

1) UTT/0601/08/FUL & 2) UTT/0608/08/CA - GREAT DUNMOW .....	2
1) UTT/1105/08/FUL & 2) UTT/1106/08/CA - GREAT DUNMOW .....	11
UTT/0994/08/FUL - CLAVERING.....	15
UTT/0644/08/FUL - STANSTED .....	20
UTT/0976/08/FUL - STANSTED .....	24
UTT/1011/08/FUL & UTT/1012/08/LB - WICKEN BONHUNT .....	27
UTT/1117/08/DC - WIMBISH .....	30
UTT/1089/08/FUL - SAFFRON WALDEN .....	32

**1) UTT/0601/08/FUL & 2) UTT/0608/08/CA - GREAT DUNMOW**

**(Referred by Cllr Davey - Local concerns/ overdevelopment of small plot)**

1) Demolition of 39 The Causeway and the erection of 1 No.2 bedroom house, 6 No. 3 bedroom houses

2) Demolition of 39 The Causeway

Location: 39 The Causeway & land rear of 37 & 41-49 The Causeway. GR/TL 626-225

Applicant: Niro Developments Ltd

Agent: Mr Biswell

Case Officer: Consultant North 3 telephone 01799 510469/510478

Expiry Date: 13/08/2008

Classification: 1) MINOR 2) OTHER

**NOTATION:** Within Development Limits & Conservation Area; access onto Class B road.

**DESCRIPTION OF SITE:** The site comprises a vacant and boarded-up two-storey dwelling fronting The Causeway, and incorporating garden land to the rear. This rear area incorporates sections of garden areas from No.37, 43 – 47 The Causeway, and the veterinary surgery, all of which front the main road. The land is overgrown.

The site backs onto other dwellings and garden areas for properties in Godfrey Way, and to the north it sides onto backland dwellings off The Causeway, and gardens to the south. No.37 to the south is a chalet and to the north is a terrace of 2½ storey houses.

There is an existing access point to the south of the existing dwelling.

**DESCRIPTION OF PROPOSAL:** The proposal is to demolish the existing vacant dwelling and construct a replacement 2½ storey dwelling on the frontage. The existing access would be widened to allow vehicular access to the rear to serve a terrace of six dwellings:

Dwelling No.	Storeys	Height	Gross Floor Area	Bedrooms	Garden	Parking
1 (frontage)	2½	9.3m	100m <sup>2</sup>	3	Approx. 87m <sup>2</sup>	2
2	1½	7.5m	123m <sup>2</sup>	3	220m <sup>2</sup> min.	2
3	2½	9.2m	115m <sup>2</sup>	3	Approx. 88.6m <sup>2</sup>	2
4	2½	10.45m max	100m <sup>2</sup>	3	Approx. 74m <sup>2</sup>	2
5	2½	8.85m	100m <sup>2</sup>	3	Approx. 77m <sup>2</sup>	2
6	2	8.7m	80m <sup>2</sup>	2	Approx. 79m <sup>2</sup>	2
7	1½	7.6m	123m <sup>2</sup>	3	220m <sup>2</sup> min.	2

**APPLICANT'S CASE including Design & Access statement:** Application has arisen by acquisition of 39 The Causeway, together with vacancy of adjacent long rear gardens not required by owners. Resultant area forms substantial urban Brownfield site capable of being developed to provide much-needed additional housing in area. Site has maximum width of 54m x 35m deep with additional area fronting The Causeway 11m x 21m deep. Area of site is 0.18 ha. Main part of site being at rear has a fall some 1m north to south and similar 1m from west to east.

Use: site is in a totally residential area. Therefore no change of use is sought [NB - this section identifies the location of various houses that surround the site, but compass points appear to be incorrect].

Quantum of development: creation of seven new dwellings creates a density of 38.9 units per hectare. This level makes proper use of urban Brownfield land and is in accordance with government advice. In evaluating site constraints, had regard to position of neighbouring properties and their outlook and amenity. Proposal has been assessed against requirements of Uttlesford Local Plan and Essex Design Guide. Scale and mass of

surrounding residential developments has been respected. New houses are two-storey or two-storey with dormer windows. Coach arches are single storey with dwelling over sailing in second-storey. Only back-to-back distance that exists is that to a new close, which is 24m. Back to flank distances are as follows: No.37 to Block 1 = 23.5m; 43 to 47 (diagonally) to blocks 1/2 = 27/27.5 m; 49 (The Vet's) dormer to coach arch wall = 10.5 m. Remaining relationships are flank/flank along the eastern boundary. 45° angles of light in accordance with British standards are maintained to the nearest rear windows of 37 and 43 The Causeway. Massing of entrance house is two storeys with dormers, adjacent to 43 – 47 The Causeway, with site entrance adjacent 37 The Causeway. This provides a transition between the two adjacent properties. Topography of site is used to its advantage to keep scale down while still achieving a 4.2 m wide the access. Proposed development of seven dwellings of varying sizes will provide an enduring and attractive development on this site. Scheme makes better use of overspill of excessive length garden areas forming the site.

Design process: planning and design of proposal has evolved having regard to meetings with planning and highways officers. Also studying the site and its surroundings, assessing character of site, studying accommodation and space requirements of client, studying Council statement to development principles and Essex Design Guide, considering government advice including PPS13 and PPS3, preparing topographical survey, and studying the viability and marketing of the site.

Topography of site together with setbacks between houses creates interesting roofscape of different characters and levels. Eaves levels are varied between plots to provide greater interest. Dormers and gable windows are of varying sizes and designs. Entrance House has been designed to reflect in scale adjacent 43-47.

Variation of materials and details are proposed including plain tile hanging, white render and quality stock facing bricks. Varying porch roof designs add character. Windows will be white UPVC with facing brick heads and stone cills. Pitched roofs will be plain tiles to match adjacent properties and cheeks of dormers in lead. Access and parking court will be in block paving. Hard landscaping will form a major part of this development, and the correct choice of materials and colour is important. Additional planting of trees and hedging is proposed to the boundaries, together with more formal planting internally to the site.

Sustainability: traditional materials will ensure longevity of the building. Hardcore and crushed concrete for the demolition will be used as the sub-bases for the new development. No major ground level changes will be necessary to create the development. High-value insulation will be used and condensing boilers installed. Surface water will be collected and recycled for landscaping water. Management company will be required to maintain the landscape and buildings.

Access: site is served by regular bus routes. Requirements of Essex County Council highways have been incorporated into scheme. Standing areas for refuse/recycling bins are indicated within the curtilage of each dwelling.

Landscape specification: this document sets out a specification for soft landscaping works, including tree and planting specification, and maintenance and management proposals.

Bat and reptile survey report: this report outlines the various surveys that were undertaken to establish the impact on protected species that could use the site.

**RELEVANT HISTORY:** 39-41 The Causeway – Erection of detached bungalow approved 2004. Demolition of existing dwelling and erection of 10 dwellings withdrawn April 2007. Dwelling and garage for veterinary surgery approved 1975. Erection of veterinary surgery and dwelling adjacent approved 1968.

**CONSULTATIONS:** ECC Transportation: No objection subject to conditions.

UDC Conservation Officer: Suggests approval subject to good natural materials and painted timber windows. Addition of chimney stacks and detailed conditions ensuring the design of the dwellings preserve the character and appearance of the Conservation Area.

Anglian Water: No reply received (due 9 July).

Three Valleys Water: No reply received (due 9 July).

Natural England: No objection provided the mitigation as outlined in the report is incorporated into a permission/condition.

Essex Wildlife Trust: No reply received (due 9 July).

Essex Bat Group: No reply received (due 9 July).

Essex Amphibian & Reptile Group: No reply received (due 4 July).

UDC Engineer: No objection subject to condition the C.8.27A surface water disposal arrangements,

UDC Building Control: Does not meet minimum turning circle criteria for emergency vehicles (Fire Brigade access) - 16.8m. between kerbs [*NB – the original layout plan was distorted in its printing prior to submission, and a revised plan has demonstrated that this is achievable*]. Nothing to support lifetime homes standards - further submission required.

**TOWN COUNCIL COMMENTS:** Objections. Inappropriate development on the last unspoilt conservation area in town. Too high. Will dominate the skyline and adjacent dwellings. Roof lines to be as existing. Remove dormer windows in the roofs. High pitch roofs give possibility of conversion with its concomitant effect on parking. Chimney required on No. 39 The Causeway to match the adjacent properties. Egress onto the busy Causeway is not satisfactory

**REPRESENTATIONS:** These applications have been advertised and 9 representations have been received. Period expired 24 July 2008.

1. Against. Conservation Areas were designated to protect character of town. Application proposes high density development in inappropriate location. Does not “enhance” Conservation Area and should be refused. Application states there to be high demand, but consider this questionable. Area suffers road congestion caused by street parking, particularly associated with recreation ground and any intensification will make matters worse. Important that Highways take full account of traffic situation at peak times, to include weekends when football and other events are taking place. This stretch of Causeway is also busy with pedestrians including school children, and proposal will create significant hazard.
2. Object as reduces amenity of 31 Godfrey Way in terms of loss of sunlight, overlooking and adverse impact on enjoyment of property, and visually overbearing. Contrary to ULP Policy GEN2, as houses 5 – 7 will extend across bottom of garden. Window on 2<sup>nd</sup> floor of house 6 will overlook garden. Contrary to policies in respect of Conservation Area. Does not enhance area and is not in scale or harmony with nearby properties. Plans are misleading as they do not show impact of Houses 2-7 in background. Houses 43-47 are specifically mentioned in Conservation Area appraisal and draft management proposals. Prior to initial application, number of trees on site were lopped or felled. Site clearance would have impacted upon habitat, bat and reptile surveys. Disappointed at lack of consultation with community.
3. Boundary shown on 1:200 plan is inaccurate. In D&A statement there are discrepancies in compass directions. No mention of existing ash trees, which should be retained to screen development from Godfrey Way. Apart from these points, plans are acceptable and better than last scheme.
4. Objection. This type of development should be discouraged as it sets precedent for overdevelopment of rear garden site and poor access. Not Brownfield site, but gardens of houses located in The Causeway. Cannot be accessed without demolition of characterful detached house, removal of which would have significant impact on overall appearance of street. Houses are overcrowded with no garage space, and will form high level group that will completely block view of Chelmer Valley from Godfrey Way. Access will be hazardous, as it is narrow, with speeding traffic en route to school. Increased hazards for pedestrians. High density development unsuitable. Visually intrusive. Will exacerbate lack of parking for current residents.

5. Appalling that period building that is part of Dunmow's history could be demolished. Dunmow has substantial new housing developments, which overrun already limited facilities and infrastructure. Increased noise and vehicle pollution to back gardens to Godfrey Way. 152 Godfrey Way will be completely overlooked and affected by three parking spaces nearby, with effect on young children from noise and pollution. Noise from 14 parking spaces in roadway, where there is currently no traffic noise. Form is incorrectly completed in relation to trees and hedgerows. Not Brownfield site.

6. D & A statement makes no reference to property immediately north (63 The Causeway). Ridge levels of six houses behind The Causeway are significantly higher than ridge levels of bungalows at 63 and 65 The Causeway. 14 parking spaces may meet standards, but overflow parking will undoubtedly occur on The Causeway, a busy road affected by parked cars. Rainwater should be harvested for flushing toilets. Various inaccuracies in D & A statement, with confusion over compass directions. Density of 38.9 units is over 50% greater than existing density of 24 units per hectare in The Causeway conservation area. Untrue to say that site is served by regular bus routes, as only one school bus per day, and 1 Dunmow to Saffron Walden route leaving at 7.36 in morning. Double yellow lines should be extended from Pleasant Terrace to Godfrey Way on both sides of The Causeway.

7. Application forms incorrect in relation to trees and hedges. Despite promises to contrary, still have bedroom window overlooking garden and house of 35 The Causeway. Unnecessary, as a secondary window. No objection to frosted glass window in en-suite.

8. Query what will replace the wall between 39 and 43 The Causeway, during and once demolition is complete. Query whether access to the building from No. 43 will be required and require guarantees against damage to No.43.

9. Object to demolition of 39. Over development of site. Not in keeping with conservation area. Dangerous proposed access for 14 class cars opposite recreation ground and on a route used by children to and from school.

**COMMENTS ON REPRESENTATIONS:** The design and impact on the Conservation Area and residential amenity, and highway issues, are addressed below. Concerns about loss of view are not material planning considerations. Issues regarding damage and arrangements during construction are civil matters not for consideration as part of this application.

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

**The main issues are whether the proposal would be acceptable in relation to**

- 1) **the principle of development of the site, and the density proposed (PPS1, PPS3, and ULP Policies S1, H3 & H4);**
- 2) **design in the Conservation Area (ULP Policies ENV1 & GEN2, & [SPD](#) Great Dunmow Conservation Area Appraisal and Draft Management Proposals);**
- 3) **affordable housing & housing mix (ULP Policies H9 & H10)**
- 4) **the residential amenity of adjacent residents (ULP Policy GEN2);**
- 5) **highway safety (ULP Policies GEN1 & GEN8)**
- 6) **Nature conservation and trees (ULP Policies GEN7 (Nature Conservation) & ENV3 (Trees)).**

1) The site is located within the Development Limits for Great Dunmow. ULP Policy S1 specifies that development compatible with the settlement's character and setting will be permitted in Development Limits. The development of this site is therefore acceptable in principle subject to the proposal complying with any other relevant development plan policies. In addition, PPS3 requires that new development should make efficient use of land and sets a minimum density of 30 dwellings per hectare. It continues that if local authorities wish to agree to densities below this minimum then this will need to be justified.

ULP Policy H4 (Backland Development) allows for the development of sites without a road frontage provided there is significant under-use of land and development would make more effective use of it; there would be no material overlooking or overshadowing of nearby properties, and would not be overbearing; and access would not cause disturbance to nearby properties. All of these issues will be addressed below.

The land is currently vacant, forming garden land of dwellings fronting The Causeway, and unused space to the rear of the veterinary surgery (No.49). On this basis it is considered that the site is under-used land within Development Limits, and its redevelopment would in principle comply with PPS3 and Policy H4, in terms of land use.

The proposed density would be in the region of 39 dwellings per hectare. This gap is however unusual in this part of the conservation area, where the development pattern is mixed. Although some properties fronting The Causeway have long but narrow gardens, there are others on more modest plots. It is not considered that the proposed scheme would be out of keeping with some of the pockets of more dense development in the area and overall this density would be acceptable in this urban context. For example, the terraced dwellings further south, have a density in the region of 60 dph.

2) The proposal involves the demolition of a 2½ storey detached house with shallow pitched roof on the site frontage. The Conservation Officer raises no objection to the demolition of the dwelling. Although reference to the terrace of cottages is made in the Council's adopted Conservation Area Appraisal for Great Dunmow, this particular dwelling is not considered to be of such architectural or historic merit to warrant mention in the document, or retention. The design of its replacement dwelling is in keeping with the adjacent terraced houses, and is considered would preserve the street scene. Revised plans have been received which reduce the size of the front dormer window.

Due to the position and width of the proposed access route, the rear of the site will be visible from public views from the conservation area, and the treatment of the rear of the site is therefore as important in relation to the conservation area as the frontage. The proposal balances the need to make most efficient use of urban land, with the need to preserve and enhance the conservation area setting. The rear terrace has been designed using traditional forms, materials and detailing, such that it would introduce a degree of variety that would add interest to this part of the conservation area. The existing site is not particularly visible from the street, but other than being open its unkempt appearance makes little positive contribution to the conservation area. It is considered that this proposal would redevelop the site in a manner which would enhance the conservation area setting. The materials, hard and soft landscaping will be fundamental to the success of this scheme, and should be conditioned accordingly.

3) The application site area is 0.18 hectares. The preamble to ULP Policy H9 states that in Great Dunmow, affordable housing will only be sought on sites of 0.5 hectares or of 15 dwellings and above, and as such this development is not of sufficient scale to warrant any requirement for affordable housing.

ULP Policy H10 requires development on sites of 0.1 hectares and above or of 3 or more dwellings to include a significant proportion of market housing comprising small properties i.e. 2 and 3 bedroom homes. In this case, the entire development would comprise smaller units, and therefore would contribute to the demand for smaller and therefore more affordable general market housing.

4) The site is surrounded by dwellings: on the frontage, the replacement dwelling would be located between No.37 & No.43. To the south, it would side onto the long rear garden to No. 35. Dwellings in Godfrey Way to the rear would both back- and side on to the rear

boundary of the site. Garaging to dwellings to the north are closest to the site. Opposite is the recreation ground and skate park. The site is therefore located in a relatively dense urban setting, and will inevitably have an impact on surrounding residents, but the degree to which this would be acceptable or otherwise is addressed below.

In relation to the frontage dwellings, the existing dwelling to be demolished is 7.55m wide and 8.5m deep, with a single storey rear section of 10.35m deep. It is 9m tall. In contrast, the proposed frontage dwelling would be 5.1m wide, 9.4m deep and 9.4m high. It is considered that the slight increase in height would be offset against the reduced width and overall reduction in depth. The projection rearward of No.43 would not breach a 45° line from its closest ground floor habitable window. Although the occupants of No.37 may experience increased activity from the use of the existing driveway adjacent the boundary, No.37 is separated from the boundary by its own access and garage. The impact is therefore considered acceptable in this context.

The proposal includes a terrace of six dwellings in the rear of the site, all at least 2-storey. Ridge heights would range from 7.4m to 10.45m for the central unit. However, it is also proposed to reduce the ground levels at the rear of the site, and submitted section drawings demonstrate that site levels are such that all the dwellings would be set below the ridge height of the closest house in Godfrey way.

Back-to-front distance between the houses fronting The Causeway and the new dwellings would be in excess of 29m, and there would be 10m between the 'coach arch' and the rear of the veterinary Surgery.

Distances to the southern and northern boundaries with adjacent gardens would be a minimum 6.9m and 7.5m. In both cases, the adjacent gardens would side onto garden areas for the end terrace units and parking spaces. Given the general pattern of development in the area, and the position of existing garaging and parking, it is not considered that this arrangement would be unduly harmful to amenity.

With regard to the dwellings to the rear, the closest would be 162 Godfrey Way, which sides onto the site and has only secondary side facing windows. The submitted layout plan demonstrates that the proposed end terrace dwelling would not breach a 45° line from the rear facing windows of that property. Given the separation of the proposed buildings from No. 162 (over 11m), it is not considered this arrangement would be so harmful to amenity to warrant refusal. It is inevitable that the outlook of that property will be different compared to an open garden area, but given the mixed street scene and inter-relationship of dwellings in this part of the town, this arrangement is not atypical, and would not be unacceptably damaging to residential amenity. The separation between the dwelling at the opposite end of the terrace (House 2) and No.160 Godfrey Way to the rear would be in excess of 16m, and offset such that openness would be retained via the garden arrangements.

Although there would be rear facing bedroom windows to all the dwellings, the 3 rooflights in the 2½ storey dwellings would serve en-suite bathrooms.

Although the proposal would involve the development of a gap in an otherwise developed area, it is considered that the scheme has been designed to minimise its impact on the surrounding residents, and sufficient space and separation would be retained to prevent direct loss of amenity and material overshadowing of adjacent dwellings. It is inevitable that the proposal will impact upon outlook, but not to an unacceptable degree in this town location.

5) The site is accessed from a Class B busy distributor. There is an existing access point and this would be widened to enable two vehicles to pass each other at the entrance.

ECC Transportation raises no objection to the proposal subject to the imposition of conditions (amended plans have been submitted to demonstrate that these conditions are achievable).

The parking standard for 2 and 3-bedroom houses is two spaces. Fourteen spaces are proposed, which would accord with the Council's standards. Although the parking would not be within the curtilage of each dwelling, each space is sufficiently close to the dwellings to ensure they would be used. Notwithstanding that residents have expressed concern about the potential for increased on-street parking on The Causeway, there is no justification to require parking in excess of the Council's standards. Indeed, it may be argued that this is a site where under-provision may be acceptable, given the proximity to the town centre.

Policy H4 requires access arrangements to be designed to prevent nuisance to adjacent residents. In this case, there would be no increased impact on the residents to the north, and the access already exists adjacent to No.37 to the south. Although there would be increased traffic along the northern boundary of that property, it is not considered that the nuisance would be so significant to warrant refusal of the application.

Given the support of the highway authority and the compliance with parking standards, the proposal is considered acceptable in highway terms.

6) The application is accompanied by a bat and reptile survey, which concluded that no bats or reptiles were recorded on site, and only two bats were recorded commuting past the site. The report states that the vegetation on site is not of high ecological value, but provides suitable conditions for protected reptiles. The dwelling to be demolished is not an ideal bat roosting place as the roofspace has been converted to living space. On the basis of the submitted report, Natural England has raised no objection to the proposal, provided the mitigation measures outlined in the report are conditioned in any permission granted.

Additional plans have been received confirming the retention of existing trees on the site, and any removal would be subject to Conservation Area approval. There are no trees worthy of retention to be removed as part of this development. A landscape scheme for additional planting has been submitted as part of this application.

**CONCLUSIONS:** In this town centre location, the proposed development would make more efficient use of land, and has been designed to minimise the impact on adjacent residents and to enhance the Conservation Area. The highway authority raises no objections to the proposal.

### **RECOMMENDATIONS:**

#### **1) UTT/0601/08/FUL - APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.3. To be implemented in accordance with original and revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. C.5.1. Samples of materials to be submitted agreed and implemented.
7. C.5.5. Clay plain tiles.
8. C.5.7. Conservation rooflights.
9. C.5.14. Black cast metal rainwater goods.
10. C.5.8. Joinery details.



11. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
12. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented – building(s).
13. C.8.29. Condition for compliance with code level 3 (five or more dwellings).
14. C.8.32. Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
15. C.8.31. Demolition recycling of materials.
16. C.8.27A. Surface water disposal arrangements.
17. The width of the driveway at its junction with the highway boundary shall not be less than 5.5 m retained at that width for 10m within the site.
18. C.10.18. Unbound material/surface dressing.
19. C.10.19. Access gradient.
20. C.10.26. Prevention of runoff from access.
21. Any gates provided at the vehicular access should only open inwards and shall be set back a minimum of 10m from the nearside edge of the carriageway
22. All vehicular hardstandings shall have minimum dimensions of 2.4 m x 4.8 m and the space between opposing parking bays shall be a minimum of 6 m.
23. C.10.14. Vehicle parking for site staff.
24. C.13.9. Hours of construction – 0900 – 1800 Mondays to Fridays and 0900 to 1300 Saturdays.
25. Prior to the commencement of the development the details of the number, location and design of powered two wheeler's and bicycle parking facilities shall be submitted to and approved in writing by the local planning authority. The approved facilities should be provided before occupation of any of the dwellings hereby permitted and retained at all times
26. Headroom requirements under the coach arches shall be a minimum of 2.5 m provided fire tender access is not required.
27. C.19.1 Avoidance of overlooking.
28. C.20.1. Acceptable survey mitigation/management plan – Implementation of scheme
29. C.20.3. If Protected Species discovered get licence from Natural England
30. C.28.1. Implementation of accessibility scheme
31. C.17.1. Amended plans – introduction of a chimneys to all dwellings.  
REASON: To ensure the design of the dwelling is in keeping with the traditional features of the adjacent buildings and the Conservation Area.
32. C.10.13. Wheel washing equipment.
33. All weatherboarding to be painted timber feather edge.
34. The development shall not commence until details of brick colour, type, finish and bonding have been submitted to and approved in writing to the local planning authority. Thereafter, the development shall be carried out in accordance with approved details.
35. All electrical and telephone services to the development shall be run underground. All service intakes to the dwelling shall be run internally and not visible on the exterior. All meter cupboards and gas boxes shall be positioned on the dwelling in accordance with details, which shall have been previously submitted to and approved in writing by the local planning authority and thereafter retained in such form. Satellite dishes shall be of dark coloured mesh unless fixed to a light coloured, rendered wall, in which case a white dish should be used. Satellite dishes shall not be fixed to the street elevations of the building or to roofs. All soil and waste plumbing shall be run internally and shall not be visible on the exterior, all rainwater goods shall be black, eaves to all roofs shall be open with expose rafter feet rather than boxed, all windows and doors in masonry walls shall be inset at least 100mm and shall be fitted with sub-cills unless otherwise agreed in writing by the local planning authority.
36. All casement windows shall be balanced (equal size panes of glass) unless otherwise agreed in writing by the local planning authority.

- 37. All porches shall not have fascias but shall have exposed rafter feet unless otherwise agreed in writing by the local planning authority. Canopies shall be lead covered.  
REASON:
- 38. The development hereby permitted shall not be commenced until particulars of the colour and finish of the facing render for external walls has been submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved details and thereafter retained in that form.
- 39. The development hereby permitted shall not be commenced until particulars showing the position of any external vents, balanced flue outlets from central heating boilers, breather pipes and other gas appliances to be incorporated into the roof or walls of the dwellings have been submitted to and approved in writing by the local planning authority. Such details shall be designed so as not to be positioned on street elevations and no larger than 150mm in diameter. The development shall be carried out in accordance with the approved details and thereafter retained in that form.  
REASONS (33-39): In order to preserve the character and appearance of the Conservation Area.

**2) UTT/0608/08/CA - APPROVAL WITH CONDITIONS**

- 1. C.2.2. Time limit for commencement of development - conservation areas.
- 2. No works involved in the demolition of 39 The Causeway shall commence earlier than one month before the commencement of works of redevelopment on the land to the rear of the site.  
REASON: To avoid demolition in advance of a programme of works for redevelopment and replacement of the frontage dwelling, in the interest of preserving the character and appearance of the Conservation area.

*Background papers: see application file.*

\*\*\*\*\*

## **1) UTT/1105/08/FUL & 2) UTT/1106/08/CA - GREAT DUNMOW**

Demolition of existing barn and erection of dwelling with undercroft parking

Location: Land rear of 11 Market Place. GR/TL 626-220

Applicant: Mr M Miller

Agent: Andrew Stevenson Associates

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 26/08/2008

Classification: MINOR

**NOTATION:** Within Development Limits / Conservation Area / Local Policy GD1 – relating to change of use of existing shops, restaurants, public houses and hot food takeaways to residential uses.

**DESCRIPTION OF SITE:** The site covers an area of 130m<sup>2</sup> and is located to the rear of 11 Market Place in Great Dunmow. The access to the site runs between nos 9 and 11 Market Place and provides a shared access to the site as well as nos. 9 and 11. There is an existing single storey weatherboarded building of no merit located on the site which has a length of 15m, a width of 5.6m and a maximum height of 3.1m. The application forms indicate that the existing building is in use as a storage facility for a builder.

**DESCRIPTION OF PROPOSAL:** These applications relate to the demolition of the existing outbuilding and the erection of a one and a half storey dwelling. The dwelling would have an almost barn-like appearance, cover an area of 54m<sup>2</sup> and would have a maximum ridge height of 6.1m. A walled patio area would be provided to the rear and would cover an area of 11m<sup>2</sup>. Under croft parking would be provided for one car parking space.

**APPLICANT'S CASE including Design & Access statement:** D&A statement submitted with the application which provides details of the site and the proposal. Information is also provided under the headings of social, policy, scale and appearance, landscaping, access and summary of amendments from previous application.

**RELEVANT HISTORY:** Applications for conservation area consent and planning permission for demolition of existing barn and erection of dwelling with under croft parking withdrawn May 2008.

**CONSULTATIONS:** ECC Highways: To be reported (due 6 August).

Anglian Water: (Due 22 July).

ECC Archaeology: The outbuilding proposed for demolition and its replacement dwelling lie within an archaeologically sensitive area which would be impacted by any future redevelopment. As Industrial Age structures (1750-1900) and particularly those within an urban context, have been identified in the East Anglian Research Agenda as facing significant levels of loss or conversion, it is recommended that the outbuilding should be recorded prior to its demolition and any associated groundworks fully recorded through detailed archaeological monitoring. Recommendation: Building recording / Detailed Archaeological Monitoring.

Essex Wildlife Trust: No objection.

English Nature: (Due 17 July).

Building Surveying: (Due 15 July)

Engineer: No adverse comments – requests condition C.8.27.B be imposed.

Bat Group: (Due 17 July).

Design Advice: No objections to the demolition of the existing building. The proposed dwelling would not have a detrimental impact on the adjacent listed buildings or the

character of the Conservation Area however the mix, shape and size of the rooflights and dormer windows in the roofslopes are not appropriate and should be replaced with conservation rooflights of more uniform dimensions.

**TOWN COUNCIL COMMENTS:** To be reported (due 31 July).

**REPRESENTATIONS:** These applications have been advertised and 3 representations have been received. Period expired 12 August.

Letters object to the scheme with the main points relevant to this proposal being:

1. Concerns regarding the access so close to the junction of Star Lane, Market Place and North Street – it would result in a dangerous situation for pedestrians and vehicles.
2. The access is used for parking for tenants of a number of adjacent properties and is in constant use – this application does not take this into account.
3. The dwelling would be higher and wider than the existing building and does not respect the scale.
4. The proposal would result in a loss of privacy to nos 11, 11a and 1 Star Lane and will be overbearing.
5. The proposal would adversely affect the adjacent listed buildings.
6. The site is very limited in space – putting a dwelling here will therefore have a detrimental effect by cramming more people into a limited space.
7. Would result in noise and pollution over several months causing inconvenience and disruption to business and residents.
8. What guarantees can be made to make sure the development would be completed in a timely manner, inhabited and will fit in with the existing residential accommodation?

**COMMENTS ON REPRESENTATIONS:** The Highways Authority has been consulted with regard to the access arrangements and their response will be reported. Issues relating to other users of the access and rights of way over this land are civil matters and are not material considerations when determining these applications. Some disturbance from construction works is likely from almost all development schemes and as such, this is not a material consideration when determining planning applications. There is no mechanism for making an applicant implement a planning permission and the legislation does not include timescales as to when development schemes should be finished once commenced. See also planning considerations below.

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

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

- 1) **Development Limits for the Main Urban Areas and New Houses within Development Limits (ULP Policies S1, H3);**
- 2) **Design (ULP Policy GEN2 & [SPD](#) Accessible Homes and Playspace);**
- 3) **Development within Conservation Areas and affecting Listed Buildings (PPG15, ULP Policies ENV1, ENV2);**
- 4) **Access and Parking Provision (ULP Policies GEN1, GEN8) and**
- 5) **Protected Species (ULP Policy GEN7).**

1) This site is located within the Development Limits for Great Dunmow where ULP Policy S1 identifies that development, in principle, will be acceptable subject to compliance with other relevant policies. In addition ULP Policy H3 identifies that residential development within Development Limits will be acceptable if the site meets the following criteria:

*“a) The site comprises previously developed land;*

*b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;*

- c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;*
- d) Development would support local services and facilities; and*
- e) The site is not a key employment site.*
- f) Avoid development which makes inefficient use of land.”*

In relation to these criteria the site would meet these requirements of the policy and therefore the development of this site is acceptable in principle.

2) The character and appearance of the buildings surrounding this site are of traditional design, appearance, scale and materials which is reflected by their listed status and the Conservation Area designation. The proposal broadly incorporates traditional aspects into its design, appearance and scale and as a result would be compatible with the surrounding buildings. The Council's Conservation Officer has indicated that the proposed mix of rooflights with differing dimensions and sizes, in addition to the triangular dormer windows, would not reflect the traditional aspects of the surrounding buildings. However, if this aspect of the scheme is revised then the general design of the building would be appropriate within the context of the surrounding buildings.

The proposal has been designed to incorporate Lifetime Homes Standards as set out in Supplementary Planning Document – Accessible Homes and Playspace. The issue of whether the scheme meets with the Lifetime Homes Standards will be reported once the consultation response from Building Surveying has been received.

The proposal would have only 11m<sup>2</sup> of amenity space for use by the occupiers. The standards contained within the Essex Design Guide (EDG) and adopted by the Council specify that an acceptable garden size for an unextendable house could be 50m<sup>2</sup>. This proposal does not have an adequate level of amenity space in accordance with the adopted standards however the EDG does specify that in high density situations it may be appropriate to reduce minimum garden sizes to a private sitting out area which is not overlooked. This proposal would provide a private walled area which it is judged would be acceptable in this high density situation.

The high level windows proposed to the building would prevent overlooking or loss of privacy from occurring to the occupiers of the properties to the east. In addition sufficient distance would occur between “Mallards” to the northwest and the proposed dwelling to prevent any loss of privacy from occurring. The dwelling would have a similar length and width as the existing building but would be higher. This additional height should not result in any material overshadowing due to its close proximity to the higher, two-storey building located to the south of the site. The position of the proposed dwelling adjacent to this higher building would lessen the potential impact of the proposed dwelling and prevent it appearing as overbearing when viewed from neighbouring properties.

3) The Council's Conservation Officer has been consulted in relation to these applications and there is no objection to the demolition of the existing building. As detailed in section 2) above, the design of the proposal is broadly acceptable with the exception of the dormers and rooflights proposed within the roofslopes. This element could be addressed by way of the imposition of a condition requiring the submission of a revised plan incorporating a more traditional combination of rooflights in the roofslopes. Subject to these revisions, the proposal would not have a detrimental impact on the setting, character or appearance of the adjacent listed buildings of the character of the Conservation Area.

4) This site is located within walking distance of the Town centre and therefore it is possible to access a range of shops and services by means other than by reliance on private vehicle. An off road parking space would be provided within the site. The access to the site is shared with the occupiers of neighbouring properties and this has been raised as an issue

in representations received by the Council. However the issues relating to rights of access are civil matters between these interested parties and the applicant and are not material considerations when determining this application.

The issues relating to whether this proposal for residential development with no on-site turning area to allow vehicles to enter and leave the site in a forward gear will be reported following receipt of the Highway Authority's consultation response.

The level of parking provision proposed is acceptable in light of the proximity of the site to the Town centre.

5) The applications are accompanied by bat surveys and Natural England and the Essex Wildlife Trust (EWT) have been consulted. EWT has no objections to the proposal and Natural England's consultation response will be reported when it has been received.

**CONCLUSIONS:** In light of the information contained in the application and that which has already been received from statutory Consultees, the proposals comply with all relevant Development Plan policies. However it is noted that not all consultee responses have been received at the time of writing this report. These will be reported verbally and if they indicate that the proposal fails to comply with aspects of the Development Plan policies, the recommendation may be changed to reflect this.

**RECOMMENDATIONS:**

**UTT/1105/08/FUL – APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1.(B) To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted agreed and implemented.
4. C.6.7. Excluding conversion of garages.
5. C.8.27B Soakaways.
6. C.8.35. Condition for compliance with code level 3 (less than five dwellings).
7. C.17.1. Revised plan required.

**UTT/1106/08/CA – CONSERVATION AREA CONSENT WITH CONDITIONS**

1. C.2.2. Time limit for commencement of development – conservation area.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0994/08/FUL - CLAVERING**

Erection of six dwellings and garages. Construction of a new pedestrian and vehicular access. Erection garage

Location: Barlee Close. GR/TL 475-314

Applicant: BF Contracts Ltd

Agent: Andrew Martin Associates

Case Officer: Mr T Morton 01799 510654

Expiry Date: 14/08/2008

Classification: MINOR

**NOTATION:** Inside Development Limit.

**DESCRIPTION OF SITE:** The site stands on the corner of Barlee Close and Stortford Road and comprises an area of 1763 sq m. of open land, and also includes part of the rear gardens of the existing houses at numbers 1 and 2 Stortford Cottages. On the opposite of Barlee Close is the village shop, with two-storey houses at the eastern end of the site facing towards it across the width of the road.

**DESCRIPTION OF PROPOSAL:** Erection of 6 dwellings and garages and retention of existing two houses, with new garaging for those houses.

**APPLICANT'S CASE including Design & Access statement:** The D&A and Planning statements are available in full on file, describing the site and surroundings and the proposal. The following text is the conclusion from the planning statement.

7.1 It is the applicant's case that for reasoning set out in this Statement the proposals will not, if implemented, be materially different to an approved scheme of 6 units at the site but will result in a number of net improvements.

7.2 The proposal has been formulated with full regard to all relevant policies and would not conflict, nor would cause harm, to any interest of acknowledged importance. Indeed the proposals would be wholly compatible with all recent advice on good practice relating to design.

7.3 For the reasons set out in this statement, therefore, the LPA is respectfully requested to grant planning permission for the proposed development.

**RELEVANT HISTORY:** UTT/0771/05/FUL Proposed erection of eight dwellings and garaging. Refused 25 July 2005. The reason for refusal was; The proposed development is considered to be an overdevelopment of the site, which would be out of keeping with its surroundings, to the detriment of the character and appearance of this rural village. The area is characterised by a more loose-knit and spacious pattern of development, and the proposed terrace would appear unacceptably cramped in the street scene. The proposal is therefore considered to be contrary to the aims of the Essex & Southend on Sea Replacement Structure Plan Policy CS2 and contrary to Policies GEN 2 and S2 of the adopted Uttlesford Local Plan.

UTT/1460/05/FUL Proposed erection of six dwellings and garages, construction of new pedestrian and vehicular access; alterations to existing dwellings including an erection of a garage. APPROVED 03 November 2005.

UTT/1481/06/FUL Erection of 8 houses etc. Refused by Committee 2 November 2006  
Appeal Dismissed

UTT/0178/07/FUL Redevelopment to retain 2 existing dwellings and provide 8 new dwellings with a parking courtyard to their rear. Appeal Dismissed

UTT/0270/07/FUL Erection of eight dwellings, construction of new pedestrian and vehicular access. Alteration of existing dwelling including erection of garage and carport. Refused.  
Appeal Dismissed  
UTT/0159/08/FUL – redevelopment to retain 2 houses and provide 7 new houses. Refused  
20 March 2008 - Appeal lodged.

**CONSULTATIONS:** Essex County Council Highway Authority: The Highway Authority would not wish to raise an objection to this proposal subject to the following conditions:

No development shall take place until such time as the developer enters into a suitable legal agreement for the existing footway on the northern side of the estate road to be extended to plot no.8 as shown on the drawing no: 07.137/2.6 to the satisfaction of the Highway Authority. The footway would only be adopted to the turning head and the tree within this footway should be removed.

The accesses to existing plots 1 and 2 and plots 3 to 8, including the access road between plots 6 and 7, to be served by way of dropped kerb crossings not bellmouths as indicated on drawing plan: 07.137/2.6.

Reason: In the interests of highway safety.

The width of the access road between plots 6 and 7 at its junction with the highway boundary shall not be less than 4.1 metres in width and retained at that width for 6 metres within the site. A passing place should also be provided.

Reason: To ensure that vehicles can enter and leave the highway in a safe and controlled manner.

No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

The accesses shall be laid to a gradient not exceeding 4% for the first 6 metres from the highway boundary and not exceeding 8% thereafter.

Reason: To ensure that vehicles can enter and leave the highway in a safe and controlled manner.

Prior to commencement of the development details shall be approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained at all times.

Reason: To prevent hazards caused by flowing water or ice on the highway.

Prior to occupation of each access a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary, shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.

Reason: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.



The above conditions are required to ensure that the development accords with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07 and Local Plan Policy GEN1.

The vehicular hardstandings shall have minimum dimensions of 2.4 metres x 4.8 metres.

Reason: In accordance with the Car Parking Standard.

#### NOTE

The applicants should be advised to contact the Area Highways Manager, Warwick House, Roydon Road, Harlow to seek approval prior to any works taking place within the limits of the public highway.

#### INFORMATIVE

Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Council Engineer: Any approval should be subject to condition C.8.27A

Thames Water: Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water Comments

With regard to water supply, this comes within the area covered by the Three Valleys Water Company.

**PARISH COUNCIL COMMENTS:** Consultation period expired 23 July 2008

The PC has no objection to this scheme of 6 houses, but requests strongly that there must be a range of different brick and render finishes to exterior walls and tiling to roofs, to reflect a pleasing rural aspect to the development as in the nearby Oxleys Close, and does not detract from the character of Clavering in general.

**REPRESENTATIONS:** None received. Notification period expired 14 July 2008.

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

The main issues are;

- 1) Principle and Density of development (ULP Policies S3, H3);
- 2) Design and amenity (ULP Policy GEN2);
- 3) Parking provision and traffic issues (ULP Policy GEN8);
- 4) Housing mix (ULP Policy H10) and
- 5) Other material planning considerations.

1) The development site lies within the Development Limit of Clavering and therefore in principle the proposal is acceptable. Compliance with planning standards and other policies is discussed further below.

UTT/1460/05/FUL was approved at Committee by members who made plain that 6 dwellings was the maximum that they considered acceptable for this site. All other proposals have been refused. The street elevation of the current proposal is virtually identical to the approved scheme of UTT/1460/05/FUL, with the only variation being the central pair of houses which are now proposed to be set in line with the adjacent pairs, whereas in the earlier version this pair was set slightly forward. This is a very minor and subtle difference which makes little difference to the overall appearance of the development.

This submission returns to the concept of 6 dwellings fronting the road and is considered satisfactory.

2) The existing houses in Barlee Close are separated from the proposed development by the width of the road and the length of their own front gardens, and at this distance their windows will not suffer any material loss of daylight. Traffic to the parking courtyard in this proposal will pass between the new houses and will not affect the front of those existing houses.

The gardens of the houses at 1 and 2 Stortford Cottages are reduced in length by about half, but the remaining area is considered to be more than adequate for houses of this size.

The street scene that will be created provides three separated pairs of houses, rather than a continuous terrace form which Members found unsatisfactory in the earlier 8 dwelling terrace proposal. The resultant street elevation will provide a satisfactory appearance.

3) New development should be designed to make appropriate provision for access for all forms of transport and should promote high standards of road safety. Parking provision is to be made in accordance with published parking standards. The parking standards suggest that 2 spaces be provided per dwelling and this provision is shown. There is no need for any occupier to park on the street, though of course it is common for visitors to houses to park on-street, and that could cause conflicts with other residents and the supermarket. The Highway Authority has recommended a suite of conditions, which are recommended subject to minor drafting changes.

4) The policy on housing mix seeks to promote small 2 and 3 bedroom dwellings to meet the identified local shortfall of such house sizes in the District. All 6 proposed dwellings fall within this size with 2 No 2 bedroom and 4 No 3 bedroom dwellings, and are therefore very welcome.

5) No other issues arise.

**CONCLUSIONS:** The proposed development is considered to be 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. No development shall take place until such time as the developer extends the existing footway on the northern side of the estate road to be extended to the front and side of plot No.8 as shown on the drawing no: 07.137/2.6, and the tree within this footway should be removed, to the satisfaction of the Highway Authority.

- REASON: In the interest of pedestrian safety.
5. The accesses to existing plots 1 and 2 and plots 3 to 8, including the access road between plots 6 and 7, to be served by way of dropped kerb crossings not bellmouths as indicated on drawing plan: 07.137/2.6, drawings for which shall be submitted to and be approved in writing by the Local Planning Authority before commencement of development.  
REASON: In the interests of highway safety.
  6. The width of the access road between plots 6 and 7 at its junction with the highway boundary shall not be less than 4.1 metres in width and retained at that width for 6 metres within the site. A passing place should also be provided.  
REASON: To ensure that vehicles can enter and leave the highway in a safe and controlled manner.
  7. No unbound material shall be used in the surface finish of any driveway within 6 metres of the highway boundary of the site.  
REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.
  8. C.10.19. Access gradient.
  9. C.10.26. Prevention of runoff from access.
  10. Prior to occupation of each access a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary, shall be provided on both sides of the vehicular access. There shall be no obstruction above a height of 600mm as measured from the finish surface of the access within the area of the visibility sight splays thereafter.  
REASON: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.
  11. All vehicular hardstandings shall have minimum dimensions of 2.4 metres x 4.8 metres.  
REASON: In accordance with the Car Parking Standard.
  12. The Developer shall provide sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.  
REASON: In the interests of highway safety.
  13. C.8.29. Details of sustainable construction for new residential or commercial development.
  14. C.28.2. Accessibility – Further submission.
  15. C.8.30. Provision of bin storage.
  16. C.8.27A Surface water disposal arrangements.

*Background papers: see application file.*

\*\*\*\*\*

**UTT/0644/08/FUL - STANSTED**

***(Referred by Councillor Hudson – limited parking in vicinity; objection from local business)***

Change of use from dental surgery to residential. Conversion into 3 no. flats. Single storey rear porch

Location: 11 Chapel Hill. GR/TL 513-248

Applicant: Mr K Mark

Agent: Mr K Mark

Case Officer: Consultant North 3 telephone 01799 510469/510478

Expiry Date: 09/06/2008

Classification: MINOR

**NOTATION:** Within Development Limits & Conservation Area; Class B Road.

**DESCRIPTION OF SITE:** The application premises are a mid-terrace property that was last used as a dental surgery, but is now vacant. It is located at the bottom of Chapel Hill, close to the busy road junction with Lower Street and Station Road. There is no vehicular access from the front of the site, and there are parking restrictions on the road in front. Rear access is via Sunnyside to the east, accessed adjacent to the Kings Arms Public House car park. Other premises in this terrace include a supermarket and post office, a newsagent, and residential houses.

To the rear of the building, there is a detached double garage, half of which would be available as part of this development.

**DESCRIPTION OF PROPOSAL:** The proposal is to convert the dental surgery into 3 flats: a one-bedroom unit at ground floor, and at first floor a bed-sit and one-bedroom flat. A single storey lean-to porch would be added to the rear elevation at ground floor. The first floor is larger in area than the ground floor, and hence two units are proposed at that level.

The rear garage would be internally sub-divided, so that Flat A (ground floor) would have a garage space, with the other two units provided with cycle stores at the rear of the garage.

**APPLICANT'S CASE including Design & Access statement:** The property has a flying freehold over No.9 at first floor level. The building will remain largely unchanged apart from the rear porch and installation of replacement timber windows, gutters and fascia boards. Being in the town centre, the property has no garden area apart from a small hardstanding in front of the garage. Landscaping will not therefore form part of the proposal. Existing pedestrian and vehicular access will remain unchanged. Level access will be provided to Unit A at the rear.

**RELEVANT HISTORY:** Change of use from ground floor residential to office approved 1978. Change of use of first floor residential to offices approved 1985. Change of use from office to dental surgery approved 1992, and from dental surgery to residential 2001.

**CONSULTATIONS:** ECC Transportation: No objection.

Environment Agency: No objection. Advice to applicant regarding the capacity of the foul water sewer.

Thames water: No objections – advice to applicant.

**PARISH COUNCIL COMMENTS:** Concerns over lack of amenity space.

**REPRESENTATIONS:** This application has been advertised and 3 representations (2 from same author) have been received. Period expired 15 May and 25 July 2008.

1. No objection to change of use of vacant dental surgery, but concerned at conversion to 3 flats. No outside space and no parking. Three flats with 3 couples could potentially bring the number of additional cars to 6 and there is no spare parking close to property. Living opposite, frequently have access blocked by short term parking on the road. Lower Street car park should be made free to residents before permission is granted.

2&3. Query whether the ownership certificate has been correctly served. Parking is not permitted on the apron in front of the garage. Question the practicality of using the garage for parking, and therefore there will be no usable parking for 3 flats. No outside amenity space for occupants. D&A statement does not justify shortfall in standards, and does not explain the context of the proposal in terms of physical, social, economic and policy basis. No on street parking and double yellow lines outside site. The site is next to the Mini Market and Post Office which require regular deliveries which would be seriously hampered by illegal parking caused by the flats. Lack of access for emergency vehicles.

**COMMENTS ON REPRESENTATIONS:** These issues are addressed in the section below.

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

The main issues are whether

- 1) **the principle of changing the use of the premises to flats would be acceptable (ULP Policies S1 & E2);**
- 2) **the proposal would meet parking and amenity space standards, and be acceptable in terms of residential amenity (ULP Policy GEN2);**
- 3) **there would be any adverse impact on the Conservation Area (ULP Policy ENV1);**
- 4) **it would have any adverse impact on highway safety (ULP Policies GEN1 & GEN8) and**
- 5) **Other material planning considerations.**

1) The site is located within development limits for Stansted, and within the Conservation Area. It is close to the designated local centre of the town, to which local plan policy SM1 applies.

ULP Policy S1 and states that within Development Limits, further development will be permitted if compatible with the character of the settlement. Policy GEN2 requires all development to be compatible with the scale, form, layout, appearance and materials of surrounding buildings. Policy E2 would allow the change of use of employment premises outside key employment areas if the employment use has been abandoned. In principle, re use of an existing commercial building for smaller residential accommodation would accord with the Council's policies, and would make more efficient use of urban land. This would accord with the national policy. Provided the proposal is acceptable in relation to residential amenity and highway safety, the development could be acceptable in principle.

2) The proposal seeks permission to convert the building to three flats, but only one parking space is proposed in the garage to the rear of the site. There are parking restrictions on Chapel Hill, and the site is close to the junction with Station Road and Lower Street. There is however a public car park in walking distance of the site, and this would be available for use by visitors. The site is also very close walking distance to the railway station, and provision is made for the storage of cycles at the rear of the garage. The site is sustainably located in walking distance to a range of services and shops and as such, the shortfall in vehicle parking is not considered sufficient justification to refuse this application. National and local policy guidance seeks to encourage alternatives to the use of the private

car, and locations close to shops, services and public transport are considered the most suitable for reduced parking standards to be applied. It should be noted that the highway authority has raised no objection to the proposal.

Although a small area is shown for bin storage at the rear of the premises, there is no space available for private amenity area. However, in this dense urban setting, it is not unusual for residential properties to have no access to garden areas particularly those above shops for example. The site is within walking distance of the public recreation ground, and given the small size of the flats, they would not be suitable for family occupancy.

This is a mid-terrace property flanked by commercial premises (albeit with associated residential accommodation). Subject to suitable noise insulation measures, it is not considered that there would be any amenity issues arising from this development. Residential use would be compatible with the mixed development pattern of the area.

3) The site is located within a conservation area, but the only alterations involve changes to windows and the provision of a small porch area on the rear elevation. Materials and design would be in keeping with the conservation area, and there will be no adverse impact on its character. The re-use of an existing building in the conservation area should be encouraged, to minimise the risk of it falling into disrepair. The garage to the rear of the site is outside the Conservation Area.

4) It has been established that there is limited on-site parking, other than a single car space at the rear of the site. There are double yellow lines in front of the property, and a public car park within walking distance. The site is however sustainably located close to public transport and the highway authority has raised no objection to the proposal. On this basis, it is considered that the flats could be occupied without adverse impact on highway safety. Any potential purchaser reliant on a private vehicle would be aware of the parking limitations in selecting the property. It is not recommended to refuse the application on grounds of lack of parking.

Although the comments of the adjacent commercial property are noted regarding the impact on delivery vehicles, the proposal need not interfere with the arrangements for adjacent premises. Any obstruction of the highway would be a traffic enforcement matter.

5) It is recognised that this development would be deficient in terms of parking and amenity space. However, both national and local planning policies encourage mixed use developments and commercial and residential uses operating alongside each other in order to encourage vibrant communities. The proposal would introduce three smaller units, which would contribute to meeting the demand for smaller properties. This is a sustainable location where alternatives to the private car are available, and as such the benefits of conversion of the property are outweighed by the harm that would arise. On balance, the proposal is considered acceptable.

**CONCLUSIONS:** Although the site has limited parking and no amenity space, it is located in a sustainable location, and is considered suitable for re-use for three small flats. The highway authority raises no objection to the proposal.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.2. To be implemented in accordance with revised plans.
3. C.5.3. Matching materials.

4. The roof to the rear porch shall be glazed in safety glass and not polycarbonate, unless an alternative material is first submitted to and approved in writing by the local planning authority.

REASON: To ensure the development is compatible with the Conservation Area setting.

5. C.5.8. Joinery details.
6. C.6.7. Excluding conversion of garages.
7. C.8.26. Internal sound insulation to flats.
8. None of the flats hereby permitted shall be occupied until the garage space and secure cycle storage spaces shown on the approved garage and cycle store layout plan dated 20.06.08 have been made available for use. Such spaces shall not thereafter be used for any purpose other than the parking of vehicles, cycles and powered two wheel vehicles.

REASON: In order to ensure that there is adequate provision parking, and for secure cycle and powered two wheeler accommodation within the application site, encouraging alternative modes of transport in accordance with both local and national planning policy.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/0976/08/FUL - STANSTED**

*(Called in by Cllr Sell (if to be refused)  
(Reason: To assess impact on street scene)*

Erection of front, side & rear extension. Demolition of existing garage

Location: 27 Brewery Lane. GR/TL 514-252

Applicant: Mr J Rich

Agent: Mr J Bagge

Case Officer: Consultant North 2 telephone 01799 510478/605

Expiry Date: 14/08/2008

Classification: OTHER

**NOTATION:** Within Development Limits.

**DESCRIPTION OF SITE:** The application site comprises a chalet style detached dwelling located within a spacious curtilage. It is located in the main settlement and within a low-density residential area. Brewery Lane rises up fairly steeply to the west from its junction with High Lane. The application dwelling appears to date from the 1960's and neighbouring dwellings on this north side of the road are also laid out within spacious curtilages.

The dwellings to the south of Brewery Lane, in the close vicinity of the application site, are more closely positioned but nonetheless setback from the highway to create a spacious street scene.

The land to the north of the application site has the benefit of planning permission for the erection of five detached dwellings which would be accessed from Brewery Lane, adjacent to the application dwelling.

**DESCRIPTION OF PROPOSAL:** This application seeks planning permission to erect a two-storey side extension adjacent to the east facing elevation of this dwelling. The existing garage would be replaced by this extension.

The main feature of note is the considerable footprint proposed for this extension; it would be 6.5 metres wide and 13.0 metres deep, projecting both forward and rearward of the existing property.

This existing property is a chalet style dwelling, whereas it is proposed to erect a conventional two-storey extension. As a result, the ridge of this extension would be 1.6 metres higher than the ridge over the existing dwelling. It is also of note that the plans indicate that the ridge over the existing property is 11.2 metres long, whereas the ridge over the proposed extension would be 14.4 metres long.

**APPLICANTS CASE including Design & Access statement:** None.

**RELEVANT HISTORY:** UTT/0835/01/FUL – single storey rear extension – Approved.

UTT/1571/06/FUL - erection of five dwellings on Mont House site – Approved.

**CONSULTATIONS:** Water Authority: No objection.  
Environment Agency: To be reported.

**PARISH COUNCIL COMMENTS:** Members agreed to ask Councillor Geoffrey Sell to call in this application.



**REPRESENTATIONS:** Two. Period for representation expired 11 July 2008.

20 Brewery Lane: oppose the application,

- dwellings on this side of road are predominantly chalet/bungalow construction;
- proposed extension would be out of character with existing buildings;
- inappropriate to make comparison with new dwellings on Mont House given that those have not been built.

22 Brewery Lane: support the application,

- would increase the quality of the housing stock;
- would better match surrounding dwellings.

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

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

- 1) **Whether the scale, design and external materials of the extension respect those of the original building (ULP Policies H8, GEN2 & [SPD](#) Home Extensions) and**
- 2) **Whether the proposal would result in harm to the amenity of neighbouring properties by way of overlooking, overshadowing or overbearing effects (ULP Policies H8, GEN2 & [SPD](#) Home Extensions).**

1) Policy H8 of the Local Plan states that extensions will be permitted if their scale, design and external materials respect those of the *original* building, that there be no material overlooking or overshadowing of nearby properties and that development would not have an overbearing effect on neighbouring properties.

Although there may be scope to extend this property, the policy requires that careful regard must be had to ensuring that the existing character of the dwelling is adequately protected and that the overall scale of built resultant is not out of keeping with the existing dwelling and the street scene.

The proposed extension would be substantial. It would project forward of the dwelling, and to its rear. Also, the ridge would be significantly higher than the ridge on the existing property. It would also be a conventional two-storey element whereas the existing property is a chalet bungalow. The extension would broadly double the mass of the existing dwelling. Having had regard to all of these factors it is considered that the proposed extension would completely fail to have any regard to the scale and character of the existing property. It would fail to be subordinate and, by way of its height and the gable projection, it would be a bold and excessively dominant feature of the property. The sloping ground level would exacerbate the height of this extension with an elevated ground floor level. As such the extension would fail Policy H8 as it would not respect the scale or design of the original building.

The resulting dwelling, would also be out of keeping with the scale of built form adjoining to the west. Comparison with the recently approved dwellings on the curtilage of Mont House is inappropriate given that these dwellings are set to the rear of the street and comprise a clearly separate site which would not form part of the Brewery Lane street scene. Furthermore, such comparison is in general irrelevant to Policy H8 which requires that the scale respect the original building and not those elsewhere.

Although the proposals would result in the loss of the garage, adequate off-street car parking within the existing driveway would be retained.

2) Although this would be a relatively large side extension, it is considered that there would be no significant impact upon the amenities of adjoining occupiers, including those within the Mont House development to the north. This extension would be set away from the existing dwelling to the west. It is therefore the case that there would be no significant loss of light and outlook, and a satisfactory back-to-back distance with regard to the new dwellings would be retained.

**CONCLUSION:** The extension would be of an unacceptable scale and mass, and in particular would fail to have regard to the character and appearance of the existing dwelling contrary to Policy H8 and GEN2 of the Local Plan and SPD Home Extensions. Given the importance of the development plan in planning decision making its failure to meet adopted policy indicates that the application be refused.

**RECOMMENDATION: REFUSAL REASONS**

The proposed two-storey side extension, by reason of its prominent position and its excessive size and scale in relation to the existing property, would result in an overly dominant element of built form, harmful to the character and appearance of the dwelling, and to the wider street scene. As such, the proposal does not respect the scale and design of the original building and is therefore contrary to Policies H8 and GEN2 of the Uttlesford Local Plan adopted 2005 and Supplementary Planning Document 'Home Extensions'.

*Background papers: see application file.*

\*\*\*\*\*

## UTT/1011/08/FUL & UTT/1012/08/LB - WICKEN BONHUNT

Erection of new car port

Location: Wicken Hall. GR/TL 498-333

Applicant: Mr A Mullucks

Agent: Morris and Partners

Case Officer: Ms K Hollitt 01799 510495

Expiry Date: 07/08/2008

Classification: OTHER

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** The application site is located off a private drive to the north of the village, behind St Margaret's Church. The dwelling is a substantial timber framed and plastered building with later extensions in red brick. It has a plain tiled roof, although extensions have used an assortment of other materials. The property is set in extensive grounds with several large ponds. The dwelling is located to the east of the access track. Wicken Hall Cottage is located to the north and there are 3 barns to the west/south west, some of which are currently being converted to residential use. The church is located to the south. The access is gravelled. There are trees along the boundary of Wicken Hall Cottage and a couple within the vicinity of the proposed siting of the garage the subject of this application.

**DESCRIPTION OF PROPOSAL:** The proposal relates to the erection of a double car port. This would have a frontage of 6.1m and a depth of 6m at plinth level and 5.8m where the structure is to be weatherboarded. It would have an eaves height of 2.2m and a ridge height of 5m. It is proposed to construct the building with a brick plinth, weatherboarded walls and a plain clay tile roof.

**APPLICANT'S CASE including Design & Access statement:** Planning approval for the erection of a double garage and conservatory with associated driveway and turning areas approved under reference UTT/1202/89 dated 15 September 1989 to Wicken Hall. The detail plan for the property has the conservatory attached to a single storey wing sat to the rear of the property and the double garage a detached structure on the north east side of the Hall but within the walled garden area with access across the frontage of Wicken Hall via the gated entrance from the main driveway. The conservatory has been built implementing the consent but the garage has not.

The siting of this new car port building at the top of the driveway is at the position where the applicants leave their vehicles at present adjacent to the everyday entrance to Wicken Hall they and visitors use. The building is sited 1 metre from the short boundary with Wicken Hall Cottage to its north west. This ensures the boundary condition is not compromised by the new building. The vehicle entrance to Wicken Hall Cottage is not compromised by the proposal nor accesses to the other residential properties served by the main drive and access to the public highway. The proposed building is a single storey structure with a plain clay tile roof with black horizontal boarding walls on three sides off a red brick plinth. The open side, access to the car port, faces the driveway. Some alteration to the existing grassed area and removal of a couple of small trees to accommodate the building are required but do not have an adverse effect upon general landscaping of that part of the property site.

**RELEVANT HISTORY:** Double garage and conservatory approved 1989. First floor extension approved 2005. Cart lodge refused May 2008 on grounds of detrimental impact on character of listed building due to inappropriate built form.

**CONSULTATIONS:** Archaeology: No archaeological recommendations.  
Design Advice: To be reported. (due 7 July 2008).

**PARISH COUNCIL COMMENTS:** None received. Expired 16 July 2008.

**REPRESENTATIONS:** These applications have been advertised and 1 representation has been received. Period expired 24 July 2008.

Object. Would occupy space that has been completely free of any structure for some 500 years and would be inappropriate. No need for car port – better facility approved under UTT/1202/89. Building is 5.5m high just 10m from the front corner of our house, obscuring views from windows to 2 rooms, and generally having an overbearing and overshadowing impact. Proposal for a similar height car port for Barn 1 was rejected in favour of one with a much lower roof to prevent overshadowing of adjacent dwellings, not allowing similar consideration in this instance would be unfair discrimination.

**PLANNING CONSIDERATIONS:** **The main issues are whether the proposed building has a detrimental impact on the character and setting of the rural area and/or the adjacent listed building and whether any amenity issues are raised (ULP Policies S7, ENV2, H8, GEN2).**

The proposed building would be located at the end of the access to Wicken Hall, a Grade II listed building. The siting of the building would have an impact on the setting of the listed building and this must be weighed p against other planning considerations. The proposed building would be located approximately 5.5m from the conservatory at the rear of Wicken Hall and approximately 15m from Wicken Hall Cottage. The boundary of the site and Wicken Hall Cottage has mature coniferous trees of fairly substantial proportions which provide a good degree of screening between the two buildings. It is considered that the separation distances, together with the tall trees along the boundary would ensure that the proposed building should not have an adverse detrimental impact on the amenities of the occupiers of Wicken Hall Cottage.

The proposed garage would be located at the end of a complex of listed buildings and curtilage listed barns. The barns to the east have been permission to be converted into dwellings and will eventually have traditional pitched roofs, with the exception of one small outbuilding close to the boundary with an adjoining property. The setting of the principal listed building, Wicken Hall, is an important planning consideration and as such the scale and design of the building are of fundamental importance. Within the proximity of a listed building it is expected that ancillary outbuildings should be of traditional form and have pitches of 40-45° and clad with traditional materials. The building the subject of these proposals is considered to be of an appropriate traditional design and character in terms of the proposed materials. The revision to the proposal incorporating a traditional pitched roof overcomes the previous reasons for refusal.

The representations have been taken into account. However, this building would be located in close proximity to a listed building and the design of this needs to be carefully considered in order to protect the character and setting of the listed building. The proposal at Barn 1 related to a curtilage listed structure where the potential impact on its setting would not be so great. Nevertheless, the building approved (in 1989 and due to part of the work having commenced within the first five years of that permission the garage could be built without further permission) does not have a traditional form and would appear incongruous within

the street scene. The visual impact of that building would be far greater when read in conjunction with the listed building and it is therefore essential that the design is improved. The site is also screened by existing tall trees and therefore there is a difference in the relationship between this proposed building and the adjoining property compared to that between the car port to Barn 1 and Wicken Hall Barn. The existing vegetation already significantly reduce the views and must cause some overshadowing and loss of light.

In view of the acceptability of these proposals there is the potential that this building, together with the previously approved building could be constructed. If both development proposals were implemented this would have a detrimental impact on the character and setting of the listed building and result in a significant increase in built form in this rural location. Therefore, if planning permission is granted for this proposal a S106 Agreement would be required to rescind the extant planning consent (UTT/1202/89).

**CONCLUSIONS:** The revised proposals have overcome the previous reasons for refusal. A S106 Agreement will be required to rescind the extant consent in order to protect the character and setting of the listed building. Listed Building consent is not required for the proposals and this application can be withdrawn.

**RECOMMENDATION: APPROVAL WITH CONDITIONS WITH S106 AGREEMENT TO RESCIND THE EXTANT PERMISSION UNDER REFERENCE UTT/1202/89**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.1. Samples of materials to be submitted approved and implemented.
4. C.5.5. Clay plain tiles.
5. C.5.9. Painted wood.
6. C.5.14. Black rainwater goods.

**RECOMMENDATION: LISTED BUILDING CONSENT NOT REQUIRED**

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/1117/08/DC - WIMBISH**

*(District Council Proposal)*

Provision of vehicular crossovers and hardstandings  
Location: 5,6,7,8,10,16,18 Tye Green. GR/TL 592-213  
Applicant: Uttlesford District Council  
Agent: Uttlesford District Council  
Case Officer: *Madeleine Jones 01799 510606*  
Expiry Date: 27/08/2008  
Classification: MINOR

**NOTATION:** ULP: Outside Development Limits.

**DESCRIPTION OF SITE:** The site is located in the central part of the village of Tye Green, Wimbish on Mill Road which is a class III road. The site comprises seven houses that back onto the recreation ground. The properties are all semi-detached houses. They all have front gardens that are separated from the pavement by a grass verge. At present the only parking provision for these properties is along the road side, on the verge, or on make shift shingle surfacing. The properties in private ownership along this stretch of road and properties numbers 26-33 have parking provision, similar to that proposed. There is parking in a lay-by opposite numbers 16 and 18; however, this serves the bungalows of The Leys which do not have any parking provision. The recreation ground to the rear of the properties has parking for several vehicles and the village hall has limited parking facilities, when events are held, the parking for the village hall spills onto the road.

**DESCRIPTION OF PROPOSAL:** The proposal is for the creation of vehicular crossovers and hard standings for properties numbers 5,7,8,10,16,18, to provide off street parking. This would involve removing the hedges to the front of properties 18, 16 and 5. The crossovers will be constructed from bitumen and the hard standing will be concrete edged with red brick.

**APPLICANT'S CASE (Design & Access Statement Summary):** The predominant character of Tye Green is a development of early 1950's semi-detached houses which used to all be in the ownership of Uttlesford District Council. Approximately fifty percent are privately owned. The site is within the settlement boundary and is not allocated for an alternative use. Each hard standing has an average size of 12.5m<sup>2</sup>. The vehicular crossovers vary from 22-34 m<sup>2</sup>. The site is deep and in principle there is sufficient space to site extra car parking spaces in the future if the need was to arise. It has no effect on the access, parking or amenity space arrangements of any existing dwelling. A safe access can be constructed to each property that is acceptable to the highway authority and the access itself would not harm neighbours. The verges are owned by the County Council who will maintain them. The crossovers will be constructed of the following materials:

**RELEVANT HISTORY:** Properties 26-33, vehicular crossovers and hard standings approved 2006.

**CONSULTATIONS:** English Nature: To be reported. (Due 10 August 2008).  
ECC Highways and Transportation: To be reported. (Due 10 August 2008).

**PARISH COUNCIL COMMENTS:** To be reported: (Due 2 August 2008).

**REPRESENTATIONS:** None. Notification period expired 24 July 2008.

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

The main issues are

- 1) **Road safety issues;**
- 2) **nature conservation and**
- 3) **impact on the character of the countryside. (ULP Policies S7, GEN1, GEN2, GEN8, GEN7);**

1). In view of the current parking problems, it is considered that the proposal would improve road safety provided that visibility splays are provided to meet the requirements of Essex County Council Highways Specification. The minimum parking bay size recommended by the Essex Planning Officers Association is 4.8m x 2.4m (this minimum size is met) The routes used by pedestrians will not be changed.

2). It is reasonably unlikely that protected species will be visiting these properties as the ponds where Great Crested Newts are located are at the ponds of Maypole Farm which are located some distance away and there are many barriers between the application site and these ponds. A condition that in the event of a protected species being discovered all construction work shall cease until a license has been obtained shall be imposed.

3). The site is outside Development Limits (although, the Design and Access Statement incorrectly states that the site is situated within the Development Limits) Policy S7 states that 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. The impact on the countryside would be negligible most other properties along Mill Road have driveways onto the road, and in view of the road safety issues and lack of parking provision, it is considered there is a special reason for this proposal to take place.

**CONCLUSIONS:** The proposal meets policy requirements and is acceptable.

**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 plan.
- 3. C.10.7. Visibility splay for crossover access.
- 4. C.20.3. If Protected Species discovered applicant will need to obtain licence from Natural England.

*Background papers: see application file.*

\*\*\*\*\*

## **UTT/1089/08/FUL - SAFFRON WALDEN**

Erection of 8m pole and relay booster for WIFI CCTV

Location: Land to rear of Lord Butler Leisure Centre Thaxted Road Saffron Walden GR/TL 545-372

Applicant: Saffron Walden Town Council

Agent: Saffron Walden Town Council

Case Officer: Mr N Ford 01799 510629

Expiry Date: 27/08/2008

Classification: MINOR

**NOTATION:** Outside Development Limits.

**DESCRIPTION OF SITE:** The application site is situated on the southern fringe of Saffron Walden and located to the south of the Peal Road housing estate. This is a grassed strip of land that which is higher at the western end with the land declining to the north east and is bounded by mature hedges on the western, northern and southern boundaries. It appears to be used as an informal recreation ground and for dog walking with access between Peal Road and the skate park which lies to the north east.

Adjacent to the skate park on its western edge is an 8 metre high pole with a domes CCTV camera attached.

**DESCRIPTION OF PROPOSAL:** The application relates to the erection of an 8 metre high CCTV pole constructed in galvanised steel with a relay booster at the top of the pole for WiFi CCTV and this would be 12 inches square and coloured white.

The applicant is Saffron Walden Town Council and the application is presented to Members of Development Control Committee for a decision because the land is owned by Uttlesford District Council.

**APPLICANT'S CASE including Design & Access statement:** See Design and Access Statement received 2 July 2008. Comments summarised:

The purpose of the pole is to relay the signal from the CCTV camera at the skate park back to the Town Council offices in Emson Close, Saffron Walden via a WiFi link.

The applicant has been asked why the pole and WiFi booster are needed in this location and have confirmed that there is a problem with the signal from the existing CCTV pole at the skate park that cannot be resolved by providing a booster there.

Tests have been carried out using a cherry picker and these show that the pole needs to be sited on the highest point of the playing fields at a height of 8m to obtain the necessary signals.

The applicant also states that there are no proposals to landscape the pole given its narrow width. Other than the footprint of the pole access to the playing fields would not be impeded.

**RELEVANT HISTORY:** On 3 October 2007 planning permission was granted for the erection of an 8 metre high CCTV pole and dome camera at the skateboard park next to the Lord Butler Leisure Centre (UTT/1369/07/FUL).

**TOWN COUNCIL COMMENTS:** The Town Council is the applicant.



**REPRESENTATIONS:** None. Notification period expired 24 July 2008. Site Notice expired 6 August 2008.

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

- 1) Whether the proposed development needs to take place in this location outside of development limits, would protect the character and appearance of the countryside for its own sake and preserve visual amenity (ULP Policies S7 GEN2 & T4) and**
- 2) Whether the proposed development would materially adversely affect a neighbouring property as a result of loss of privacy (ULP Policy GEN2).**

1) Although the land subject of this application is adjacent to a housing estate off Peal Road on the edge of the town it is nevertheless just outside the development limits of Saffron Walden in the Local Plan and is therefore countryside where Policy S7 of the Local Plan applies strict control on new development. Proposals for new development here should only be granted where there are special reasons why such development needs to be there and that it would preserve the character and appearance of the countryside.

This pole and WiFi box would relay signals from the skate park camera to the Town Council offices. It is understood that there are difficulties with the signal from the existing camera and the booster is required and needs to be located on higher ground and has been tested to show that a height of 8 metres is necessary to obtain signals.

Policy T4 recognises that telecommunications equipment is required in locations to meet technical requirements that do not necessarily respect settlement limits. Policy T4 – Telecommunications Equipment – is a permissive policy which requires there to be no practical alternatives such as mast sharing an overriding technical requirement and a design and location that reduces its impact as far as possible.

It is understood that there are no alternative structures to share; the facility would deal with a demonstrated technical problem and the structure itself is relatively modest. As such the proposal meets the requirements of policy T4.

A similar structure was approved in 2007 (and is now in place) beyond the development limit adjacent to the skateboard park to the north east of this location at 8 metres high with a security camera to gather footage. It was considered at the time of determination of that application that the pole would resemble the appearance of a street light column and would not have a detrimental impact on the character of the area. It was also considered that there would be no harm to residential properties due to their distance away from the skate park.

There is a need for the structure to secure a demonstrated security function and given the location close to the town and its size, it is not considered that it would result in any harm to the character and appearance of the countryside. In the event that the structure is no longer required for the purpose that it is intended then a condition is proposed that it be removed. There is no indication of the intended colour of the structure and it is considered that this should be green rather than a stark base steel colour in the interests of visual amenity.

2) It is considered that the location of the pole and booster would not result in any significant harm to the amenity of adjoining residents as a result of any overbearing impact. By reason of its size the pole would not cause any overshadowing impact.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limited for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. In event that the pole and associated equipment are longer necessary for the function they have been erected or should be damaged beyond repair, the pole and equipment shall be removed from the land and the land restored to a condition which shall have been previously agreed in writing by the Local Planning Authority.

REASON: Planning permission is only granted in this location due to the demonstrated need for the function of the pole and associated equipment. In the interests of visual amenity and the character of the countryside.

4. The pole and associated equipment shall not have fitted to or attached any CCTV cameras.

REASON: In order to prevent intrusion and loss of privacy to nearby properties.

5. The pole hereby permitted shall be painted green.

REASON: In the interests of visual amenity.

*Background papers: see application file.*

\*\*\*\*\*