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## UTT/0615/08/OP - LITTLE CANFIELD

Outline planning application including access for a new village hall and associated parking, playspace, village green, services allotments. Residential development.

Location: Little Canfield Village Hall Stortford Road. GR/TL 589-213

Applicant: Miss M Ayton

Agent: Bidwells

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 24/07/2008

Classification: MAJOR

**NOTATION:** Outside development limits (ULP Policy S7 - The Countryside), Listed Buildings adjacent and opposite the site.

**DESCRIPTION OF SITE:** The site is situated approximately quarter of a mile east of the edge of Priors Green, along the B1256 (former A120) at the point where the land rises up between the entrance to the Crumps Farm landfill site and High Cross Lane West – the road to Langthorns). Opposite part of the site is Mill Court, a small cul-de-sac of residential development, notable partly due to its village sign. West of Mill Court is a row of dwellings, mostly listed.

Currently on the site is a village hall, dating from between the two world wars, its car park, an area of open space and some disused allotments. The hall lies towards the eastern end of the site, with the car park to its west and the former allotments further to the west. The land falls from east to west. The committee visited the site prior to its last meeting when a report under the 'Advanced Reporting Procedure' was considered.

**DESCRIPTION OF PROPOSAL:** The application is an outline application for a replacement village hall (of approximately 200 sqm – marginally larger than the current hall) with car park, replacement allotments, relocated vehicular access, 15 market houses, 10 affordable houses (shown and described in the application as a terrace of six houses and four flats) and public open space including children's playground.

Details of access are to be determined at this stage, together with matters of principle and all other matters except Appearance, Landscaping, Layout and Scale which would be subject to reserved matters submissions if this application is approved.

As Members will be aware the system of outline planning permission changed in August 2006 to require a greater degree of information to be provided than under the previous regime. *DCLG Circular 01/2006* states in paragraph 52:

*"With an application for outline planning permission detailed consideration will always be required on the use and amount of development. In addition, even if layout, scale and access are reserved, an application will still require a basic level of information on these issues in the application. As a minimum, therefore, applications should always include information on:*

**Use** – the use or uses proposed for the development and any distinct development zones within the site identified.

**Amount of development** – the amount of development proposed for each use.

**Indicative layout** – an indicative layout with separate development zones proposed within the site boundary where appropriate.

**Scale parameters** – an indication of the upper and lower limits for height, width and length of each building within the site boundary.

**Indicative access points** – an area or areas in which the access point or points to the site will be situated.”

Consequently the information submitted with regard to the above information can legitimately be given some consideration in the determination of an outline application.

The applicant's drawing 'Proposal 8' shows the total site to measure 1.22 hectares (12,200 sqm). Of this approximately 4000 sqm would contain the village hall, its car park, the allotments, the public open space and the play area. The rest (approximately 8232 sqm) is shown on the indicative site plan to be split between 6827 sqm for 15 dwellings (21 dwellings per hectare) which is assumed to be the market housing and the remainder measuring 1405 sqm for 10 dwellings (assumed to be affordable units from descriptions in the supporting documentation) would have a density of 71 dwellings per hectare). An identical layout is provided as 'Conceptual drainage strategy'.

When considering the Advanced Report on the proposal it was explained that the layout plan contained an inconsistency with another plan identifying the detailed position of the replacement access. As Access is for detailed consideration at this stage, its details take preference but in accordance with the Circular's requirement for indicative details the other drawings are still relevant. Other more conceptual plans were submitted with the application that show a similar arrangement of the different elements of the site. The layout will be considered in the Planning Considerations section of this report.

**APPLICANT'S CASE:** The following documents have been submitted with the application:

- Agent's letters
- Planning Statement
- Transport Statement
- Community Planning Report
- Design and Access Statement
- Flood Risk Assessment
- Schedule of condition (of existing village hall)
- Ecological Appraisal
- Archaeological and Cultural Heritage Assessment

All these documents can be viewed at the offices or online on the Planning section of the Council's website. It is understood that Members have recently received a seven page letter from the applicant's agent (and copied to officers) outlining the scheme from the applicant's perspective.

**RELEVANT HISTORY:** Additions to village hall in 1990s.

**CONSULTATIONS:** ECC Highways (Development Control & Estates): The proposal would lead to a new access on a Secondary Distributor (B1256), a stretch of classified highway where the primary function is as main connections between substantial rural populations. The development falls outside of a defined settlement area where the policy states that "Direct access from these roads will be prohibited. Any development proposal which seeks to create a new access or to increase or change the use of an existing access will attract a recommendation of refusal from the Highway Authority". Therefore the proposal is contrary to policies contained in 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.

ECC Archaeology: Recommends full archaeological investigation prior to development.

Water Authority: Advisory comments only.

Environment Agency: No objection subject to drainage condition

Natural England: No intrinsic objection but recommends withholding permission pending better ecological surveys.

Essex Wildlife Trust: Holding objection pending better ecological surveys

Health and Safety Executive: Does not advise against the proposed development.

Housing Strategy (UDC Policy and Strategy division): The need for affordable housing on a rural exception site would need to be determined by a housing needs survey, such as those carried out by the Rural Housing Enabler. This survey would then indicate the number of units required by people with a local connection, and also the size and type of property. The only information available from the Council is from the Housing Register, which will only show people wishing to live in the village, not those with a connection.

Building Control: The development would need to meet lifetime homes; include 5% wheelchair accessible homes; Sustainable homes Code level 3; why is affordable housing segregated?; nature of development encourages car dependency.

National Grid: Assessed as High Risk – further information sought.

**PARISH COUNCIL COMMENTS:** Although we appreciate that the area for development is outside the present village envelope, and would normally agree that the land in question should not be utilised for housing, in this particular case we have to say that we fully support the application because of the considerable benefits the landowners are prepared to offer to the community.

The Village Hall is around eighty years old. Although the parish council are not actively involved in running the hall, we know that the Village Hall Committee is doing its best to maintain the building for community use to the best of its ability. This is becoming increasingly difficult because the age of the building brings increasingly expensive maintenance costs, and there are few financial options to cover this. At the moment the hall is in reasonable condition, but the future looks somewhat bleak, especially in view of the matters brought to light by the professional survey recently carried out.

In addition the hall has always been in a somewhat precarious position. Although the building itself belongs to the village, the ground on which it stands, the car park and area behind does not. We actually have a lease at a peppercorn rent, which can be revoked at short notice at any time. If the hall is allowed to fall into disrepair, the land can be reclaimed as well. While there is no suggestion at present that the lease is not likely to continue, there is always the Sword of Damocles hanging over our heads.

Because of this situation, two or three years ago the parish council approached the new owners of the land, Land Securities, asking whether it was possible that land could be sold to the parish for the construction of a new village hall. If this proposition had been agreed on, it would have involved putting this very small parish into considerable debt for many years to come, even with the help of any loans and grants that might have been available.

Instead Land Securities came up with the idea of constructing sufficient market residential (and affordable) housing in the immediate area of the present village hall to allow them to gift to the village a new village hall, with parking, play space and allotments adjacent. We were a little dubious at first when we heard about their proposals, as developers are not generally given to generosity in our experience. However, we are assured that this is a genuine offer. The village would get the community facilities outlined at no cost to the parish.

Over the last eighteen months or so every residence in the village has been personally notified of the proposals, and invited to attend three public meetings to hear about them. Numbers of parishioners turned up at these meetings, and certainly there was concern as to how a development of the nature proposed would fit in with the character of our rural parish. At the final meeting last July it was put to the vote as to whether the wheels should be set in motion to see whether the district council would feel able to ease their policy in this instance

in the interests of the community here in Little Canfield. At that meeting parishioners voted by approximately two to one to pursue the project. Those residents who did not accept invitations to attend and made no comments presumably are not bothered either way.

Some comment has been made as to the need for a hall in the village at all, especially as there is a new centre to be built at Priors Green. We feel that this development will be more Takeley orientated in the years to come, and that we do still need a public venue for parish council and statutory meetings, which are of course always open to the public. The only other 'public' building is the church, which is not really suitable for such activities.

We realise that it is the 'market' housing that is likely to be the biggest bugbear in deciding whether permission should or should not be given. However, it is obvious that, unless Land Securities can engender some financial gain from the overall development, they are not going to be in a position to finance the community services they are offering.

We should therefore be grateful if the planning committee would be good enough to consider the overall picture very carefully so that the village community can benefit by these proposals.

**REPRESENTATIONS:** This application has been advertised and 3 representations have been received. Period expired 30 June 2008.

1. My family live in a house that will be bordered by this new estate and we are all very upset that this area of land, which is a wildlife haven, may be built on. The ambiance of the village is under threat from a modern housing estate, which will not be in keeping with the village.

This is a small space of land where we often watch the foxes and rabbits play (not together of course!), plus countless birds and bats, not to mention the deer. There are too many butterflies on the buddleia bushes. The wild grass grows and meadow flowers grow high in the un-kept areas and a little spinney of saplings is growing. There is no reason to build houses here other than to make money.

I beg you to please reconsider the building of houses on this site and all new developments in this area for the sake of the wildlife and existing residents. Villages like Little Canfield don't want to become part of Dunmow or Takeley.

2. The proposed development contravenes Uttlesford District Council's Planning Policy S7. On this point alone it should not be considered. We feel Land Securities who own the land have tried to influence the support of the Parish Council by offering to build a new village hall. We are sure if the scheme was just for "stand alone" housing it would receive very little support.

The whole area is becoming saturated with development, in particular Priors Green with some 900 units less than a mile away. Therefore there is no justification to allow planning permission for yet more development in an area which has not been designated.

We also feel that traffic calming measures would be inadequate for the development, possibly causing danger to local residents.

No consideration has been given on the impact to the environment and wildlife which inhabit this area. Therefore a full environmental survey should be carried out before any development to abstain if there are any protected species.

3. We are opposed to this proposed development for three reasons – not needed, disproportionate, and lack of local support.

The site is not allocated in the UDC Local Plan and officers have explained that in this situation there was little reason for them to positively consider an application for development for development and a change of use.

Priors Green, is less than a mile to the west of the proposed site and partly within the Little Canfield Parish boundary. It is providing generous recreational facilities, a new village centre, and a site for a new Primary school. This development would seem to more than satisfy the need for increased housing and additional facilities in the area.

What the application fails to convey is that the current village hall is actually rarely used by the residents of Little Canfield and activities such as the dog training classes and the playgroup are attended mainly by people who travel to Little Canfield.

One of the reasons the Parish Council and Village Hall Committee support the application is that the current village hall is in need of repair and there is no money available for its' upkeep. However there is no consideration of the financing of the upkeep and maintenance of the new village hall in the proposed scheme.

The fact that the Village Hall Committee is currently unable to finance repairs is presumably due to its lack of use.

The Design & Access Statement states that one of "threats" to the village comes from second home owners. There is no evidence to back this statement.

The Government seeks to promote sustainable development ... "*locate new development near to public transport, shops and services*". There are no shops or services in the area apart from the pub which is ½ mile from the proposed development.

Much is made in the proposal of re-energising the village by stimulating a sense of community. There are examples of villages in the local area which have a sense of community, however Little Canfield is not like this. The reason many people chose to live here is because they like the isolated and rural nature of the village.

Little Canfield is an unusual village in that it is very sparsely populated with just 127 dwellings covering a considerable area with no discernable village centre. This scheme will increase the number of dwellings by a staggering 19% in an area not planned to have development at all as it is designated as Countryside.

Not only is this a huge increase but it is concentrated in one area. Nowhere in the village does a concentration of the proposed density currently exist. The proposal is for 25 dwellings in an area of 1.18 hectares; the most densely populated part of Little Canfield of a similar size has 10 dwellings.

In the ballot organized by the Parish Council, out of a population of 250, only 78, (31%) voted at all. Of those who voted 50 people (20%) voted in favour.

The conclusion to be drawn from this is that most residents, 200 (80%), are positively against development or sufficiently disinterested not to vote at all. We would argue that this does not indicate "*clear support*".

**COMMENTS ON REPRESENTATIONS:** See Planning Considerations below.

**PLANNING CONSIDERATIONS:** The main issues identified through the advanced reporting procedure are:

1. **Whether the proposal represents acceptable development in the countryside (ULP Policy S7);**
2. **Issues relating to the submitted indicative plans (ULP Policies GEN2 and ENV2);**
3. **Whether the proposal makes appropriate provision for affordable housing (Policy H9);**
4. **Whether the proposal is acceptable in highway terms (ULP GEN1 and ECC Appendix G);**
5. **Issues relating to Flooding and water runoff (PPS25 and ULP Policy GEN3);**
6. **Impact of proposal on biodiversity and ecological interests (PPS9 and ULP GEN7) and**
7. **Impact of proposal on archaeological interests (PPG16 and ULP Policy ENV4);**
8. **The positive benefits associated with the proposal.**

1. The site lies outside of any development limit and therefore for the purposes of the Development Plan is located in the countryside. ULP Policy S7 states:

*"The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries.*

*In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there."*

Although there are elements of the proposal which might be acceptable, this development is proposed as a package and is required to be determined as such. The development is not functionally required to be located in this part of the countryside, such a development is not a type which is generally acceptable for a rural area and due to the scale of development proposed for this small scatter of development it would significantly affect the area's loose knit open character and not protect or enhance it as required by the above policy. Consequently it is concluded that the proposal is contrary to Policy S7. It is also worth noting that although the applicant makes some claim of the development being sustainable by reference to its location relative to Priors Green, occupiers of these properties would be largely dependant on private transport for most journeys other than for occasion top up shopping carried out by bus, walking or cycling to Takeley or Priors Green. For employment, other shopping, entertainment and schooling the site is not well situated.

2. While there is some indication that the submitted plans reflect earlier thoughts on the development there is a consistency among the submitted drawings that the allotments, replacement village hall, its car park, the allotments, the public open space and play ground would be on the eastern portion of the site. Adjacent to this would be the affordable housing, with the majority of the site being developed for the market housing.

The village hall is proposed to be about the same size as the existing hall and at 200 sqm the adopted parking standards indicate a maximum requirement of 13 spaces. The indicative plan 'Proposal 8' shows 40 spaces. While the car park would also be likely to serve the allotments and public open space/playground the 40 spaces shown look like overprovision. The affordable housing is shown and described as being provided as a terrace and four flats are shown to have only 1 parking space per unit. The community uses are not bad neighbour uses but there would be some degree of disturbance from those community uses and associated comings and goings onto the occupiers of the affordable units.

The two indicative layout plans show a central spine road running east west through the site with dwellings to its north and south. These show that the dwellings to the south of the spine road would turn their back on the road, bringing the likelihood of rear fences and wall, conservatories and sheds appearing in public view. These could be controlled to some degree by withdrawing permitted development rights but such a withdrawal is second best to better scheme layout to avoid this issue in the first place.

The land is adjacent to and opposite a number of listed buildings, towards the south and west. In determining this application it is necessary to judge the desirability of preserving the setting of these listed buildings. National policy expressed in PPG15 advises that the setting of a listed building may not just be the land close to it but may extend some distance from it. Officers consider that the setting of relatively modest listed buildings is not likely to extend far into the countryside but a development of this size in relative proximity to the curtilages of listed buildings is likely to affect their setting but it is difficult to judge its impact given the relatively limited information provided in the application. Officers have therefore not been able to conclude that there would not be a detrimental impact on the setting of the listed buildings.

Little information has been provided regarding existing vegetation, as this is a reserved matter, although it is understood that boundary vegetation could be retained but most vegetation within the body of the site would be removed except for particular specimens which could be incorporated into the final scheme. A planning condition could require this to be the case.

3. Affordable housing schemes outside development limits are often referred to as exceptions sites – affordable housing being acceptable (subject to the requirements of relevant policy) in locations where other development – for example market housing – would not be permitted. The relevant Policy – Policy H11 – states:

*“Development of affordable housing will be permitted outside settlements on a site where housing would not normally be permitted, if it would meet all the following criteria:*

- a) 100% of the dwellings are to be affordable and provided through a Registered Social Landlord;*
- b) The development will meet a particular local need that cannot be met in any other way;*
- c) The development is of a scale appropriate to the size, facilities and character of the settlement; and*
- d) The site adjoins the settlement.”*

It is a clear part of the scheme that it does not propose that 100% of the dwellings to be affordable and provided through a Registered Social Landlord (RSL). Only 10 of the 25 units would be affordable. It does not appear that there is the involvement of an RSL at this stage and little official survey work has been carried out to determine need or the types of tenure or dwelling size required to meet local need. With regard to the scale of the affordable housing scheme it is a relatively small part of an overall development proposal which would have a significant impact on the character of this part of Little Canfield, although this is not a settlement large enough to be provided with a development limit and has few services available locally.

4. The highways authority has objected to the proposal due to its position along a main road outside of any settlement limit. It has limited its judgement to matters of principle and not determined the detail of the particular junction layout shown or speed limit in operation on the highway.

5. The site lies in Zone 1 of the classification of flood zones. Zone 1 is the lowest risk zone. While it is not in an area of significant flood risk the development is of a scale which could generate considerable amounts of surface water. The Environment Agency therefore requests a condition to achieve sustainable drainage – the way that it puts this request is that it objects unless a condition is attached. If permission was to be granted such a condition would be imposed.

6. An ecological appraisal has been carried out which identifies the possibility of affecting legally protected species and recommends further survey work. It is the lack of this (further) information that forms the basis for the objections by Natural England and the Essex Wildlife Trust. It is understood that further work is being undertaken. However currently the advice from consultees is that permission should not be granted (without this information).

7. The site lies immediately adjacent to the site of a medieval mill and due to this and its location along the Braughing to Colchester Roman Road a full scheme of archaeological investigation is requested prior to the commencement of any development.

8. The committee is familiar with the requirements of S38(6) of the Planning Act 2004 which requires that *“If regard is to be had to the development plan for the purpose of any*



*determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*" The above sections of the report set out the various policies that are applicable to the proposal. The applicant has identified various benefits associated with the scheme (eight are listed on page two of the letter to each Member dated 11 July 2008) some of which are capable of being material considerations when determining the application. These need to be assessed.

A central part of the applicant's case is that there has been community involvement in proposing and refining the scheme, although this process has been criticised in some of the representations. The existing village hall dates from between the two world wars and would be replaced. A report relating to the condition of the existing village hall has been submitted with the application. This concludes that the building is showing its age in certain respects and requires maintenance but does not conclude that it is unusable or requires replacement. As a major part of the case for the market housing development is to fund the replacement of the existing hall it appears that as the replacement of the hall is unnecessary the scale of the proposed development is excessive for the relatively minor maintenance required to continue the use of the existing hall. The committee will also recall that as part of Priors Green which lies within both Little Canfield and Takeley parishes there is permission for a new community hall which will be available to parishioners.

The relocation of the access further to the west away from the bend in the road from the east could be understood as a benefit, however not to the extent that has persuaded the highways authority of the merits of the scheme and not to the extent that the rest of the scheme could be justified to make it happen.

The provision of affordable housing is a potential benefit although this is not supported by the normal surveys and involvement of a RSL and therefore carries limited weight in the decision making process. Despite the applicant's suggestion there is no evidence that the market housing would be occupied by local people and being market housing it would be available to anyone both initially and by resale. This therefore carries little weight in the decision making process.

The provision of allotments could be a benefit although no information has been submitted explaining why the existing ones appear unused or what level of demand there would be for the new ones. It is difficult to see how these allotments would be preferable to the existing ones, particularly as the indicative plans show the new allotments to be provided on the site of the existing hall and its car park and in a much reduced area in comparison to the existing/former allotments which appear to have been fallow for some time.

Much of the supporting case seems to be based on a desire for this part of Little Canfield to develop its own separate identity and avoid being overshadowed by the Priors Green development. This feeling is hard to measure and its weight in the decision making process must be very limited.

In all the benefits of the scheme do not carry significant weight.

**CONCLUSIONS:** The proposal is contrary to adopted development plan policy in that it proposes a significant number of new dwellings outside of any development limit. The affordable housing makes up a minority of the housing proposed, and does not appear to be based on the normal needs survey or involvement of a Registered Social Landlord. The indicative details given in the application do not show that the proposal would protect or enhance the character of the countryside, protect the setting of the nearby listed buildings, or safeguard ecological interest. In contrast the benefits associated with the proposal and considered as material consideration have limited weight and do not justify approving this proposal contrary to the requirements of the development plan or planning legislation.

Officers have advised the applicant that if it wishes to proceed with such a proposal the appropriate method is via the Local Development Framework (LDF) process.

**RECOMMENDATION: REFUSAL REASONS**

1. The site lies outside of any development limit in an area considered by the Development Plan to be countryside. The proposal would not protect the countryside for its own sake, it has not been demonstrated that the development has a need to take place there and is not of a scale or type that is appropriate to a rural area. Furthermore the development would not protect or enhance the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there and would be dependant on the use of the private car. The proposal therefore fails to meet the requirements of Uttlesford Local Plan S7.
2. The information supplied with the application has failed to demonstrate that it could occur while protecting the character of the countryside, the local streetscene, the setting of listed buildings, safeguarding ecological interests or result in a mixed or balance community. In particular the indications contained within the application are that the affordable housing would be separate from the market housing and would be adjacent to the community elements of the scheme which generate the possibility of disturbance from the activities related and comings and goings. The proposal therefore fails to meet the requirements of ULP Policy ENV2, GEN2, GEN7 or PPS9.
3. The proposal would lead to a new access on a Secondary Distributor (B1256), a stretch of classified highway where the primary function is as main connections between substantial rural populations. The development falls outside of a defined settlement area where the policy states that "Direct access from these roads will be prohibited. Any development proposal which seeks to crate a new access or to increase or change the use of an existing access will attract a recommendation of refusal from the Highway Authority". Therefore the proposal is contrary to policies contained in 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.
4. The proposal does not relate to the provision of 100% affordable housing and has not had a demonstrated involvement of a Registered Social Landlord. The proposal does not meet the requirements of ULP Policy H11.

*Background papers: see application file.*

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## **UTT/0920/08/FUL - SAFFRON WALDEN**

Erection of a 79 bedroomed Care Centre (including day care centre, garden area and 4 parking spaces) to replace existing Nursing Home

Location: Stanley Wilson Lodge Four Acres. GR/TL 541-381

Applicant: Excelcare Equities Co.

Agent: Mr I Bee

Case Officer: Mr T Morton 01799 510654

Expiry Date: 02/09/2008

Classification: MAJOR

**NOTATION:** Inside Development Limit / adjacent to Conservation Area.

**DESCRIPTION OF SITE:** The site stands on the west side of a square of buildings arranged around a central grassed area, with two-storey terraced houses on the north, east and south sides of the square. To the rear of the site are houses in South Road, with their gardens backing onto this property. The site currently has a two-storey care home upon it providing 37 bedspaces, with a grassed area to the front facing the square. Members will be familiar with this site having considered previous applications in 2005 and April 2008.

**DESCRIPTION OF PROPOSAL:** Redevelopment to provide a larger, three-storey care home of 79 bedroom capacity.

**APPLICANT'S CASE including Design & Access statement:** The statement is available in full on file and is accompanied by a Parking and Traffic Generation Report. Relevant points from these are discussed within the report.

**RELEVANT HISTORY:** UTT/1247/05/FUL – 27 bedroom enlargement of existing nursing home, of which 17 would have been within the new build elements and 10 gained by internal rearrangement of the existing building. . Approved 23 September 2005.

[NOTE; the resulting building would have provided a total of 64 bedrooms, and would have had an almost identical floorplan layout to the current proposal, and similar overall bulk and scale.]

UTT/0183/08/FUL - Redevelopment to provide a larger, two-storey care home of 61 bedroom capacity. Approved

**CONSULTATIONS:** Essex County Council Highways: There are no objections to this proposal.

Environment Agency: No response received.

Anglian Water: Keen to support the spatial planning process across the region we serve and have made site specific comments in the attached Planning Applications - Suggested Informative Statements and Conditions Report.

We are obliged under the Water Industry Act 1991 to provide water and wastewater infrastructure for domestic purposes for new housing and employment developments within our area when requested to do so. To effect this the applicant will have to make a request to us under the appropriate section of the Water Industry Act. Advice on these mechanisms is provided in the attached report.

### ASSETS

#### Section 1 - Assets Affected

1.1 Informative statement. There are assets owned by this company within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

"There are Anglian Water assets close to or crossing this site. Therefore the site layout should take this into account and accommodate our assets within prospectively adoptable highways or public open spaces. If this is not practicable then the assets may have to be diverted and the applicant will have to make an application under Section 185 of the Water Industry Act 1991. It should be noted that diversion works could affect when the development can commence. "

#### WATER SERVICE

##### Section 2 - Water Resource Zone

2.1 Informative statement: The site of this application lies outside the area of Anglian Water Resource zone. Therefore the views of Thames Valley Water Company should be sought in this respect.

##### Section 3 - Water Supply Network

3.1 Informative statement: The site of this application lies outside the area of service for water supply purposes by Anglian Water. Therefore the views of Thames Valley Water Company should be sought in this respect.

#### WASTE WATER SERVICE

##### Section 4 - Foul Sewerage System

4.1 Informative statement: The foul flows from the development can be accommodated within the foul sewerage network system that at present has adequate capacity. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

##### Section 5 - Surface Water System

5.1 Informative statement: The development can be accommodated within the public surface water network system that has the capacity. The developer will be required to formally apply for a connection to the foul sewer under Section 106 of the Water Industry Act 1991 to determine the point of connection and the maximum rate of discharge.

##### Section 6 - Wastewater Treatment

6.1 Informative statement: • The foul drainage from this development will be treated at Saffron Walden Sewage Treatment Works that at present has available capacity for these flows.

##### Section 7 - Trade Effluent

7.1 Not applicable.

Environmental Health Officer: More information needed on waste containment collection and recycling.

Council Engineer: Condition C.8 27 should be applied to any approval.

**TOWN COUNCIL COMMENTS:** No objection.

**REPRESENTATIONS:** This application has been advertised and 3 representations have been received. Period expired 2 July (Site Notice) and 4 July (Letters) 2008.

Concerns are expressed about inaccurate plans and boundaries; rubbish and vermin infestation; lack of community consultation; noise and privacy issues, scale and height of the building; overlooking; increased vehicle flow ; insufficient parking provision, poor fire access; early morning deliveries; minibus engine left running; night security lighting;

**COMMENTS ON REPRESENTATIONS:** Boundaries – it is the responsibility of the applicant to show these correctly. The local planning authority has no information to confirm or deny where property boundaries lie. If plans include land not in the ownership of the applicant this does not invalidate the application, but does not give the right to carry out development on land that the applicant does not own.

Rubbish and vermin – the Local Planning Authority can impose a condition to secure provision of appropriate provision.

Lack of parking – the concern is that provision will be inadequate. This is discussed in the following section.

Noise and Privacy Issues (Location and scale of the building) – see Planning Consideration section 3 below.

Construction Noise - as this is covered by other legislation, (Control of Pollution Act) the Local Planning Authority cannot impose conditions on noise dust etc. during construction. Damage to other property remains the responsibility of the landowner. Timing of construction can be addressed by condition

Lighting – this can be addressed by condition. .

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

- 1) Principle of development (ULP Policy S1.);**
- 2) Design considerations (ULP Policy GEN2);**
- 3) Amenity Considerations (ULP Policy GEN2);**
- 4) Access and Parking (ULP Policy GEN1, GEN8);**
- 5) Other material planning considerations.**
- 6) Other non-material planning issues**

1) The site is Inside Development Limits where in principle development is acceptable subject to the requirements of other policies of the Uttlesford Local Plan and planning standards. The Local Plan contains no specific policy relating to provision of care homes.

2) The existing building is in a suburban design style apparently dating from the 1960s. Whilst this is innocuous it does not relate well to the older more characterful properties in South Road, or to the Conservation Area. The proposed building is of a more traditional style using brick and ashlar stone on quoins and at the entrance, with projecting hipped and gabled sections to break up the shape of the building and add points of definition and visual interest. The entrance is defined by a classical portico. This would be a more suitable building for this location in terms of appearance.

In comparison to the recent approval for a new 2 storey building this proposal retains a comparable overall appearance but has a slightly higher ridge line to the roofing and makes use of the space within the roof to provide a second storey of bedrooms and associated spaces. The rooms are lit by dormer windows placed on internal facing roof slopes and the south facing slope, but leaving the elevations to north and east, (facing Four Acres), and west, (facing the rear of house in South Road), without dormers. The overall appearance to those sides is little altered from the previous approved design. The current proposal therefore makes better use of the internal volume of the building to provide much needed additional capacity, but without noticeably changing the overall scale of the building.

3) The proposed building stands in a similar position to that now existing, and in a similar position and of a similar size to the building as approved with extensions in 2005, and as a replacement earlier in 2008.

There are already first floor windows in the rear elevation of the existing building looking towards the rear of the houses in South Road, so the degree of overlooking between the two ranges of buildings remains effectively unaltered. In common with the recently approved two storey building, the proposed replacement building comes further forward on the east side, onto the existing grassed front lawn, and at its southern end will stand virtually in alignment with the end of the row of houses/flats in Four Acres with number 42 & 43 being closest. Although they have first and ground floor windows in their flank wall, there would still be sufficient space between the two opposed buildings to allow sufficient daylight to reach those windows. Again, the principle of building here was accepted with the approved extensions in

2006 which would have occupied the same area. Overall the new building will tend to complete the form of the square rather than detract from it.

4) By its nature the building has to meet high standards of accessibility.

Parking standards call for 1 space per resident staff and 1 space per three bed spaces/dwelling units. There are no proposals for resident staff. Parking provision is made to meet this standard.

The Parking and Traffic Generation Report submitted with the earlier proposals looked at three homes operated by the applicant elsewhere to establish likely need. A 35 bed home has 11 spaces, a 41 bed home has 16 spaces and a 49 bed home has 12 spaces. The report identifies a maximum trip rate per room of 2.27 per day, mainly associated with staff movements. Whilst this is interesting it does not equate to a number of parking bays, and it must be noted that two of the homes are in Cambridge where public transport provision is very good.

Currently there are 19 spaces plus 2 disabled spaces. The proposal shows 26 marked parking bays, plus some unallocated hardsurfaced area that could accommodate another 4 or 5 cars, whereas the 79 bedspaces would equate to 26 spaces parking provision. It is considered that adequate space for vehicles is provided.

5) Access for fire tenders has to be provided to meet standards of the Building Regulations. The layout is adequate to meet these standards.

No other issues are considered to arise.

**CONCLUSIONS:** The proposal is considered satisfactory.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.2. Details of materials to be submitted agreed and implemented.
4. C.8.29. Details of sustainable construction for new residential or commercial development
5. C.11.7. Prior implementation of residential parking.
6. C.4.1. Scheme of landscaping to be submitted and agreed.
7. C.4.2. Implementation of landscaping.
8. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies. Only clean, uncontaminated surface water should be discharged to any watercourse or surface water sewer.  
REASON: It is an offence to pollute surface or groundwater under the Water Resources Act 1991.
9. C.8.30. Provision of bin storage.
10. C.13.9. Hours of construction.
11. C.8.22. Control of lighting.
12. C.8.27A. Surface water disposal arrangements.
13. C.8.33 - Condition for compliance with BREEAM 'very good' (non-domestic buildings with 1000 sqm or greater floor area).

*Background papers: see application file.*

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## **UTT/0930/08/OP - LITTLE CANFIELD**

Demolition of existing dwelling and motel, and erection of a maximum of 14 no. dwellings with all matters reserved

Location: Land at Stansted Motel and 2 Hamilton Road. GR/TL 576-212

Applicant: Dales Development

Agent: Andrew Martin Associates

Case Officer: Mrs A Howells 01799 510468

Expiry Date: 12/09/2008

Classification: MAJOR

**NOTATION:** Takeley Local Plan Policy 3; Takeley Priors Green.

**DESCRIPTION OF SITE:** The site is located on the edge of the village of Takeley on the northern side of Dunmow Road between Hamilton Road and Thornton Road. The site is rectangular in shape, with the longest side adjacent to the main road. The site occupies an area measuring 0.43ha. The existing buildings within the eastern part of the site form the Motel/Indian restaurant and are single storey and flat roofed and are set back from the road to allow parking for some 20 cars. The rest of the site is overgrown with a few single storey shed/greenhouse type buildings and a detached bungalow to the north western corner of the site. There are neighbouring properties to the north, west and south of the site. There is an established landscape boundary of trees and shrubs along the western boundary of trees and shrubs and the majority of the northern boundary.

**DESCRIPTION OF PROPOSAL:** The proposal seeks outline consent for residential development with all matters to be reserved. The indicative plans show the layout of seven 4 bedroom detached dwellings; five 3 bedroom terrace/ semi detached dwellings and two 2 bedroom semi detached dwellings and associated parking/garages. The indicated access would be via Hamilton Road for three of the detached dwellings; from Thornton Road for the two bedroom semi detached with the main the main access being direct from the Dunmow Road for the rest of the dwellings. According to the applicant's submitted plans the site measures 0.43ha and the density of development would be 32 ½ dph.

**APPLICANT'S CASE:** The scheme proposed is that of the demolition of the existing detached bungalow; the Stansted Motel and the associated outbuildings to facilitate for the re-development of the site for residential development. This would comprise of 14 dwellings varying in size, with a potential mix of two, three and four bedroom dwellings. Each dwelling would be provided with off street parking, as well as an adequate supply of private amenity space. The proposed development would take its lead from the continuing construction of the countryside properties development master plan for the Takeley expansion and would blend in with this overall scheme.

There is a bus stop within 150metres, outside the Lion and Lamb public house which serves routes to Chelmsford, Stansted airport and Braintree at regular intervals seven days a week. The village centre of Takeley, some 1km from the site, provides the Four Ashes public house, a school and a community centre.

**RELEVANT HISTORY:** Outline application for change of use of residential/nursery land to Class C1 (motel), for the provision of additional motel bedrooms – refused 1995; addition of seven rooms – conditionally approved 1975; addition of ten bedrooms – refused 1974;

**CONSULTATIONS:** Essex County Highways: To be reported.

Essex County Education: The site is covered by the Supplementary Planning Guidance (SPG) 'Priors Green' adopted July 2003.

In accordance with the SPG, a S106 agreement should be entered into to include a contribution towards additional education provision. Since this is an outline application, the amount cannot yet be calculated but clauses based in the formula set out in the SPG can be provided.

Water Authority: No objection

Environment Agency: Foul and surface water drainage from the proposed development should be discharged to the main sewers. Sustainable drainage systems should be considered as per PPS25 and should be designed in accordance with the principles given in CIRCA C522 and C523.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas for less than fifty spaces and hardstandings should be passed through trapped gullies.

Drainage Engineer: Condition required.

Building Control: To be reported.

Archaeological: The Essex Historic Environment Record shows that the proposed development site lies immediately adjacent to a number of known sites. Large scale trenching has taken place for the Priors Green site which found extensive archaeological deposits. The development also fronts onto the Roman Road from Braughing to Colchester. It is possible that further deposits of multi-period date will be identified in the development area. It is recommended following the guidance within PPG16 that a full archaeological condition be attached to any planning consent.

**PARISH COUNCIL COMMENTS:** To be reported.

**REPRESENTATIONS:** This application has been advertised and 1 representation has been received. Period expired 24 July 2008.

Effect on Hamilton Road and outlook from property; would like to request no access to new properties be made via Hamilton Road and that the existing tree and shrubs remain in place.

**COMMENTS ON REPRESENTATIONS:** The proposal is an outline application to consider whether development of the site is acceptable in principle. Matters of appearance, layout, scale access and landscaping are reserved and the access shown on the plans submitted is purely indicative. With regard outlook and the premium paid or not paid for a view is not a material planning consideration.

**PLANNING CONSIDERATIONS:** The main issues are

- 1) **The development would be compatible with the Master Plan and the Council's Supplementary Planning Guidance (PPS3, ULP Local Policy 3, H10, GEN1, GEN2);**
- 2) **Efficient use of site Affordable Housing H9, PPS3;**
- 3) **Loss of the Stansted Motel – SPG Priors Green and**
- 4) **Social, amenity and infrastructure contributions are required (ULP Policy GEN6).**

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. Policy LP3 recognises that there is opportunity for infill of development where there are remaining pockets of existing housing with the allocation of the master plan for Priors Green 'The Island Sites'.

- Changes to legislation (with effect from 10 August 2006) mean that it is now necessary for outline applications to be accompanied by more than just the bare minimum of a location plan.



- Applications should include information on the uses proposed for the site, together with any distinct development areas, and indicate the amount of development proposed for each use.
- Where layout is reserved for future approval, the outline application must show the approximate location of buildings, routes and open spaces within the site;
- Where scale is reserved for future approval, the outline application must state the upper and lower limits of the height, width and length of each of the proposed buildings; and
- Where access is reserved for future approval, the outline application must indicate the areas where access points to the development are proposed.

Consequently the indicative information submitted with the application can be considered when determining the application.

The indicative plan submitted with the application shows a layout of seven 4 bedroom; five 3 bedroom and two 2 bedroom dwellings with associated parking and garages; the indicative layout shows dwellings fronting the main Dunmow Road.

The plans submitted with the application show the site are as 0.43 hectares which would give a density of 32 ½ dph. 30dpw is the national minimum density target for guiding housing. More intensive development is however not always appropriate but when well designed and built in the right location, it can enhance the character and quality of an area. Most island sites have been subject to proposals somewhat above this minimum threshold of 30 dwellings per hectare. This barely meets this minimum threshold.

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. layout, scale, appearance access or 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 2 and 3 bed homes. The application proposals indicative plan shows seven 4 bedroom detached dwellings each with a floor area of approx. 1399sqft of habitable accommodation; five 3 bedroom dwellings each with an approximate floor area of 1054sqft and two 2 bedroom accommodation with a floor area of 979sqft. The approved phases of the Priors Green site has three bedroom dwellings significantly smaller in floor area. By way of comparison it is therefore likely that these dwellings would be larger than three bedroom dwellings and elsewhere compare in floor area to four bedroom dwellings elsewhere at Priors Green and as such would not accord with this policy.

2) The illustrative layout plan shows a suggested arrangement of fourteen dwellings resulting in a density of 32½ dwellings per hectare. Not only is there an inadequate mix of dwelling sizes but the layout is spacious but bland. This combination of provision of too high a proportion of large properties and a resultant spacious layout indicates that there is opportunity to increase the number of dwellings on this site. If the number of dwellings is increased by only a single unit then the development would be for fifteen dwellings. As such there would be a requirement for 40% affordable housing. Fifteen dwellings would result in a density of just under 35 dwellings per hectare. Such a difference from that proposed would not be discernible on site but would provide the benefit of more efficient use of land, a greater mix of smaller properties and provision of affordable housing. This affordable housing would be integrating well into an area of otherwise market housing which is a desire of the committee. However no affordable housing is proposed in this scheme. The application is very clear that it would provide fewer than 15 dwellings but provides no justification for doing so. If there was a clear justification in proposing a development just under the threshold for affordable housing officers expect that justification to have been made clear in the supporting documentation. However it remains silent on the matter. The

site appears to be capable of providing at least 15 dwellings and therefore of providing affordable housing. It therefore fails to comply with ULP Policy H9.

It is considered that the dwellings are adequately sited so as there would not be significant harm to the amenity of neighbouring properties.

3) The SPG states that residential development or redevelopment will normally be appropriate except in relation to any proposals to redevelop the site of the Stansted motel. Here a hotel, motel or appropriate business use, compatible with nearby residential properties, will be appropriate.

Within the supporting information submitted, the applicant states that the opening of the A120 has taken the passing traffic away from the site. The accommodation and the facilities at the Stansted Motel can not compete with the larger hotels or the amount of bed and breakfast guest houses which have opened. The land has not been designated as employment land and due to the controversy between the SPG and the Local Plan it is considered that restricting the use of the site to employment would be unreasonable.

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

The 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.

**CONCLUSIONS:** The development of this site is unacceptable in this instance because it indicates dwellings of a size that would not provide for smaller market housing and does not make good use of the amount of land.

**RECOMMENDATION: REFUSAL REASON**

The proposed development would not meet the requirements of Policy H10 for small 2 or 3 bedroom market housing; the proposed number of dwellings would not make efficient use of the land and would unjustifiably avoid making a contribution to the provision of affordable housing. The proposal therefore fails to comply with the requirements of ULP Policies H9, H10, GEN2 and Takeley Local Plan Policy 3, Supplementary Planning Guidance Priors Green and Planning Policy Statement 3.

*Background papers: see application file.*

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## **UTT/0929/08/OP - LITTLE CANFIELD**

Outline application for the demolition of existing dwelling and erection of a maximum of 7 no. dwellings with all matters reserved

Location: 2 Hamilton Road. GR/TL 576-212

Applicant: Dales Development Ltd

Agent: Andrew Martin Associates

Case Officer: Mrs A Howells 01799 510468

Expiry Date: 08/08/2008

Classification: MINOR

**NOTATION:** Takeley Local Plan Policy 3; Takeley Priors Green.

**DESCRIPTION OF SITE:** The site is located on the edge of the village of Takeley on the northern side of Dunmow Road between Hamilton Road and Thornton Road. The site is Square in shape and occupies an area measuring 0.23 hectares (based on the submitted plans).

The site is overgrown, containing a few single storey shed/greenhouse type buildings and a detached bungalow to the western corner of the site. There are neighbouring properties to the north, west and south of the site. There is an established landscape boundary along the western boundary of the site and the majority of the northern boundary, which comprises of trees and shrubs.

The site is located on the edge of the Priors Green development.

**DESCRIPTION OF PROPOSAL:** The proposal seeks outline consent for residential development with all matters to be reserved. The indicative plans show the layout of seven 4- bedroom detached dwellings and detached garages. The indicated access would be via Hamilton Road with two of the three frontage dwellings having their own access whilst the third frontage dwelling and remaining four would share an access. Based on the submitted plans the site measures 0.23ha and the density of development would be 30.43dph. The proposed dwellings will be two storey in height, ranging between 7 and 12 metres. The widths will range between 5 and 12 metres. The lengths will range between 6 and 11 metres.

**APPLICANT'S CASE:** The scheme proposed is that of the demolition of the existing detached bungalow to facilitate for the re-development of the site for residential development. This would comprise of 7 dwellings varying in size, with a potential mix of two, three and four bedroom dwellings. (Officer note: The submitted site plan refers to seven 4-bedroom dwellings i.e. no mix). Each dwelling would be provided with off street parking, as well as an adequate supply of private amenity space. The proposed development would take its lead from the continuing construction of the countryside properties development master plan for the Takeley expansion and would blend in with this overall scheme.

There is a bus stop within 150 metres, outside The Lion and Lamb Public House which serves routes to Chelmsford, Stansted airport and Braintree at regular intervals seven days a week. The village centre of Takeley, some 1km from the site, provides The Four Ashes Public House, a school and a community centre.

The site is shown, yet excluded, on the Countryside Properties Development Master Plan. The development predominantly residential development with public open space, a neighbourhood centre and a primary school to the east and north of the Stansted Motel.

The layout, whilst indicative, demonstrates that the proposed development can be accommodated without resulting in the appearance of a cramped form of development.

**RELEVANT HISTORY:** Outline application for change of use of residential/nursery land to Class C1 (motel), for the provision of additional motel bedrooms – refused 1995

**CONSULTATIONS:** Water Authority: To be reported (reply due 7 July 2008).

Environment Agency: Foul and surface water drainage from the proposed development should be discharged to the main sewers. Sustainable drainage systems should be considered as per PPS25 and should be designed in accordance with the principles given in CIRCA C522 and C523.

Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas for less than fifty spaces and hardstandings should be passed through trapped gullies.

The development should incorporate principles of sustainable construction and design.

Archaeological: The Essex Historic Environment Record shows that the proposed development site lies immediately adjacent to a number of known sites. Large scale trenching has taken place for the Priors Green site which found extensive archaeological deposits. The development also fronts onto the Roman Road from Braughing to Colchester. It is possible that further deposits of multi-period date will be identified in the development area. It is recommended following the guidance within PPG16 that a full archaeological condition be attached to any planning consent.

Essex County Council Education: The site is covered by the Supplementary Planning Guidance (SPG) 'Priors Green' adopted July 2003.

In accordance with the SPG, a S106 agreement should be entered into to include a contribution towards additional education provision. Since this is an outline application, the amount cannot yet be calculated but clauses based in the formula set out in the SPG can be provided.

Building Control: Details of dwellings should include and reach Life Time Homes Standards.

**PARISH COUNCIL COMMENTS:** To be reported (reply due 16 July 2008)

**REPRESENTATIONS:** One. Notification period expired 7 July 2008.

Could not view the proposal on line and is concerned with regard the arrangements for access to Thornton Road.

**COMMENTS ON REPRESENTATIONS:** This proposal does not include any details with regard alteration of access into Thornton Road.

**PLANNING CONSIDERATIONS:** The main issues are

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

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. Policy LP3 recognises that there is opportunity for infill of development where there are remaining pockets of existing housing with the allocation of the master plan for Priors Green 'The Island Sites'. Development should use existing access ways and those in the master plan.

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

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.

3)

- Changes to legislation (with effect from 10 August 2006) mean that it is now necessary for outline applications to be accompanied by more than just the bare minimum of a location plan.
- Applications should include information on the uses proposed for the site, together with any distinct development areas, and indicate the amount of development proposed for each use.
- Where layout is reserved for future approval, the outline application must show the approximate location of buildings, routes and open spaces within the site;
- Where scale is reserved for future approval, the outline application must state the upper and lower limits of the height, width and length of each of the proposed buildings; and
- Where access is reserved for future approval, the outline application must indicate the areas where access points to the development are proposed.

The indicative plan submitted with the application shows a layout of seven 4-bedroom dwellings (i.e. no mix) with associated parking and garages; the layout is bland, it fails to relate to the B1256, with the view from the Dunmow Road being the side or rear of dwellings and garaging. This would give rise to a proliferation of garden outbuildings, fencing, domestic paraphernalia etc. which would appear unsightly and out-of-keeping along this stretch of road frontage.

The plans submitted with the application show the site are as 0.23hectares which would give a density of 30.43dph. 30dpw is the national minimum density target for guiding housing until local density policies are in place through the development framework. More intensive development is however not always appropriate but when well designed and built in the right location, it can enhance the character and quality of an area.

The 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 2 and 3 bed homes. The application proposals indicative plan shows seven 4-bedroom detached dwellings each with a floor area of approx. 1399sqft of habitable accommodation. However, the Design and Access Statement states that there will be a mix of dwellings including 2 and 3 bedroom dwellings. This is not supported by the layout plan. The approved phases of the Priors Green site has three bedroom dwellings significantly smaller

in floor area. By way of comparison it is therefore considerably likely that given the size of these dwellings they would be larger than three bedroom dwellings and they compare in floor area to four bedroom dwellings as such would not accord with this policy.

The illustrative layout plan shows a suggested arrangement of seven dwellings resulting in a density of 30.4 dwellings per hectare. Not only is there no mix of dwelling sizes (the site plan states seven 4-bedroom houses) but the layout is spacious and bland. This combination of provision of too high a proportion of large properties and a resultant spacious layout indicates that there is opportunity to increase the number of dwellings on this site.

The application is very clear that it would provide a maximum of 7 dwellings but provides no justification for doing so. If there was a clear justification in proposing such a development officers expect that justification to have been made clear in the supporting documentation. However it remains silent on the matter. The site appears to be capable of accommodating more dwellings and therefore fails to make efficient use of land.

**CONCLUSIONS:** The development of this site is unacceptable in this instance because it indicates dwellings of a size that would not provide for smaller market housing and does not make good use of the available land.

**RECOMMENDATION: REFUSAL REASON**

The proposed development would have an unacceptable layout with the streetscape view being side or rear views of dwellings, private gardens and backs of garages the proposal would not meet the requirements of policy for small 2 or 3 bedroom market housing; the proposed density per hectare is not considered sufficient and therefore does not make best use of the land. The proposal therefore fails to comply with the requirements of ULP Policies H10, GEN2 and Takeley Local Plan Policy 3, Supplementary Planning Guidance Priors Green and Planning Policy Statement 3.

*Background papers: see application file.*

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## UTT/0827/08/FUL - GREAT HALLINGBURY

Construction of 2 No. detached dwellings and 4 No. semi detached dwellings. Alteration to access and demolition of 2 No. dwellings

Location: Newlands & Woodland Cottage Church Road. GR/TL 518-199

Applicant: Mr & Mrs Rawlings

Agent: GMTW Architects

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

Expiry Date: 24/07/2008

Classification: MINOR

**NOTATION:** Within Development Limits.

**DESCRIPTION OF SITE:** The site comprises two detached bungalows with garages, in an elevated position above the road. They form part of a small cluster of dwellings south west of Bedlars Green. To the east is a chalet bungalow and to the west a bungalow. Although there are two-storey dwellings in The Grove, a cul-de-sac to the west, the frontage properties are primarily bungalows and chalets of limited height.

There is an existing vehicular access to the site which serves both properties, and mature hedging along the frontage.

**DESCRIPTION OF PROPOSAL:** The proposal is to demolish both bungalows and replace them with six dwellings: two semi-detached pairs would be located centrally with a detached dwelling at either side.

Dwelling	A	B	C	D	E	F
Storeys	2	2	2	2	2	2
Bedrooms	4	4	3	3	3	3
Footprint	100.11m <sup>2</sup> + garage (41m <sup>2</sup> )	100.11m <sup>2</sup> + garage (41m <sup>2</sup> )	53.35m <sup>2</sup>	59.13m <sup>2</sup>	58.6m <sup>2</sup>	58.6m <sup>2</sup>
Height	9.25m	9.25m	9.15m	9.15m	9.15m	9.15m
Parking	Double garage + spaces	Double Garage + spaces	One covered + space	One covered + space	One covered + space	One covered + space

The existing access point would be modified and a second point created, to provide an in-out arrangement. The majority of the front would be gravelled to create a 'parking courtyard', to provide communal manoeuvring and parking space (designated spaces would be block paved). A covered parking cartlodge would be constructed behind the frontage hedgerow to serve the semi-detached dwellings.

Distances to boundaries would be a minimum 1m either side, and 2m between the semi-detached pairs and buildings A & B. Garden sizes would be in excess of 100sqm.

Materials would be a mix of red brick, render, weatherboarding and plain tile roofs.

### **APPLICANT'S CASE including Design & Access statement:**

1. Existing buildings are of inter-war construction, and comprise asbestos cement roof tiles and soffit, and wall lining with asbestos cement sheet gables. Buildings are single glazed, and appears to be no insulation. Externally, roof tiles are laminating with age and timber windows have deteriorated beyond salvage. Significant amount of asbestos cement within envelope of buildings. Both buildings are served by septic tank drainage and mains electricity and drainage are available on site. Septic tank should be replaced with more

environmentally friendly disposal system. Recommendation is that the existing buildings should be demolished as soon as possible due to condition of asbestos.

2. Aerial photographs show several sites in vicinity have been combined and developed to maximise site potential in line with government advice. The site is 0.348 ha (49m x 70m depth). Proposed group of buildings has been designed to reflect typical Essex Design Guide setting, with local vernacular materials. Garage block would complete the courtyard. All principal windows would look either over courtyard for surveillance or rear gardens. Site would not be overcrowded with buildings or hardsurfacing.

Design rationale is that the development should promote character and streetscape and reinforce locally distinctive pattern of development that contributes to diversity of area; should promote continuity of frontage to Church Road and clearly defined public and private areas; contribute to quality of public realm by creation of vibrant areas and active frontage; increasing development to make best use of available land, whilst attaining high quality design, and not compromising amenity or scale of adjoining buildings; to respond sensitively to site and setting; consider context of area of established architectural character; ensure maximum amount of usable private amenity space.

This part of Great Hallingbury is mixture of regular and irregular shaped blocks and varies between interwar economy housing, and later development. Most sites have been redeveloped. Variations of urban grain demonstrated by mix of buildings, rhythm of roadway elevation and degree to which they reinforce grain of place appropriate to accommodation provided. Application does not alter landscape in immediate area. Proposals add much-needed family dwellings to area without taking more green space. Green wooded strip to rear of site remains unaltered. Further landscaping could be dealt with by condition. Area is dominated by ad hoc developments comprising larger detached houses. Application recognizes need to keep to rural domestic scale, and houses designed to reflect this.

The roadway is adequate in width and current proposal does not alter this. Church Road is principal road traffic route north out of village. Application recognizes this and provides a dedicated separate entry/exit with more than adequate vision splays. Access to all buildings will meet Part M (Access to and Use of Buildings) of Building Regulations. Site is sustainably located.

The new development does not intrude into visual setting of Church Road; does not intrude on any areas of open space both public and private; has been designed as sympathetic in form and scale to reinforce the architectural character; amenity of neighbouring properties is not compromised.

The site is above the flood plain.

The new work will be constructed to exceed current thermal and sound separation insulation regulations, and where possible use recycled and natural materials.

Crime prevention issues will be taken into account in terms of surveillance of private space.

**RELEVANT HISTORY:** Two outline applications to demolish 2 dwellings and erect 5 refused 1999, and one dismissed at appeal. In dismissing the appeal, the Inspector took the view that the position of the development limit could not logically be taken to infer acceptance of the principle of residential development extending from the road frontage. The inspector concluded that the “predominant character of Great Hallingbury remains that of a linear village”. He stated “in particular, I considered that The Grove has a suburban appearance, which sits uneasily with its surroundings. To my mind your client’s proposal



would add a further alien element and would detract from the rural character of the surrounding area. For this reason, I consider that it conflicts with the objectives of policy.”

**CONSULTATIONS:** ECC Transportation: Recommend refusal.

Thames Water: No objection in relation to sewerage infrastructure. Water supply is addressed by Three Valleys Water Company.

Environment Agency: This application is assessed as having a low environmental risk. Provide advice regarding use of soakaways.

Natural England: The two dwellings marked for demolition may be used by bats as temporary or seasonal roost sites. Based on information provided, Natural England objects to proposed development and recommends your council withholds any permission until sufficient information is available to determine impact on legally protected species.

Essex Wildlife Trust: To be reported (due 20 June).

UDC Building Surveying: To be reported (due 13 June).

Three Valleys Water: To be reported (due 20 June).

Stansted Airport Ltd: To be reported (due 15 June).

UDC Engineer: Recommend conditions regarding submission of surface water details and use of soakaways (C.8.27A & C.8.27B).

**PARISH COUNCIL COMMENTS:** To be reported (due 1 July).

**REPRESENTATIONS:** Two. Notification period expired 23 June, and 8 July for site notice.

1. As the owner of the next door property, I have no objections, particularly now mains drainage has been added to the village.
2. The proposed plans do not conform to the existing building line and would adversely affect privacy. The plans show ‘Roya Manzel’ as having a detached single garage but it has a double integral garage with room above, the wall of which forms the boundary. Any second storey windows facing north or east would look into bedroom windows. Overlooking and overshadowing of adjacent properties. Safety concerns about installation of further oil or gas tanks and their location. Comprehensive development would not improve the appearance of the area. Damaging to the open rural character of the area. Significant increased traffic where there is limited public transport. Site is close to a blind bend with speeding traffic. Road is used to by-pass traffic congestion on M11. The reasons for refusal of the 1999 application still apply.

**PLANNING CONSIDERATIONS:** The main issues are:

- 1) whether the principle of redevelopment of the site with 6 dwellings would be acceptable (ULP Policies S3 & H3);
- 2) whether the design and scale of the proposed dwellings would be acceptable (ULP Policies GEN2, H10 & [SPD](#) Replacement Dwellings);
- 3) whether the proposed dwellings would have any adverse impact on the amenity of adjacent properties (ULP Policy GEN2);
- 4) whether there would be any adverse impact on highway safety (ULP Policies GEN1 & GEN8)
- 5) whether there would be any adverse impact on protected species and wildlife (PPS9 and ULP Policy GEN7)

1) & 2) The site is located within the development limits of Great Hallingbury and therefore the erection of new dwellings is acceptable in principle. However, ULP Policy S3 states that development must be compatible with the settlement's character and countryside setting. Policy GEN2 states that development will not be permitted unless it is compatible with the scale, form, layout, appearance and materials of surrounding buildings.

With the exception of the development at The Grove, the development in Church Road is linear, with single dwellings set back from the road. Although The Grove comprises two-storey houses, the majority of properties in the vicinity of the application site are more modest bungalows or chalet style properties of restricted height. The proposal is to construct six dwellings, out of keeping with the size, scale, design, and siting of the properties in the immediate vicinity of the site. To the west is a single storey dwelling with a ridge height below 6m, and to the east, a chalet with a ridge height of 6.8 m. In contrast, the application dwellings would be over 9m high. The resultant size and scale of the dwellings would be visually intrusive in the street scene.

Furthermore, the proposal seeks to create a courtyard arrangement, set slightly behind the dwellings either side. A 12.5m wide, 5.3m high quadruple garage block and two double garages would be located in prominent positions on the frontage. This part of Church Road is characterised by dwellings set back into the site and frontages not dominated by garaging. The introduction of garaging in a prominent forward position would be an alien feature in the street scene. Although there is currently hedge planting along the front boundary, part of this would need to be removed to provide visibility splays for the access points, thereby opening up the site to greater public view. This combined with the elevated position of the buildings above the road would exacerbate the visual impact of the resulting development.

Policy H10 requires developments of 3 or more units to include a significant proportion of smaller dwellings, defined as 2- and 3-bedroom. Although there are no 2-bedroom units proposed, four of the six units would be 3-bedroom. It is considered that the requirements of the policy would be met.

Although there would be no objection in principle to the replacement of the two existing substandard bungalows, it is not considered that the site can accommodate six units along the frontage without adverse impact on the street scene.

The proposals would meet the Council's requirements in terms of parking standards and provision of garden areas.

3) Although considerably larger than the properties either side of the application site, the dwellings have been designed to avoid significant overlooking and loss of amenity to those adjacent dwellings. Although only 1m separation would be retained to the western boundary, the bungalow beyond is sited some 10m away. The garage to the chalet to the east would separate it from the closest dwelling. It is not considered that material loss of amenity through overshadowing and loss of privacy would arise.

However, within the development itself, the relationship between Dwellings F & B would be such that there would be material overshadowing and loss of outlook to Dwelling B, created by the positioning of F further back into the site. This would create unacceptable conditions for future occupiers contrary to ULP Policy GEN2.

4) Church Road is a busy distributor, and the highway authority has objected to the creation of a second access point. Although visibility is restricted at the existing access point which serves the existing bungalows, it is not considered safe in highway terms to introduce a second point so close to a bend in the road. Visibility in this location is substandard, and the intensification of vehicle movements to and from the site would not be encouraged.

5) The proposal involves the demolition of two dwellings, one of which is unoccupied. No survey information has been submitted to demonstrate that the buildings are not used as seasonal or permanent roosts for bats. In the absence of such information, Natural England has objected to the application. Until such time that this information is available, the Council's duty to consider the impact on biodiversity and protected species cannot be

discharged. Given the mature planting in the vicinity, and the presence of a watercourse to the front of the site, an ecological survey for all protected species would be required. This information has not been requested since there are other matters of principle which are of concern.

**CONCLUSIONS:** The size, scale and siting of the proposed buildings would be out of keeping with the general development pattern in the vicinity of the site. The proposal would create additional highway hazards. No survey information has been submitted to address the potential impacts on legally protected species. The proposed siting of Dwelling F would adversely impact on the amenity of future occupants of Building G.

**RECOMMENDATION: REFUSAL REASONS**

1. The proposed size, scale, siting and design of the dwellings would be visually intrusive in the street scene, and out of keeping with the more modest height and scale of other dwellings in the immediate vicinity. In particular, the creation of the courtyard would result in siting not compatible with the more linear pattern of development in this part of Church Road; the provision of the three garage buildings in prominent and elevated forward positions would be unacceptably intrusive; the size and design of the buildings incorporating significant areas of roof, would be out of keeping with the more restricted height of adjacent buildings. The proposals would not therefore be compatible with the settlement's character, and would create an unacceptably dominant development in the streetscene, contrary to ULP Policies S3, H3 and GEN2.
2. The proposed siting of Dwelling F would give rise to material overshadowing and loss of amenity and outlook to future occupants of Dwelling G, contrary to ULP Policy GEN2.
3. The proposal would lead to the creation of an additional and unnecessary substandard access, marked 'out' on drawing no. 1585PL101, onto a classified highway. The lack of suitable visibility from the proposed access for both emerging and approaching vehicles would be detrimental to highway safety. The proposal would therefore be contrary to ULP Policy GEN1 and the relevant transportation policies contained within Essex 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 19 October 2007.
4. The proposal fails to address the potential impacts of the development on Protected Species, in particular bats. The absence of adequate survey information prevents the local planning authority from fully assessing the impacts, and therefore from fulfilling its duty on biodiversity issues under Section 40(1) of the Natural Environment & Rural Communities Act 2006, Regulation 3(4) of the Conservation (Natural Habitats) Regulations 1994 and Section 74 of the Countryside & Rights of Way Act 2000. The proposal is therefore contrary to advice contained in PPS9 and ULP Policy GEN7.

*Background papers: see application file.*

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## **UTT/0652/08/FUL - SAFFRON WALDEN**

***(Called in by Cllr Perry. Reason: Concern over impact on parking provision.)***

Change of use of car parking spaces to hand car valeting operation including siting of a cabin to house full water re-cycling system and a canopy plus associated enabling works

Location: Tesco Stores Ltd Radwinter Road. GR/TL 550-383

Applicant: Tesco Stores Ltd

Agent: Wills Gee Limited

Case Officer: Mr C Theobald 01799 510464

Expiry Date: 05/06/2008

Classification: MINOR

**NOTATION:** ULP: Within Development Limits. Groundwater Protection Zone.

**DESCRIPTION OF SITE:** The application site forms part of the car park of the Tesco stores in Saffron Walden.

**DESCRIPTION OF PROPOSAL:** This is a revised application for a hand car wash and valeting operation to be situated within the car park following the submission and approval of a similar proposal by the Council in 2007. The revised proposal would require the change of use of 9 (No.) parking spaces (104m<sup>2</sup>) located half way along the penultimate parking block at the rear of the car park to facilitate the operation and would involve the siting of a steel cabin to house a full water recycling system, the erection of a canvas canopy, together with associated enabling works. The "wet" area of the operation would take up 4 (No.) spaces with built-in surround drain, whilst the dry area would take up another 4 (No.) spaces. The cabin would take up a further one space. An existing trolley bay standing within the operational area would be re-sited immediately adjacent to it. Both the cabin and the canopy would be coloured blue. The hand car wash would operate Mondays to Saturdays between 8am and 6pm and on Sundays and Bank Holidays between 10am and 4pm on Sundays and Bank Holidays, would employ ten employees and would have the capacity to clean approximately 60 cars within 1 day's operation, although up to 25 cars would be washed during a typical week and up to 40 cars at the weekend.

**APPLICANT'S CASE (including Design and Access Statement): Summary:**

- The design principle behind this application is to create a compact, operable, customer friendly hand car washing facility for use by the retail customer whilst shopping within a retail store car park
- Outside of operating hours, the operational area would be available for normal retail parking, thus ensuring minimal loss of parking within the car park
- The canopy would be secured by only two fixing points, thereby minimising the impact on visual amenity and ensuring minimal disruption
- The cabin would be prefabricated and temporary in nature rather than fixed to the ground and having permanent foundations
- All water run-off would be captured for both filtration and re-use
- The layout has been designed so as to flow naturally from wet to dry, thus ensuring minimum movement within the site
- The site would have an open appearance and structures would be dark blue in colour to blend in with the surroundings
- The open layout creates a safe environment for the operator and customer alike and also means that anti-social behaviour is unlikely to take place in the area at night
- The facility has purposely been chosen away from the main flow of traffic. This provides easy access as well as minimising site disruption

An acoustic report has been supplied with the application, which states that the car wash installation is unlikely to have an adverse effect on the local community in terms of noise providing the nearest residential property is situated at least 70 metres from the installation and the estimated background levels are the same as the actual background noise levels on the site.

**RELEVANT HISTORY:** Planning permission granted in 2007 for the change of use from car parking spaces at Tesco car park to installation of hand car valeting operation, including siting of canopy and a cabin to house water recycling system (UTT/1101/07/FUL). Proposal very similar to current application involving the same number of parking spaces (9), although operation was to be sited at the end of a car parking block in a position more towards the middle of the car park.

**CONSULTATIONS:** Environment Agency: The proposal site is situated within Source Protection Zone 2 of the Environment Agency's groundwater protection policy and also overlies a major aquifer. It is therefore necessary to ensure any pollution is appropriately managed. OBJECT to proposal unless an appropriate condition is appended to any planning permission granted regarding interceptor arrangements to ensure a satisfactory method of pollution control.

Water Authority: To be reported (due 2 May 2008).

Environmental Services: No objection as site would be sufficiently distant from dwellings to avoid nuisance.

Drainage: No comment.

Energy Efficiency Officer: No adverse comments as water will be fully recycled from the operation

**TOWN COUNCIL COMMENTS:** Object to the loss of car parking spaces at a time when considerable building work is taking place within the town.

**REPRESENTATIONS:** None received. Notification period expired 13 May 2008. Site Notice expired 13 May 2008.

**PLANNING CONSIDERATIONS:** The main issues are

- 1) **Development Limits for the main Urban Areas (ULP Policy S1)**
- 2) **Siting, Layout and Design (GEN2)**
- 3) **Good Neighbourliness (GEN4)**
- 4) **Car Parking (GEN8)**
- 5) **Protection of Water Resources (ENV12);**

1) The application site is situated within development limits on the eastern edge of the town and there are therefore no policy objections in principle to the proposed development under Policy S1 of the local plan.

2) The retention of the operation further towards the south-east corner of the car park is considered to be advantageous to the siting proposed in the 2007 planning application in terms of both car park traffic flows and washing operations generally. The blue colour selected for the canopy and water collection/recycling cabin is suitable in this enclosed car park setting. The siting, layout and design of the proposal is therefore acceptable under Policy GEN2.

3) There are no residential or other sensitive properties located within a 100 metre radius of the proposed installation and the Environmental Health Officer has raised no noise objection to the proposal. The operations would appear to meet the applicant's own

environmental noise impact assessment minimum distance requirement of 70 metres for residential properties measured against background noise levels for the site. The proposal therefore conforms to Policy GEN4.

4) The proposed facility would involve the loss of only 1 (No.) car parking space within the identified parking row to house the water retention/recycling cabin. A survey conducted by the applicant's consultants of similar car wash operations in other Tesco car parks has shown that customers having their cars washed also use the store for shopping at the same time (e.g. leaving their cars to be washed) rather than just using the car wash.

Concern has been raised by a Ward Councillor and also the Town Council about the potential loss of car parking within the site arising from the operations. Whilst it is considered by officers that both the loss of parking and site disruption would be minimal, any grant of planning permission for the proposal should be temporary in nature in order to assess the impact of the use. Notwithstanding this, it is presumed that Tesco would be able to enforce its own contractual agreement with the operator if it considered that the operation was causing detriment to the parking of its store customers.

5) Concern has been expressed by the Environment Agency regarding the possible contamination of ground water supplies given the application site's location within a groundwater protection zone and over a major aquifer. In this regard Policy ENV12 of the local plan states that development that would be liable to cause contamination of groundwater, particularly in the protection zones, or contamination of surface water, will not be permitted unless effective safeguards are provided. Whilst it is stated within the application that the proposed operation would have a total waste water collection system by means of collection channels and waste water interceptor, any grant of permission should carry an appropriately worded condition as required by the Environment Agency as a safeguard to protect both surface water and local groundwater supplies.

**CONCLUSION:** The proposal accords with local planning policies S1, GEN2, GEN4, GEN8 and ENV12 and should be approved subject to appropriate conditions.

#### **RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. The use and siting of the canopy, cabin and associated car-washing equipment hereby permitted shall be discontinued on or before 23 July 2011. The canopy, cabin and associated equipment shall be removed on or before 23 August 2011 and the land shall be restored to its former condition and made available for the parking of vehicles in connection with the retail store on or before 23 September 2011 in accordance with a scheme of work submitted to and approved in writing by the local planning authority.  
REASON: The permanent loss of retail car parking is considered unacceptable in terms of highway safety, and this temporary permission is considered necessary to assess the impact of the use on the operational layout of the car park and to ensure there is long-term parking sufficient to meet the needs of the retail store.
2. C3.1. To be implemented in accordance with approved plans.
3. Prior to the commencement of the development, details of a drainage system and physical barriers to prevent vehicle wash waters from draining to the surface water drainage/foul sewer system and public highway shall be submitted to and approved in writing by the local planning authority. The approved measures shall be implemented in their entirety prior to the installation of the structures/equipment, and shall thereafter be maintained in their approved form.  
REASON: The pollution of ground water is an offence under the Water Resources Act 1991 and in the interests of Highway safety.

4. The development hereby permitted shall not commence until a scheme for the provision and implementation of pollution control to the water environment is submitted to and agreed in writing by the Local Authority. The scheme shall be constructed and completed in accordance with the approved plans/specification at such times as may be specified in the approved scheme.  
REASON: To ensure a satisfactory method of pollution control.
5. The development hereby permitted only applies to the designated parking spaces shown on drawing No.3130gag1#.dgn and vehicles must not be washed in any parking bays outside the designated area that is served by the sealed drainage system. Furthermore, drying and valeting of vehicles shall be confined to the area shown on drawing No.3130gag1#.dgn.  
REASON: To ensure a satisfactory method of pollution control and to ensure adequate parking spaces are retained to serve the retail store.
6. The development hereby permitted shall not take place until samples of colours for the external surfaces of the canopy and cabin hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved colours. Subsequently, the approved colours 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.

*Background papers: see application file.*

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