and comply with the relevant standards for lifetime homes provision.

RELEVANT HISTORY: Outline application for erection of four detached dwellings with all matters reserved relating to the rear gardens of 1 & 2 Broadfield Villas finally disposed of April 2007 following request from applicants to withdraw the application.

CONSULTATIONS: Drainage Engineer: No comment.

Building Surveying: No adverse comments. Lifetime Homes: How will house type T231 comply with Lifetime Homes Standards? Also in addition to this, new housing development of between 10 – 20 units require at least one dwelling is built to wheelchair accessible standards. There are no details to support this.

ECC Highways: No objections subject to conditions and a requirement of £285 (index linked) to contribute to transport enhancements as specified in SPG Takeley/Little Canfield Local Policy 3 - Priors Green.

Environment Agency: This proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee.

ECC Schools: Confirms that the County Council is seeking an education contribution in accordance with the requirements of the Island Sites Supplementary Planning Guidance.

Thames Water: Makes comments for the applicant regarding drainage related to the development.

Three Valleys Water: No comments received (due 18 January 2008).

PARISH COUNCIL COMMENTS: The proposal seeks to over intensify the site. This sets a dangerous precedent along the street to demolish traditional/existing houses and intensify development. This is viewed as 'creeping incrementalism' which to all intent and purpose will serve to extend the Priors Green development.

REPRESENTATIONS: This application has been advertised and no representations have been received. Period expired 7 February.

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 Takeley / Little Canfield Local Policy 3);**

- 2) **social, amenity and infrastructure contributions are required (ULP Policy GEN6).**
- 3) **the proposal would have an acceptable design and layout (ULP Policy GEN2 & SPD Accessible Homes and Playspace and Essex Design Guide) and**
- 4) **the proposed car parking layout and provision would be appropriate for the development (ULP Policy GEN8).**

1) The Development Plan policies do not permit development of this site in isolation. Development of this site is however acceptable in principle provided it is contiguous with the development of the Prior's Green site overall.

The Supplementary Planning Guidance (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, and community facilities; and that affordable housing should be provided where appropriate and in accordance with the requirements of the adopted local plan.

2) The 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 and a financial contribution to structural landscaping and a 15-year landscape sum for its proper maintenance. The total basic financial contribution for wider and longer-term benefits excluding affordable housing and any associated additional educational payments and landscape contributions totals £5,969 per dwelling at April 2002 prices. Because this site is outside the Master Plan area these contributions will need to be made in full.

3) The appearance of the proposed properties is acceptable however no information detailing that the properties would comply with Lifetime Homes Standards contained within SPD – Accessible Homes has been submitted. In addition, the adopted SPD requires developments of between 10 – 20 units to have one dwelling which is built to wheelchair accessible standards. No information regarding this has been supplied with the application.

The size of the private amenity areas for the properties varies between the plots and a number of these are broadly comparable with the units approved on "The Laurels" to the west. However, plots 14 (a 2-bedroom property), 9 and 11 (both 3-bedroom properties) would have private rear gardens of less than 40m². The flat to plot 10 would have no private garden area while the flat to plot 3 would have a garden area of 48m². In contrast with these smaller gardens, the 3-bedroom dwelling to plot 4 would have a disproportionately large garden with an area of 124m².

The distances between nine of the proposed units would also be insufficient, at less than the 25m advocated by the Essex Design Guide, to prevent overlooking occurring between dwellings. The back to back distances indicated on the layout plan between two-storey properties on plots 8, 9, 11, 12 and plots 5, 6, 7, 13 and 14 range between 19m and 21m. This would result in overlooking occurring between these proposed properties to the detriment of the residential amenity of the occupiers of these dwellings.

In addition, the EDG identifies that a distance of 35m should exist between the living rooms to upper storey flats and neighbouring properties in order to prevent overlooking. The distance which would exist between the flat on plot 10 and the dwelling to plot 7 would be

24.5m. This would be fail to meet the standard by over 10m and would result in overlooking occurring from the occupiers of the flat to the occupiers of the dwelling on plot 7.

4) The proposed parking layout is poor with spaces for a number of the proposed dwellings being located some distance from the properties. The parking space for plot 13 would be located to the rear of plot 11 and would involve the occupiers of plot 13 having to walk past the parking space for plot 12 and around the side and front boundaries to plot 14 in order to access their house. This is likely to lead to the occupiers parking their vehicle to the front of the plot 13 and causing an obstruction at the entrance to the site.

The parking for plot 8 would be equally difficult to access from the dwelling unless the occupiers wish to walk through their garage and the rear garden to reach the dwelling from the parking space. The result of a poor parking layout would be that the occupiers of the dwellings will look for alternative areas to leave their vehicles which, in relation to this proposed layout, could involve obstructing the access to the development or parking to the front of their properties on the footpath to the B1256.

There would be insufficient space within the site in which to turn vehicles using spaces allocated for plots 3, 5, 9, 10 and 11. These spaces rely on vehicles not being parked in adjacent spaces in order to provide sufficient turning areas to manoeuvre vehicles. If vehicles are parked in the nearby spaces, it will be necessary for the drivers to either reverse in or out of spaces once they have turned their vehicle at the junction in the centre of the site adjacent to plots 2, 7 and 14.

The distances between allocated spaces and the dwellings they serve, in addition to the inadequate turning areas indicate that the proposed parking layout is unacceptable and inappropriate for the location contrary to the requirements of ULP Policy GEN8.

CONCLUSIONS: The principle of residential development on this site is acceptable however the proposal would constitute an unacceptable layout which would result in insufficient amenity space for a number of dwellings, an unacceptable level of overlooking between a number of the proposed dwellings. The application also fails to contain information to demonstrate that the properties would comply with the requirements of adopted SPD regarding Accessible Homes and Playspace and would meet Lifetime Homes Standards. The proposed parking provision is also unacceptable due to the distances between spaces and the associated dwellings and would lead to vehicles being parked elsewhere within the site or on the frontage to the B1256, potentially causing obstructions.

RECOMMENDATION: REFUSAL REASONS

1. The proposed development would have an unacceptable layout and would result in a number of dwellings having an insufficient and unacceptable amount of amenity space. The close proximity of dwellings within the site and also the relationship between the upper storey flat on plot 10 to the dwelling on plot 7 would fail to comply with the standards set out in the Essex Design Guide and would result in overlooking occurring between properties within the site. There is also insufficient information contained within the application to demonstrate that not only would the dwellings fully meet the requirements of Lifetime Homes Standards but there would also be one dwelling built to wheelchair accessible standards. The proposal therefore fails to comply with the requirements of ULP Policy GEN2 – Design, Supplementary Planning Document Accessible Homes and Playspace and the Essex Design Guide.
2. The proposed parking provision and layout would be unacceptable and inappropriate for the location as it would result in spaces being located in positions remote from the dwellings they serve and inadequate turning areas within the site in order to enable

drivers to manoeuvre and turn their vehicles without either having to rely on adjacent spaces being vacant or having to reverse and turn at the central junction adjacent to plots 2, 7 and 14. The parking layout and provision is therefore contrary to the requirements of ULP Policy GEN8.

Background papers: see application file.

UTT/0686/08/FUL - MARGARET RODING

Erection of detached dwelling

Location: White Hall Chelmsford Road. GR/597-125

Applicant: Mr T Whirledge

Agent: Mrs Sue Bell

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 16/06/2008

Classification: MINOR

NOTATION: Within Metropolitan Green Belt.

DESCRIPTION OF SITE: Marks Hall Farm is an existing agricultural smallholding located within the Metropolitan Greenbelt, outside Development Limits on the B1060 between Margaret Roding and Leaden Roding. The site consists of the main farmhouse, a number of agricultural outbuildings used to house cattle and a B1 Office building fronting the highway, which is currently used by the applicant in association with an Agricultural Surveying practice. There is an existing mobile home located immediately to the north of the agricultural outbuildings in a field.

DESCRIPTION OF PROPOSAL: This application relates to the replacement of the existing mobile home on the site with a permanent agricultural workers dwelling. The mobile home was granted planning permission for a temporary period of three years, this expired in February 2008.

The proposed dwelling would be a three-bedroom bungalow covering an area of 148m² and with a maximum ridge height of 5.3m. The dwelling would be located to the north of the position of the existing mobile home and would be 11m from the agricultural buildings. The existing access which runs past the agricultural buildings and was approved for use with the mobile home would be used for the proposed dwelling.

APPLICANT'S CASE including Design & Access statement: A large amount of supporting information has been provided with this application and includes, in addition to a supporting statement and a design and access statement, an independent agricultural consultant's report and details of accounts for the enterprise relating to years ending 30 September 2003, 2004, 2005 and 2006.

The supporting statement details how the proposal complies with the requirements of Annex A to PPS7 and any other relevant Development Plan policies. The Design and Access statement provides additional information as to how the visual impact of the proposal would be minimised through the design, size and use of landscaping on the site, how it relates to the size of a mobile home that could have previously been located on the site, the lack of impact on the amenity of neighbouring properties, the accessibility of the site to services and facilities in addition to the proposal's compliance with Lifetime Homes Standards.

A letter dated 16 June 2008 has also been submitted by the applicant as further supporting information detailing the role a stockman performs. (to be attached at end of report)

RELEVANT HISTORY: Application for erection of agricultural workers dwelling refused 2002. Outline application for provision of mobile home for occupation by agricultural worker for a period of three years conditionally approved 2004. Details following outline application for temporary siting of mobile home for agricultural worker conditionally approved 2005.

CONSULTATIONS: Building Surveying: Sustainability – no details submitted. Needs to achieve Code for Sustainable Homes Level 3 equivalent. Condition and provide guidance docs. Lifetime Homes Standards – no irregularities identified.

Thames Water: No objection.

Drainage Engineer: Requests conditions regarding the proposed foul and surface water drainage provision.

Three Valleys Water: No comments received - due 13 May.

PARISH COUNCIL COMMENTS: No objections and the PC have received no representations.

REPRESENTATIONS: None. Notification period expired 3 June.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are:

- 1) **whether the proposal satisfies a clear functional need for an agricultural workers dwelling in accordance with PPS7 and ULP Policy H12;**
- 2) **whether the proposal would be detrimental to the open character of the Metropolitan Green Belt (PPG2 – Green Belts) and**
- 3) **whether the proposal would have a satisfactory design and parking provision (ULP Policies GEN2, GEN8 & [SPD](#) Accessible Home and Playspace).**

1) Annex A to PPS7 specifies that new permanent agricultural dwellings should only be allowed to support existing agricultural activities on well-established agricultural units providing satisfies five criteria. These are that:

- There is a clearly established *existing* functional need;
- The need relates to a *full-time* worker, or one who is primarily employed in agriculture and does not relate to a part-time requirement;
- The unit and the agricultural activity concerned have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;
- The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned; and
- Other planning requirements, e.g. in relation to access, or impact on the countryside, are satisfied.

In addition, ULP Policy H12 identifies that new dwellings for agricultural workers dwellings may be permitted if a) it can be demonstrated that there is an essential need for someone to live permanently on site to provide essential care to animals or processes or property at short notice and b) the scale of the proposed dwelling relates to the needs of the agricultural enterprise.

The outline planning permission granted in 2004 was for a mobile home for an agricultural worker for a temporary period of three years. This follows the guidance in Annex A of PPS7 in that if a new dwelling is essential to support a new farming activity it should normally for the first three years be provided by a caravan, a wooden structure which can be easily dismantled, or other temporary accommodation, in addition to meeting five criteria which are broadly similar to those set out above.

The temporary permission relating to this site expired in February 2008 and the current application was submitted 2 months later in April 2008. This application has been submitted with a range of supporting information which addresses the criteria set out in

Annex A. The existing agricultural enterprise has been in existence for at least the three years that the temporary permission relates to, and which Annex A recommends as a period of time in which to test the viability of the enterprise. Information submitted with the application identifies that the enterprise has been in profit every year since this time and only 2006 had a smaller profit than the previous year. The number of stock relating to this enterprise has increased since 2003 and although the numbers forecast at that time have not yet been realised, this is in part due to national problems relating to cattle rearing and the bluetongue virus but also, as stated in the agricultural consultant's report, due to the difficulties in attracting a full time experienced agricultural worker with the type of temporary accommodation available on the site.

The supporting information contained within the 2003 application indicated that the enterprise would generate sufficient work on the unit to equate to 207 standard man days (SMD). This was not a number of SMD that would equate to a full time agricultural worker (275 SMD) but with other work generated on the unit this difference would be reduced and the total would be closer to the SMD required for a full time worker. The agricultural consultant had also identified that with the projected expansion of the herd the overall difference in SMD would also be reduced. With regard to this application, the size of the herd has increased and therefore so has the number of SMD which are required in order to care for it. The test contained in Annex A is that "the need relates to a full-time agricultural worker or one who is primarily employed in agriculture", therefore although the number of SMD may not amount to that of a *full-time* worker, the requirements for the herd are increasing and it would be necessary for a worker on the site to be "*primarily* employed in agriculture" as required by Annex A.

It was accepted with the 2003 application and it still remains the case that the applicant, who is now past retirement age and is unable to undertake the heavy work involved on the farm, is unable to provide the level of animal husbandry and general farm work required for the enterprise. The location of the existing farmhouse away from the animals means that it is not best placed to serve the herd quickly or efficiently and if there is a problem with the herd, this needs to be recognised and dealt with quickly. Therefore a stockman housed in accommodation in close proximity to the herd is needed to provide the level of care that the herd requires.

It was established during the previous application that there were no existing buildings which could be converted to residential use or existing dwellings on the unit which could fulfil the functional need and this remains the case. The need for a stockman to be accommodated close to the herd, in addition to the constraints of the relatively low wages paid to agricultural workers and the high property prices within the surrounding area, means that there is no existing accommodation in the area which is suitable and available for occupation by the workers concerned.

The proposed dwelling would be a modest three bedroom bungalow. It would not have an excessive level of accommodation, it would be commensurate to the size of the holding and would enable a stockman with a family to reside there and would have a low-key design and appearance. The supporting statement indicates that the size of the bungalow would be marginally larger than that of the largest mobile home which could have previously been provided on the site under the Caravans Act 1968. The existing mobile home covers an area of approximately 90m² and although the bungalow would be larger than this, the increase in size would not be unreasonable when taking into account the higher standard of accommodation that is provided by permanent dwelling rather than that provided by temporary accommodation. In addition, the proposed dwelling is required to comply with the adopted Supplementary Planning Document – Accessible Homes and Playspace which the previous mobile home did not need to address. This may also result in an increase in the

footprint in order to take account of the Lifetime Homes Standards, for example providing sufficient widths for corridors and turning areas within rooms.

2) PPG2 – Green Belts does not provide specific guidance relating to the erection of agricultural workers dwellings. The erection of new buildings constitutes inappropriate development which is, by definition, harmful to the Green Belt and very special circumstances will be required to justify the approval of such development. However PPG2 does identify that buildings required for the purposes of agriculture and forestry are not inappropriate forms of development. In relation to this application, the dwelling would be a modest and low-key structure which would be well related to the existing agricultural buildings as part of the functional requirements for the dwelling. The proposal would have a limited impact on the open character of the Metropolitan Green Belt (MGB) however its size and design would minimise this and the supporting information identifies that landscaping would also be provided to further minimise the impact. The applicant has been required to provide sufficient justification for the proposal to address the criteria contained in PPS7 and ULP Policy H12 above and it is considered that this information would also constitute “very special circumstances” to justify the erection of a modest agricultural workers dwelling within the MGB.

3) The proposal has already been described as a modest and low-key dwelling in the previous sections of the report. The design is acceptable and subject to conditions requiring samples of materials to be submitted and approved by the Local Planning Authority (LPA) it is considered that the appearance of the property would comply with the requirements of ULP Policy GEN2. Information has been submitted detailing how the Lifetime Homes Standards have been incorporated into the proposal and these have been fully complied with.

In relation to the potential impact of the dwelling on neighbouring properties, there are no close residential properties and therefore it would not have a detrimental impact on residential amenity.

There would be sufficient space within the site for both a private amenity area and adequate parking provision in relation to the proposal. This would particularly be the case once the existing mobile home is removed from the site which would be required as a condition of any approval.

CONCLUSIONS: The applicant has provided sufficient information to meet the criteria set out in Annex A of PPS7 and ULP Policy H12 including those relating to the functional need and the financial viability of the enterprise. The proposal has been designed in order to minimise the impact on the MGB as much as possible and the accompanying information amounts to very special circumstances and justifies the requirement for an agricultural workers dwelling on this site within the MGB. The design of the proposal also complies with the requirements of ULP Policies GEN2 and GEN 8. The proposal is therefore recommended for approval with conditions.

In addition to the imposition of standard conditions, it will be necessary for conditions to be imposed restricting the occupancy of the dwelling to an agricultural worker or their dependants and also to remove all permitted development rights usually available for dwellings. These are necessary in order to reflect the situation that the erection of a dwelling in this location is only acceptable to meet the functional needs of the agricultural enterprise for an agricultural worker but also to ensure that the dwelling remains commensurate with the size of the holding and that it would have a minimal and appropriate visual impact within the surrounding rural area.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.4.1. Scheme of landscaping to be submitted.
3. C.4.2. Implementation of landscaping.
4. C.5.1. Samples of materials.
5. C.6.2. Excluding all rights of permitted development within the cartilage of a dwelling house without further permission.
6. The foul drainage to the dwelling hereby approved shall be discharged via a package treatment plant as stated in The John Bishop Partnership's letter of 19 May 2008, ref: SJB/SJG/6376.
REASON: To protect the surrounding countryside and prevent pollution of the water environment.
7. C.8.27B Soakaways.
8. C.8.35. Condition for compliance with code level 3 (less than five dwellings).
9. C.18.1. Agricultural occupancy.
10. The existing mobile home on the site shall be completely removed from the site within 1 month of the completion of the dwelling hereby permitted.
REASON: The mobile home was approved for a temporary period only, the site lies within an area where permission for new dwellings is not normally granted and the local planning authority would not be prepared to permit a second dwelling in this location.
11. C.28.1. Accessibility – Implementation of scheme.

Background papers: see application file.

UTT/2288/07/OP - TAKELEY

Erection of 12 No. dwelling

Location: Willow Tree Cottage Broadfield Road. GR/TL 570-213

Applicant: Go Homes Ltd

Agent: Murdoch Associates

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 08/04/2008

Classification: MAJOR

NOTATION: Takeley Local Policy 3.

DESCRIPTION OF SITE: The site is situated in the western half of the Priors Green policy area just to the north of the point at which the spine road passes across Broadfield Road, one of the original north/south pre Priors Green roads. To the north of the site are the properties along the southern side of Jacks Lane; to the east across Broadfield Road are a row of unlisted C19th terraced cottages; to their east lies the currently undeveloped site of the Priors Green school. To the immediate south lies a strip of land which benefits from outline permission for two dwellings. To the west lies part of the main Priors Green site known as Phase 9 and to its south and west lie other phases of the Priors Green development under construction.

The site is largely flat, currently occupied by a one and a half storey dwelling with a single storey annex to the north. Most of the northern part of the site is open, dominated by a group of trees recently made the subject of a preservation order. The south of the site is more enclosed and slightly run down. Access to the site is via Broadfield Road which runs along its eastern edge. There is simple fencing along the northern and eastern boundaries and very little screening along the western boundary.

DESCRIPTION OF PROPOSAL: This outline application is now for the erection of 12 dwellings on an area of approx. 0.323 ha (i.e. 37 dwellings per hectare). When originally submitted the application was for 14 dwellings. It was revised following the service of Tree Preservation Order to reflect the resultant reduction of developable area. Access and layout and all matters of principle are matters to be determined at this stage.

Only Scale, Landscaping, and Appearance would be determined at the reserved matters stage. The site is one of the privately owned sites outside the area of the approved Masterplan but suitable for development and known as 'Island Sites' and is therefore subject to the Supplementary Planning Guidance (SPG).

APPLICANT'S CASE: A short Design and Access Statement has been submitted. This can be viewed in the offices and makes detailed reference to the originally proposed 14 dwellings which now has been revised down to 12 dwellings.

RELEVANT HISTORY: Permission for extensions to dwelling in 1980's.

CONSULTATIONS: Highway Authority: To be reported.

Building Control: Lifetime Homes Standards – Ensure that the Supplementary Planning Document (SPD) – Accessible Homes and Playspaces, 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: Recommend that petrol/oil interceptors be fitted to all car parking/washing facilities.

ECC Archaeology: The area has produced extensive archaeological deposits. Request full archaeological condition.

Landscaping: To be reported.

ECC Education: Request a contribution as set out in the adopted SPG.

Drainage Engineer: No comment at this stage.

PARISH COUNCIL COMMENTS: Original plans: Object.

Scale of development
Creeping incrementalism
Erode rural character of the area
Impact on neighbours' privacy
Volume of traffic along private unmade road
Loss of Oak trees
Colony of bats on site
Concerned over impact on local drainage system

Revised plans: To be reported.

REPRESENTATIONS: Original plans: Nine received. Notification period expired 30 January 2008.

Comments relate to:

Loss or potential harm to trees
Over intensive development
Overlooking/loss of privacy of properties fronting Jacks Lane and Broadfield Road
Any development must protect the drainage ditches
Concerns over impact on quality of private road (Broadfield Road) and services within it
Impact on parking in Broadfield Road
General comments about amenity
Concern over access for emergency services
Concern about access by construction vehicles
Request that properties should not exceed two storeys

Revised plans: Three received. Notification period expired 9 June 2008.

Comments relate to:

Concern over access
Change to character of the area

PLANNING CONSIDERATIONS. 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, GEN1, GEN2) and**
- 2) **social, amenity and infrastructure contributions are required (ULP Policy GEN6).**
- 3) **the proposed layout and access are acceptable (GEN2, GEN4, GEN8 and H10)**

1) Development of this site is acceptable in principle as it lies within the development limit created by Takeley Local Policy 3 – *Priors Green* provided it is contiguous with the development of the Prior's Green site overall. This Policy 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, and are collectively known as 'The Island Sites'.

The Supplementary Planning Guidance (Island sites) 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; and that no permissions should be granted on the island sites until UTT/0816/00/OP has outline planning permission.

The proposed development legitimately falls beneath the threshold for the requirement of affordable housing which is for sites of 0.5 hectares or 15 dwellings or more.

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.

3) Matters of layout and access are for determination now. Both indicate that the development would be reached via the northern end of Broadfield Road. Access has been a main concern of neighbours. Officers have spoken to the applicant and Countryside Properties to see if an access could be achieved from the west, through Phase 9. It is understood that the two parties have not been able to agree such an access. Officers have also asked the applicant to see if it is possible to gain access through Phase 9 during construction. The applicant's response will be reported. In the absence of an alternative route the proposal must be considered as submitted.

Occupiers of this and other established dwellings in the road retain rights to use the southern section of Broadfield Road. While substandard this private road cannot be closed. However due to the placement of a pair of bollards each side of the spine road it is currently very difficult to turn onto or off from Broadfield Road and use the spine road. However use of the spine road to reach the northern end of Broadfield Road would be preferable as it is built to modern standards. To have an arrangement that positively discourages its use is unacceptable. As part of an appropriate scheme at least the north pair of bollards should be removed and turning radii provided. Once such an upgrade is carried out the development would be largely accessed from the internal estate roads required by the Island Sites SPD. These works would be required by a S106 agreement. In other respects the layout appears satisfactory. It would provide twenty four garage/parking spaces (200%) and leaves a gap between the footprint of the buildings and the protected trees. It would provide sufficient space between the new dwellings and adjacent properties to avoid material overlooking or overshadowing.

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 applicant's supporting letter refers to the twelve dwellings being six three bedroom houses and six two bedroom apartments. A

planning condition would be required to influence the mix of dwelling sizes after the outline permission.

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 AND TO ACHIEVE WORKS TO PROVIDE SUITABLE ACCESS TO THE PRIORS GREEN ESTATE ROAD

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. C.5.2. Details of materials.
7. C.4.1. Scheme of landscaping.
8. C.4.2. Implementation of landscaping.
9. C.4.6. Retention of and protection of trees and shrubs.
10. C.16.2. Full archaeological excavation and evaluation.
11. C.28.2. Accessibility Drawing/Statement.
12. C.6.2. Remove permitted development rights.
13. C.6.7. Excluding the conversion of garages.
14. 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.
15. 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.
16. 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.

17. 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.
18. C.8.30. Provision of bin storage.
19. 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.
20. C.8.32. Compliance with the 10% on site renewable energy rule.
21. C.8.29. Condition for compliance with code level 3 sustainable homes.
22. 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.
23. The mix of dwelling sizes shall be as set out in this application. REASON: To meet the policy objectives of policy H10.
24. Details of a means to intercept petrol and oil from water runoff from the proposed parking areas on the site shall be submitted to and approved in writing by the local planning authority. These shall be fully implemented prior to the first occupation of any dwelling hereby permitted.
REASON: To protect the water environment.

Background papers: see application file.

UTT/0675/08/FUL - RADWINTER

***(Called in by Cllr Schneider)
(Reason: Lane are too narrow)***

Erection of agricultural building for agricultural storage. Demolition of existing grain bins

Location: Great Brockholds Farm. GR/TL 612-351

Applicant: Mr A Covey

Agent: Balsham Buildings Ltd

Case Officer: Mrs S Heath 01799 510389

Expiry Date: 20/06/2008

Classification: OTHER

NOTATION: Outside development limits.

DESCRIPTION OF SITE: The site is agricultural land adjacent to existing agricultural storage buildings and comprises 660 acres. The existing buildings comprise three grain stores, an open storage building and three grain bins. A public footpath, 102, runs through the site.

DESCRIPTION OF PROPOSAL: This application relates to the erection of an agricultural storage building and demolition of existing grain bins. The new building would cover an area of 297m² and would have a maximum ridge height of 7.650m. The proposal is to erect the new building on the site of the three redundant grain bins. The building would be constructed alongside the original existing grain store with a one metre gap between the buildings. The new building would be sited square and parallel to an adjacent range of similar buildings and would be used for the secure storage of the crop sprayer and fertiliser and as a temporary dump grain store at harvest time. The roof of the proposed barn would be grey fibre cement sheeting and walls would be coated steel cladding to overlap a low level concrete crop retaining wall.

APPLICANT'S CASE: The grain bins have become antiquated and redundant due to the manual labour involved in emptying them. The storage building will have a multi use; for secure storage of the crop sprayer, this is a very important requirement due to the value of the machine and the complex nature of the equipment, it is currently stored in the open building and is very prone to vandalism which has financial as well as hazardous (due to the chemicals used) implications; for secure storage of fertiliser, again this has financial and safety implications; for temporary use as a dump grain store at harvest time. National Planning Policy PPS7 supports agricultural development in the countryside.

RELEVANT HISTORY: UTT/0128/07/FUL Erection of steel framed agricultural grain store. Approved 04.06.07. For further site history please see file.

CONSULTATIONS: Natural England: No objections.

Essex Wildlife Trust: Raises a holding objection due to absence of protected species survey.

Ramblers Association: Formal objection, footpath 102 is not shown on application documents and proposed building would block the footpath.

PARISH COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and 1 representation has been received – concerns over increased traffic levels and the effect on the protected lane. Period expired 16 May 2008.

COMMENTS ON REPRESENTATIONS: This proposal would not increase traffic movements and these concerns relate to other applications on this site.

PLANNING CONSIDERATIONS: The main issues are whether the proposal constitutes an appropriate form of development within the countryside (ULP Policy S7) and would have an acceptable design (ULP Policy GEN2). Other material planning considerations.

This proposal relates to the erection of a new building at a farm, with an established agricultural use, in the countryside. Within the countryside planning permission will only be given for development which needs to take place there or is appropriate to a rural area. The proposed building would be adjacent and well related to the existing agricultural buildings on the site. It is considered that the development is appropriate to the surrounding rural area.

No neighbouring properties would be affected by the proposal and although the new building would be visible from the north and east, external views of the site from the south and west would be relatively unchanged due to the building being located adjacent to existing agricultural buildings on the site. The design of the building would also be compatible with the appearance of the surrounding agricultural buildings already located on the site.

It is therefore considered that the proposal would comply with the requirements of ULP Policies S7 and GEN2.

However, the proposed siting of the agricultural building block would appear to the statutory public right of way, footpath102. This would be unlawful and before any development is commenced permission would be required from Essex County Council in order to divert the footpath. This matter is subject to separate legislation and need not be dealt with under this application.

CONCLUSIONS: The development proposal and design of the agricultural storage building is acceptable and it complies with all relevant Development Plan policies.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. The local planning authority shall be notified in writing within seven days of the date on which the development hereby permitted has been substantially completed. Where the use of the building for the purposes of agriculture within the unit permanently ceases within ten years from the date on which the development was substantially completed and where planning permission has not been granted for purposes other than agriculture, within three years from the date on which the use of the building for agriculture within the unit permanently ceases, then unless the local planning authority have otherwise agreed in writing, the building shall be removed from the land and the land restored to its condition before the development took place.
REASON: The site lies in an area where new development will not normally be permitted and the development hereby approved is acceptable because it relates to an agricultural use.

Background papers: see application file.

UTT/0704/08/FUL - HATFIELD HEATH

(Referred by Cllr Lemon)

(Reason: Controversial)

Erection of new dwelling

Location: Stonebridge Farm Chelmsford Road. GR/TL 534-150

Applicant: Mr S King

Agent: BRD Tech Ltd

Case Officer: *Consultant South 3 telephone: 01799 510452/510471*

Expiry Date: 20/06/2008

Classification: MINOR

NOTATION: Outside Development Limit/Within Metropolitan Green Belt; Existing access onto Class A road.

DESCRIPTION OF SITE: The site currently forms part of the curtilage of Stonebridge Farm, a single storey dwelling located on the northern side of the A1060 Chelmsford Road. The 0.17 hectare site is currently occupied by chicken coops and runs.

DESCRIPTION OF PROPOSAL: The proposal is to construct a two-storey four-bedroom/three bedroom dwelling. It would have a footprint of 123m², and total floorspace of approximately 238m². The height to the ridge would be 8.15m plus chimney. No garage is proposed at this stage, but space is shown for four vehicles in front of the dwelling (although the submitted Design & Access Statement advises that there would be space for a garage to the rear of the property).

Access would be via the existing point, and would be shared with the existing dwelling. Although the front of the property is currently open, the newly created curtilage is shown to be subdivided from the existing dwelling with planting. Other boundaries would be 1.8m and 1.2m high fencing to the boundaries. A right of way is shown on the submitted plans running along the western side of the dwelling, alongside the boundary with Stonebridge House beyond, but this would be a private rather than public right of way. Garden area well in excess of standard would be provided.

Proposed materials are weatherboarding and red brick plinths to walls, with a plain tile roof.

APPLICANT'S CASE including Design & Access statement: The full document is available to view at the Council offices and via the Council's website. In summary, the proposal is for an infill dwelling that would have no adverse impact of neighbouring dwellings. It would make better use of land already in residential occupation without encroaching into the countryside. It is in a sustainable location 400m from the village centre. Although within the MGB, the site is close to development limits, which have been drawn too tightly and do not reflect existing development. The site is appropriate for infill development. Greater weight should be given to guidance in PPS3 regarding more efficient use of brownfield sites rather than PPG2 regarding green belts. The development would not erode the openness of the green belt and would enhance the appearance of the village.

RELEVANT HISTORY: Application for three dwellings refused 1981. Retention of agricultural equipment and store approved 1993. Erection of dwelling refused 1996 on grounds on impact on greenbelt (no appeal). Certificate of Lawfulness issued 2001 for use of agricultural building as dwelling with adjacent land as garden, storage and parking (note: this application was lawful dwelling approved because the applicant had successfully demonstrated that the building had been occupied as a

dwelling in breach of planning control for in excess of 4 years with success applications planning policies are not relevant). Replacement dwelling bungalow for that 2002 (shown as Stonebridge farm on drawings). Change of use of land from agricultural to erection of stables and construction of manege refused 2006 and dismissed at appeal 2007.

CONSULTATIONS: ECC Transportation (highways): No objections.

Thames Water: No objection with regard to sewerage infrastructure. Advice to applicant regarding surface water drainage.

Three Valleys Water: No reply received – due 16 May 2008.

UDC Building Surveying: No reply received.

UDC Engineer: Condition required (C.8.27.B Soakaways).

PARISH COUNCIL COMMENTS: Object on the grounds that the development is outside village development envelope and is within the Metropolitan Green Belt.

REPRESENTATIONS: None received. Notification period expired 16 May 2008.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are whether the proposal would

- 1) be appropriate development in the Metropolitan Green Belt (national policy document PPG2, & ULP Policy S6);**
- 2) be acceptable in terms of scale and design, and in relation to the amenity of adjacent properties (ULP Policy GEN2) and**
- 3) Other material planning considerations.**

1) The application site is located in the Metropolitan Green Belt, outside and abutting the Development Limit for Hatfield Heath. National policy guidance contained in PPG2 states that “the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness.” In this context, there are five purposes of including land in Green Belts: (1) to check the unrestricted sprawl of large built-up areas; (2) to prevent neighbouring towns from merging into one another; (3) to assist in safeguarding the countryside from encroachment; (4) to preserve the setting and special character of historic towns; and (5) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The purposes of including land in Green Belts are of paramount importance to their continued protection, and should take precedence over land use objectives.

PPG2 states that once Green Belt boundaries have been defined, they should be changed only in exceptional circumstances. The applicant claims that the replacement dwelling of Stonebridge Farm has fundamentally changed the situation such that the Green Belt at this point is no longer valid. However the position of the development limit/inclusion within the green belt is a matter of fact.

In the Green Belt, there is a general presumption against inappropriate development, which national policy states is, by definition, harmful. There must be very special circumstances in order to outweigh the harm to justify inappropriate development in the green belt. PPG2 defines non-essential buildings as inappropriate, and only permits new dwellings where required in connection with agriculture and forestry or limited infilling in accordance with Local Plan policies.

ULP Policy S6 restricts “infilling, limited development or redevelopment compatible with the character of the settlement and its setting” to five villages in the Green Belt, including Hatfield Heath. However the policy makes it clear that this policy allows for such development to take place only within the settlement limit rather than outside, and the

boundaries within which such development may be acceptable are defined in the Local Plan. In this instance, the development limit excludes the application site. Consequently this policy does not apply in this case as it specifically does not apply to land within the green belt as is this site. Although the applicant states this is because the line is too tightly drawn, it is considered that there is a distinction between the more suburban ribbon of development to the west and Stonebridge Farm. The latter may have been recently replaced, but it is distinct from the remainder of the settlement, with the site retaining a more open and spacious appearance compared to the dwellings to the west. The application site does not form an infill plot, but is instead an expanse of open land creating a logical boundary to the settlement. To add a further dwelling in this location would extend the ribbon of development at this point, and would create the potential for further expansion to the east of Stonebridge Farm. The protection of Green Belts at their boundaries is of particular importance, as it is at these points that they are more readily eroded through expansion of built form. Such would occur through this proposal.

There is considered to be no overriding justification for a further dwelling in this sensitive edge-of-settlement location, which would be harmful to the purposes behind the designated green belt. In other words the requirement for there to be "very special circumstances" as required in national policy, before an exception is made to greenbelt policy, has not been met. In the circumstances the policy should be followed.

2) Although there is a fundamental objection in principle to the development of this site, the size and scale of the proposed dwelling is also considered unacceptable. Although two-storey dwellings exist to the west of the site, the proposal would be considerably larger than Stonebridge Farm (in terms of height and mass), and would appear visually intrusive in the street scene to an unacceptable degree. Indeed Stonebridge Farm is a bungalow with a ridge height of 5.8 metres and a hipped roof to both sides. At the time the Stonebridge Farm bungalow was permitted (contrary to recommendation) the (same) applicants in their supporting statement said "the design, siting, height and mass of the dwelling have been specifically created to ensure a minimal impact on the openness of the greenbelt and would be no greater than the existing dwelling" (to be replaced). These circumstances do not apply in this case it is also worth noticing that the 2002 proposal involved the removal of the polytunnels. No buildings are to be removed in this case. The proposed dwelling would be 15.5m wide and 8.15m high, and would significantly reduce the openness which currently exists.

It should be noted that an appeal for stables and a horse manege on land to the rear of the application site was dismissed in May 2007, on the basis of the unacceptable impact the development would have on the openness of the Green Belt. Indeed the inspector even concluded that the manege (open riding arena) would be unacceptable in the greenbelt. The same principles must apply to this dwelling which would have much larger silhouette than the dismissed stable block.

3) The supporting statement indicates that the site should be regarded as a brownfield site, and therefore is suitable for redevelopment. However, the site currently houses a number of chicken houses and runs. Annex B to PPS 3 states that "*Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The definition includes defence buildings, but excludes: – Land that is or has been occupied by agricultural or forestry buildings.. There is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.*"

Stonebridge Farm appears to operate some form of agricultural use. However, even if it can be demonstrated that this part of the site is residential garden, this does not automatically make it suitable for redevelopment.

The supporting statement advises that the proposal would be no more harmful than the construction of a building up to 4m high as Permitted Development. The visual intrusion of a building double in height would have significantly greater impact than a domestic outbuilding, but in any event Permitted Development rights were removed from the dwelling and its curtilage in allowing its replacement in 2002, such that further outbuildings at the site and their impact may be controlled.

CONCLUSIONS: The proposal would be unacceptably harmful to the openness and appearance of this part of the Green Belt, and would fundamentally undermine the principles behind the Green Belt designation.

RECOMMENDATION: REFUSAL REASONS:

1. The proposal involves the construction of a new dwelling in the Metropolitan Green Belt (MGB), in a sensitive location on the edge of the settlement of Hatfield Heath. Planning Policy Guidance Note 2 states that in the Green Belt, there is a general presumption against inappropriate development, which is, by definition, harmful. There must be very special circumstances which outweigh the harm to justify inappropriate development in the green belt. PPG2 defines non-essential buildings as inappropriate, and only permits new dwellings where required in connection with agriculture and forestry or limited infilling in accordance with Local Plan policies. There are no special circumstances to justify a new dwelling in this location, and it would be an unacceptable visual intrusion that would erode the openness that is a fundamental aim of the MGB, to prevent urban sprawl by keeping land permanently open. The most important attribute of Green Belts is their openness, and this proposal would extend and consolidate built form into the Green Belt. The proposal would be contrary to PPG2 and ULP Policy S6.
2. Notwithstanding the principle of the development, the proposed size and scale of the proposed dwelling is considered out of scale with the neighbouring property, Stonebridge Farm, and would be intrusive in the street scene, which at this point is distinct from the more urban development to the west. The proposal is considered contrary to ULP Policy GEN2.

Background papers: see application file.
