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UTT/0828/09/FUL - SAFFRON WALDEN

Conversion and redevelopment to provide 62 No. new dwellings, 58 No. bed care home and retention of childrens nursery, including landscaping and associated infrastructure

Location: Former Bell Language School South Road. GR/TL 542-378

Applicant: Ashwell Homes (East Anglia) Ltd

Agent: Mr M Friend

Case Officer: *Mr R Harborough 01799 510457*

Expiry Date: 30/09/2009

Classification: MAJOR

NOTATION: Inside Development Limit/Outside Conservation Area.

DESCRIPTION OF SITE: The 1.423 ha site comprises the Third section of the former Bell Language School. It has treed frontages to South Road and Peaslands Road. To the north it is abutted by the St Thomas Moore primary school and to the east by the former playing fields, grounds and accommodation block that are subject to separate development proposals. There are trees and railings along the northern boundary with the primary school. There is a large tarmac car park in the northern part of the site. There are a number of trees within the site, as well as along the southern, western and northern boundaries. The main three storey H shaped building faces South Road. Other prominent features are the three storey Lancaster Building in the north west corner and the tall Winifred Parsons Hall in the southern part of the site. The main building and Winifred Parsons Hall are linked by a late 20th century library wing abutting the South Road/ Peaslands Road junction. Over the years the principal buildings have acquired various accretions such as late 19th century additions to the rear of the main building, the three storey 20th century garden wing and the two storey 20th century Salter Wing, a flat roof extension to Lancaster Building, the hexagonal music cell used as a nursery together with an adjacent portable building and profile sheet clad link, and free standing structures within the grounds. The land falls away from the south west corner of the site. The fall across the site is 10 metres.

DESCRIPTION OF PROPOSAL: Conversion and redevelopment to provide 62 new dwellings, 58 bedroom care home and retention of children's nursery, including landscaping and associated infrastructure.

APPLICANT'S CASE including Design & Access statement: A key objective of the proposals is to ensure a scheme of the highest quality. The central design theme is a "collegiate" approach of separate buildings located in a landscaped setting, which pays homage to the educational use of the site and reflects the current character of the site but in a more structured and ordered manner. The scheme comprises a mix of retention of those buildings of most value on the site. The removal of later additions to the Main Building will allow for a significant greening of the site particularly when viewed from the adjoining roads, enhanced by landscape restoration of the existing boundary tree lines embellished with native hedgerows that will enhance the biodiversity. The scheme includes the replacement of Lancaster House. Careful attention has been taken to ensure that the new building is faithful to the architecture of the existing building. Overall, the architectural approach is of traditional design features, detailing and materials, an approach which is supported by the local community and stakeholders. The layout of the scheme emphasises the "collegiate" theme by a succession of open spaces. In particular, a central courtyard to the rear of the main building acts as a main focus to this part of the site, and is combined with intimate green spaces throughout the development that have been carefully designed as part of a comprehensive landscape strategy.

The mix of uses will ensure that the scheme is a sustainable addition to Saffron Walden. The scheme includes provision of a care home and replacement high quality accommodation for the Bell Day Nursery - significant community benefits.

The scale of the development is sympathetic to the site and its surroundings. It takes full account of the elevated location of the site, ensuring that distant views of the site continue to appreciate the site as a collection of buildings in a landscaped setting, with the new development being subservient in height to the Main Building. The new buildings, including the town houses and the care home, have been designed as distinct blocks to accord with the collegiate theme, with care homes having the appearance of three linked buildings.

The proposals have been designed to encourage non car modes of transport taking advantage of the location of the site in a compact town with a range of facilities. As a result of the community engagement process, the scheme includes the widening of the footway on Peaslands Road and South Road in order to improve pedestrian safety, particularly for those going to school. Sufficient car parking is provided in order to ensure that there is no overspill parking on surrounding streets. A wide range of energy generation and carbon reduction options facilitated by the layout and building design will ensure that the scheme minimises its carbon footprint.

The layout of the development allows for phased construction of the various elements. Present market conditions are likely to dictate that the new Lancaster House will be developed as affordable housing in a first phase served via the proposed adjacent access road. If the care home follows this development, a construction route may be necessary through the main site (thereby protecting the residents of Lancaster House), requiring early demolition of a number of buildings. The new care home would then be constructed as Phase 2 of the development, with the market housing coming later as market conditions dictate. Given the location of the nursery and its independent access off Peaslands Road, this could be provided early in the phasing of the development.

The scheme will bring back previously developed land within the urban area into active use and promotes a mix of uses that is supported by the sustainable communities agenda.

RELEVANT HISTORY: Previous permissions for erection of a single storey portable building to serve Bell Nursery and erection of a storage shed. Two previous phases of development have come forward on the rest of The Bell College land. One has been built the other is subject to a revised current application.

CONSULTATIONS: Anglian Water: The foul flows from the development can be accommodated within the foul sewerage network system, which at present has adequate capacity. The foul drainage from this development will be treated at Saffron Walden Sewage Treatment Works that at present has available capacity for these flows.

Specialist Archaeological Advice: development has implications for surviving archaeological deposits as the site lies within the area of the historic settlement of Saffron Walden. There is potential for prehistoric occupation in the area. Programme of trenching post determination recommended, with requirement for further open area excavation if necessary. Late 19th and early 20th century buildings should be recorded to an English Heritage Level 3 standard with the remained of buildings to be demolished recorded at Level 1 or 2.

Building Surveyors: i) Raised the issue of satisfactory access for the fire service; ii) Of the 62 homes proposed, 3 will need to be designed as wheelchair accessible. Plots 14 and 15 do not meet the Lifetime Homes standard; iii) Extensive details have been provided of proposed sustainable construction. Strategies for providing renewable heat and electricity are well thought out. However, the use of individual wood pellet heating appliances is an

interesting choice – linking these homes to the two communal systems proposed would save on space in these dwellings, eliminating refuelling and maintenance issues for the occupants. Recommends appropriate conditions for the respective elements of the development: care homes, new build, retained converted buildings

Environment Agency: No objection on flood risk grounds, subject to condition that the development shall only be carried out in accordance with the mitigation measures detailed within the approved Flood Risk Assessment dated June 2009 and the Supplementary Planning Statement – Maintenance of Infiltration Drainage Devices. Surface water run-off generated by the dwellings and associated hard standing needs to be limited by the appropriate design of soakaways, A maintenance regime and identification of ownership for the surface water system for the private dwellings and roads, care home and associated areas and affordable housing needs to be implemented for the lifetime of the development. The soakways need to be in very close proximity to the relevant soakaway inspection pit and no deeper than it. Access must be maintained for the lifetime of the development.

Essex County Council Schools, Children and Families: To be reported.

Essex County Council Environment Sustainability and Highways: The Highway Authority would not wish to raise an objection to the above application subject to the following amendments:

- Even though the development is not intended for adoption, it should be designed and built to adoptable standards in accordance with the Essex Design Guide. If not, prior to any adoption, the County Council will require the site to be upgraded to adoptable standards (this would be very difficult to complete once the development is built).
- The turning head by Lancaster House/the Care Home should be a Size 3.
- The private road leading to Lancaster House/the Care Home should be 4.8m wide with a footway of 2m width.
- Pedestrian provision should be provided to the Care Home, including a footway through the gates and to the entrance, avoiding the car park.
- The access to the private road (to the Care Home) should have a width of 4.8m with radii of 6m minimum and 2m footway.
- The main access (south) should have a width of 4.8m with radii of 6m minimum and 2m footway.

If the above points are satisfied any permission given should address the following requirements:-

- Provision and implementation of Travel Information Packs for sustainable transport,
- The provision of a bus stop, to include raised kerbs, flag and pole in South Road for north bound services and a bus shelter in Peaslands Road for west bound services.
- The provision of a 3m wide footway along the frontage of the site on South Road and Peaslands Road.
- Prior to occupation the provision of a system of allocated parking bays should be implemented for the apartment dwellings to reduce parking issues on site and prevent off-site overspill parking as shows in principle in Figure 1 of the Supplementary information submitted by Vincent and Gorbing.
- The parking provision for cars, cycles and powered two wheelers should accord with the requirements of the Vehicle Parking Standards dated August 2001 published by the Essex Planning Officers Association unless a reduced figure is agreed by the Local Planning Authority.

- The provision of secure powered two wheeler and secure and covered cycle parking in accordance with the Essex Planning Officers Association Vehicle Parking Standards dated August 2001,
- The submission of a Travel Plan not later than 6 months from the occupation of the development.
- Temporary access arrangements during construction

The Transport Assessment assumes that the permitted use movements (residential school) are like for like with the proposed development movements, thereby demonstrating no impact on the network. Whilst this is a recognised method and the Highway Authority has had to accept this, it should be noted that the school has not operated for 2 years and the occupation of the development is likely to result in higher traffic flows in the vicinity of the site than are currently seen.

Passenger transport infrastructure is deficient in the vicinity of the site. It is anticipated with improved facilities at bus stops, passenger transport patronage could increase therefore encouraging sustainable modes of travel. A cantilever style shelter will need to be provided in Peaslands Road given the limited width of footway in the vicinity of the stop. Further improvements are required, however it is felt fairer to split this over future developments in the area.

Concern expressed at detail deficiencies in the parking arrangements: spaces allocated to wheelchair accessible apartments would not be to appropriate standard, four disabled bays to Lancaster House are in tandem arrangement and the other two bays are on a 1:20 slope, pillars encroach on the 2.4m width of the standard bays within Lancaster House with risk that they will not be used and parking will spill off site.

Housing Enabling Officer: The application has been progressed in consultation with Hastoe Housing Association and the developer. Although the scheme does not meet the usual affordable housing requirements it is accepted that there are significant planning issues with the site. Consequently, provision of flats and no houses on this site has been agreed. A mix of 13 social rented (6 no one bed flats and 7 no two bed flats) and 12 intermediate rent with flexibility to convert to shared ownership under Homebuy (2 no one bed flats and 3 no two bed flats) has also been agreed. Hastoe will provide additional rented units on other sites within Saffron Walden as the usual tenure split 70:30 has not been achieved on the application site. The split is 52:48.

Natural England: Based on the Phase 1 Habitat Survey undertaken 22 January 2008, no objection in respect of legally protected species, provided any demolition is undertaken outside the bird nesting season or is preceded with a survey for nest presence, by a suitable qualified ecologist. Pleased to see the inclusion of plans committing to enhancing the biodiversity of the site.

Veolia Water: Proposed development is located within an Environment Agency defined groundwater Source Protection Zone (SPZ) to Debden Road pumping station, a public water supply comprising a number of chalk abstraction boreholes operated by Three Valleys Water. Construction works and operation of the proposed development site should be done in accordance with the relevant BS and best management practices, thereby significantly reducing the groundwater pollution risk. Construction works may exacerbate any existing pollution. If any pollution is found at the site, then the appropriate monitoring and remediation methods will need to be undertaken.

TOWN COUNCIL COMMENTS: No objections.

REPRESENTATIONS: This application has been advertised and 4 representations have been received. Period expired 4 September.

Although one of representations quotes this application reference number, it appears largely to relate to the adjoining David Wilson Homes proposals as it raises the issue of access from South Road or Peaslands Road instead of Hopfields and Crabtrees.

This issues raised in the other representations are:

Community Needs - The former teachers training college built for the British and Foreign Schools Society and the adjacent land subject of application UTT/0385/08/FUL has never been considered as a combined development that might meet both the needs of the covenant, and local needs including affordable housing. A restrictive covenant required it to be used for the benefit of young people. The piecemeal developments proposed are making such a solution impossible.

Hall within the building suitable for meetings and stage shows should be retained and used for the benefit of the community.

Effect on Air Quality Management Areas - The TA makes no reference to the effects of the additional traffic on the AQMAs in the town. Assumption that traffic generated will not pass through these areas is unfounded.

Children's play provision - No provision for a children's playground in the development
Affordable housing – no houses to be provided. It seems to be assumed that the affordable housing tenants will not have children.

Design – over looking between the main block of flats and the town houses.

Access – Much better provision supporting pedestrian journeys, from the development areas to the south and east of the site to the town centre and the two primary schools in South Road, could be made.

COMMENTS ON REPRESENTATIONS: The material planning issues are discussed in the evaluation below. Restrictive covenants are not material planning considerations as they are private contractual matters between owners.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) **ULP Policy S1 Development limits for the main urban areas and H1 Housing provision;**
- 2) **ULP Policy GEN 2 Design & [SPD](#) Essex Design Guide and Urban Place Supplement , UDC Accessible homes and playspace;**
- 3) **ULP Policy H9 Affordable housing**
- 4) **ULP Policy H10 Housing mix**
- 5) **ULP Policy GEN1 Access;**
- 6) **ULP Policy GEN8 Vehicle parking standards**
- 7) **ULP Policy GEN6 Infrastructure provision to support development and**
- 8) **Other material planning considerations.**

1) Policy S1 supports the principle of development within the development limits of the town subject to other policy requirements being met. Ensuring the delivery of the development plan housing targets is an important consideration, and whilst it is not anticipated that the market housing elements of the proposal would be delivered until the housing market shows stronger recovery and sale prices improve, delivery of the 25 affordable flats in the short term with the balance of 37 private development homes within five years would make a useful contribution to housing land supply.

2) The proposal would provide a high quality development retaining important local landmark 19th century buildings that are local historic interest, protecting and enhancing the character of the site, which abuts part of the town designated as within the Conservation

Area. It would retain the sense of place. The new Lancaster Building, which provides the affordable housing, would retain the attractive educational character of the site set by the main building and Winifred Parsons Hall. The development has regard to the guidance on layout and design set out in the SPD Essex Design Guide and the more recent Urban Place Supplement (UPS). The apartments in the Main Building and Winifred Parsons Hall and flats over garages are set within communal grounds which have an area of 670 sq m. Four have terraces. Some of the affordable housing units also have terraces and all have use of a communal area of 633sq m. The town houses have small garden areas but this complies with UPS standards design criteria. The UPS standard for developments at densities above 50 dph (this scheme is 65 dph) is that an outside space of least 25m sq is required for all homes. This shall be primarily provided as shared communal gardens.

The character of the site depends on tall buildings and this together with the constraints imposed by converting buildings of local historic interest prevents full compliance with Lifetime Homes guidance. This is acknowledged in additional document submitted by the applicant: Lifetime Homes Compliance Statement. All the new Lancaster House apartments fully comply except for step access to one of the ground floor apartments. All the new build apartments in Winifred Parsons Hall and its new build extension fully comply. Most of the apartments in the Main Building conversion do not have low cills and four apartments in the main building have step access. The sitting room is not at entrance level in the town houses or the apartments over the garages at the rear of the main building. The latter two units do not have a bed space on the ground floor, obviously. Four of the town houses have parking spaces that cannot be widened to 3.3m. The level of compliance is considered to be justified in the context of the site constraints. The Accessible Homes SPD also seeks at least 5% of the dwelling units to be wheelchair accessible, equating to between 3 and 4 units on this scheme. Units 1,2 and 3 in the ground floor of the main building are suitable as wheelchair accessible units, and their internal configuration can be adapted to meet the individual requirements of purchasers if their disabilities necessitate adaptations.

3) Policy H9 sets a target of 40% affordable housing on a development of this scale. This is achieved with these proposals, which provides 25 units. Hastoe Housing Association would be able to start on site in 2009/10, subject to securing social housing grant from the Homes and Communities Agency. This would make an important contribution to improving the supply of homes in the town to meet a range of housing needs, with the prospect of early delivery.

4) A significant proportion of the market housing comprises small properties, which meets the objective of Policy H10 . The main building would accommodate 16 two bed apartments, 11 of which have studies. Although these are large for two bed dwellings at up to 130 sq m, they are small compared to 4 or 5 bed homes. The new build extension with flats over garages would be 2 three bed units. The 6 apartments in Winifred Parsons Hall would be two bed units. The 13 town houses are three bed homes although 3 also have attic spaces.

5) Access - The Transport Assessment and further technical notes have been accepted as demonstrating that the criteria of policy GEN1 can be met. If an allowance is made for the traffic associated with the former language college use, no specific measures to improve the performance of the town's highway network can be demonstrated to be necessary. The proposed widening and improvement of the footway along the South Road and Peaslands Road frontages to improve the safety of pedestrian routes to and from the site and past the site can be secured by condition. A swept path analysis indicates that access is available within the site for a rigid wheelbase commercial vehicle of 9.57m in length and 2.52 m wide. This will meet the requirements for all types of service vehicles including fire tenders and recycling freighters and the delivery of wood pellets for heating systems.

6) Vehicle parking standards - A total of 117 spaces is proposed. This is 94% of the maximum provision under existing car parking standards. The level of parking is acceptable taking into account the location of the site within walking distance of the town centre, the need to avoid parking dominating the space within which the buildings on site are set, but sufficient to avoid parking being displaced onto nearby streets. Many of the spaces for the apartments are in a tandem arrangement, but where this occurs both spaces would be allocated to a single apartment. In principle, notwithstanding the concerns of the highway authority, tandem parking is a workable arrangement if allocated in this way. The tandem disabled spaces to serve Lancaster House and the tandem parking for the care home would be managed by Hastoe Housing Association and the care home operator, respectively. Hastoe Housing Association does not see this presenting a significant management problem. Pillars in the basement parking to Lancaster House and the slope of spaces potentially could impose some limitations on use to some spaces. The alternative is to accept a reduced number of spaces. There would be some scope to explore revised parking arrangements on the basis of a reduced total.

7) Infrastructure to support development

The County Council sees particular value in the opportunity to secure continuing early years and childcare provision on the site. To achieve this it would be prepared to accept the transfer of land and buildings within the proposed development with the benefit of planning consent for a nursery. The County Council's payment to the developer would take into account the contribution the County Council would normally expect to receive to address a shortfall of primary and secondary education capacity in town and the pupil product from the development, but also acknowledge the effect of the level of that contribution on the viability of the development. The County Council has commissioned an independent open book evaluation of the viability of the overall scheme. If it is not possible to agree the transfer of accommodation for the nursery, and education contribution would be secured through a planning obligation.

Notwithstanding that there is no need for a financial contribution to specific off site junction improvements on the basis of traffic modelling presented in the Transport Assessment supplemented by a technical note, a contribution to support traffic improvements in the vicinity of the site is being made. Such improvements would clearly benefit the development. The County Council is also seeking a limited contribution towards bus infrastructure to encourage use of public transport for journeys to and from the development.

In order to support the provision of amenities for older children in this part of the town including residents of the new development, a planning obligation will also cover a financial contribution for suitable public open space facilities. The Council has received a request for funding of additional facilities at the nearby skatepark.

8) Other material planning considerations – On the basis of the Transport Assessment and supporting technical notes the development is unlikely to have a significant impact on the Air Quality Management Areas, notwithstanding the observation of the highway authority that the development will generate an increase in traffic on currently observed levels because the language school has not operated for two years. The AQMAs are in the High Street and at the Radwinter Road/ Thaxted Road junction. Traffic generated by the development will be dispersed over the network and not concentrated through a particular AQMA. The scale of the development would not of itself have any significant impact on oxides of nitrogen at these sensitive locations although any emissions from additional traffic would be cumulative.

CONCLUSIONS: The proposals perform strongly against a number of key policies in the following respects:

Redevelopment of vacant previously developed land bringing a site in a sustainable location back into effective use, re-utilising existing buildings of townscape and local historic interest;
 Creating an attractive environment with a sense of place
 Retaining the significant landscape features of the site;
 Early delivery of affordable housing in an attractive new building that complements the feature buildings to be converted:
 Most of the dwellings are either fully or mainly compliant with Lifetime Homes standards;
 Three ground floor apartments in the main building could be specified as wheelchair accessible homes if purchasers require;
 Excellent potential to satisfy renewable energy and energy efficiency requirements.
 The constraints of the site and viability considerations limit the space available for car parking, if provision at 94% of the maximum numbers of spaces under vehicle parking standards is to be made, but ongoing management of each element of the site provides a mechanism for mitigating any operational issues that arise.

RECOMMENDATION: APPROVAL WITH CONDITIONS AND S106 AGREEMENT
HEADS OF TERMS OF S106 AGREEMENTS:

- Affordable housing provision - 25 apartments: 13 social rented (6 no one bed flats and 7 no two bed flats) and 12 intermediate rent with flexibility to convert to shared ownership under Homebuy (2 no one bed flats and 3 no two bed flats)
- A financial contribution towards public open space
- A financial contribution towards highways and transportation improvements, which may include:
 - i) necessary Traffic Regulation Orders/Road Markings to prevent parking on South Road adjacent to the development;
 - ii) the provision and implementation of Travel Information Packs for sustainable transport;
 - iii) the provision of a bus stop, to include raised kerbs, flag and pole in South Road for north bound services and a bus shelter in Peaslands Road for west bound services;
 - iv) town centre improvements
- An education contribution unless there has been a transfer of the Nursery and site and buildings to ECC on terms to be agree between ECC and the landowners/

Planning conditions:

Conditions relating to details to be submitted and approved before development or occupation takes place as appropriate, need to state that the relevant details are those that apply the respective element of the site taking into account the phased development programme, with Lancaster House, the care home, the private residential development and the nursery taking place at different stages. In particular, an early start on Lancaster House is anticipated.

1. C.2.1. Time limit for commencement of development.
2. C.4.1. Scheme of landscaping to be submitted and agreed
3. C.4.2. Implementation of landscaping.
4. C.4.4. Retention/replacement of trees.
5. C.4.6. Retention and protection of trees and shrubs for the duration of development.
6. C.4.8. Landscape management and maintenance plan
7. C.4.9. Use of native species.
8. C.5.2. Details of materials to be submitted agreed and implemented.

9. C.8.15 Restriction of hours of operation.
10. C.8.29 - Condition for compliance with code level 3 (new build private market dwellings).
11. C.8.32 - Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
12. C.8.33 - Condition for compliance with BREEAM 'very good' (non-domestic buildings with 1000 sqm or greater floor area) – care home.
13. Energy efficiency – retained converted buildings
 All retained thermal elements are upgraded in line with Table 5 of Part L1B 2006 of the Building Regulations or if this is superseded, the standard that relates to upgraded retained thermal elements in the version Part L which is current at the time of construction. In the dwellings a water efficiency standard of 105 litres per person a day is achieved as shown by the standard CLG Water Efficiency Calculator method/. Where ever possible and practical, the converted buildings should achieve the same sustainability as the Code 3 and BREEAM very good compliant new build dwellings on the site.
 REASON: In the interests of the promotion of sustainable forms of development and construction
14. C.8.30. Provision of bin storage.
 Prior to the commencement of each phase of the development hereby approved, details of the location and design of the refuse bin and recycling materials storage areas and collection points in that phase shall be submitted to and approved by the local planning authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from a road constructed to adoptable highway standards. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.
 REASON: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability.
15. C.8.31. Demolition recycling of materials
16. Prior to commencement of each phase of the development the provision of suitable temporary access arrangements, including visibility splays, to the that part of the application site in connection with the land forming/construction operations, to include wheel washing facilities, any necessary traffic management, turning and off loading facilities for delivery /construction vehicles within the limits of the site together with an adequate parking area for those employed in developing the site. Details to be submitted to and agreed in writing with the Local Planning Authority.
 REASON: In the interests of highway safety in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07 and Uttlesford District Council Local Plan Policy Gen1 Access.
17. Prior to occupation of each phase of the development, an improved footway along the frontage of that phase of the site on South Road, Peaslands Road or South Road and Peaslands Road, as appropriate shall be provided in accordance with a detailed scheme submitted to and agreed in writing with the Local Planning Authority
 REASON: In the interests of sustainability, accessibility and highway safety in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006-2011 and refreshed by Cabinet Member decision on the 19/10/07 and Uttlesford District Council Local Plan Policy Gen1 Access.
18. Prior to occupation of each phase of the apartments, the provision of a system of allocated parking bays should be implemented for that phase of the apartment dwellings to reduce parking issues on site and prevent off-site overspill parking as

shows in principle in Figure 1 of the Supplementary information submitted by Vincent and Gorbng.

REASON: In the interest of highway safety, efficiency and accessibility in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006/2011 and refreshed by Cabinet Member decision on the 19/10/07 and Uttlesford District Council Local Plan Policy Gen1 Access.

19. A Travel Plan for the care home shall be submitted to the LPA not later than 6 months from the occupation of the development and implemented as approved in writing by the Local Planning Authority.

REASON: In the interests of accessibility in accordance with the County Council's Highways and Transportation Development Control Policies as originally contained in Appendix G of the LTP 2006/2011 and refreshed by Cabinet Member decision on the 19/10/07.

20. C.16 Facility for archaeological research

No demolition shall take place on the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted by the applicant to and approved by the local planning authority in writing.

REASON: To enable the recording of the buildings by qualified persons for archaeological records in accordance with a written scheme of investigation.

21. No preliminary groundworks of each phase of the development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work for that phase in accordance with a written scheme of investigation which has been submitted by the applicant to and approved by the local planning authority in writing.

REASON: To enable the inspection of each part of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.

22. C.28.1. Implementation of accessibility scheme.

The development hereby permitted shall incorporate all measures set out in the Lifetime Homes Compliance Statement dated 6 August 2009 submitted as an additional supporting document to the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with national and local planning policies.

23. The development hereby permitted by this planning permission shall only be carried out in accordance with the mitigation measures as detailed within the approved Flood Risk Assessment (FRA) Ref 11500923 dated June 2009 and the Supplementary Statement – Maintenance of Infiltration Drainage Devices:

The surface water runoff generated from the dwellings and associated hard standing shall be limited by designing soakaways based on calculations strictly in accordance with BRE 365.

A maintenance regime and identification of ownership for the surface water system for the private dwellings and roads, care home and associated areas and affordable housing and associated areas shall be implemented for the lifetime of the development as recommended in the supplementary planning statement – Maintenance of Infiltration Drainage Devices

REASON: To prevent flooding by ensuring the satisfactory storage/ disposal of surface water from the site for the lifetime of the development.

Ground contamination

Conditions as specified in the Environment Agency's letter dated 4 August 2009, amended to reflect the phased development of the site, to address the potential for the development to contaminate the principal aquifer which the site overlies.

Pollution control

Condition as specified in the Environment Agency's letter dated 4 August 2009, amended to reflect the phased development of the site, to ensure a satisfactory method of pollution control under its groundwater protection policy

Background papers: see application file.

UTT/0644/09/FUL - GREAT DUNMOW

(District Council is the landowner)

Erection of 6 No. affordable flats, comprising four 1-bedroom & two 2-bedroom flats in association with scheme approved under UTT/1434/08/FUL for erection of 6 garages adjacent to 33-37 Waldgrooms. Amendment to withdrawn planning application UTT/1435/08/FUL (for erection of six affordable flats; three 3-bedroom & three 2-bedroom flats) including alteration to roof, windows & doors

Location: Site adjacent to 17 Waldgrooms. GR/TL 62-221

Applicant: Flagship Housing Group Ltd

Agent: The Design Partnership (Ely) Ltd.

Case Officer: *Mr R Harborough 01799 510457*

Expiry Date: 17/07/2009

Classification: MINOR

NOTATION: Within Development Limits.

DESCRIPTION OF SITE: The site covers an area of approximately 950m² and is located at the western end of Waldgrooms. The site is currently used for parking and has a block of 6 garages located adjacent to the eastern site boundary. All four site boundaries have 1.8m close boarded fencing while the northern site boundary also has some mature trees and planting forming the boundary treatment. The site slopes up from the centre to the eastern and western boundaries. To the east of the site are three storey blocks of flats dating from the early 1970's, to the south and west are two-storey dwellings and the gardens of properties in Newton Green. To the north are more recently erected houses at Woodlands Park.

DESCRIPTION OF PROPOSAL: This application relates to the erection of a block of six affordable housing flats comprising 4 x 1 bedroom and 2 x 2 bedroom units. The building would be located adjacent to existing three storey blocks of flats. The block would be roughly rectangular in footprint, cover an area of 150m² and would have a maximum ridge height of 11.5m. Private garden areas of 45m² and 62² would be provided for the two ground floor flats with the remaining area covering 215m² to the rear providing a communal garden for the occupants of the first and second floor flats.

A bin and cycle store would be erected to the front of the flats adjacent to the eastern site boundary. This would cover an area of approximately 26m² and would have a maximum ridge height of 4.1m.

APPLICANT'S CASE including Design & Access statement: D&A statement submitted evaluates the site, its context and relevant policies; details pre-application discussions with Officers; various aspects of the design, access and energy efficiency. The full statement is available to view at the Council Offices.

RELEVANT HISTORY: A previous application relating to this site for 6 flats was withdrawn on 18 December 2008. Application ref: UTT/1434/08/FUL for the erection of 6 garages in another garage court adjacent to 33 Waldgrooms was approved 15 January 2009.

CONSULTATIONS: Landscape Officer: The tree protection measures as set out in the application are appropriate in safeguarding the existing vegetation shown to be retained.
Building Surveying: Access appears satisfactory
Lifetime Homes: SPD requires a lift for flats of more than two storeys, regardless of whether they are social housing or private.

Sustainability: Applicant has confirmed that development will achieve Code Level 3.

Anglian Water: None received (due 18 June).

Three Valleys Water: None received (due 18 June).

Natural England: No objection in respect of legally protected species.

Essex Wildlife Trust: None received (due 18 June).

Engineer: Requests condition requiring all surface water to drain to soakaways unless an alternative scheme is submitted and approved.

ECC Highways: No objection.

Housing Enabling & Development Officer: The site is Council owned and the development will help meet the significant housing need for smaller rented accommodation in Great Dunmow. The garages that are currently on the site will be replaced in another parking area in the vicinity so the facility will not be lost.

TOWN COUNCIL COMMENTS: Support (original plans). Unable to comment on revised plans as no drawings provided giving details of reduced height and change in the details of fenestration. Requested that details be provided before a decision is made.

REPRESENTATIONS: 24 letters received. Notification period (revised plans) expired 7 July. Main concerns:

- Development will dominate the area. The site is on higher ground than the present flats.
- Loss of views from adjacent properties
- Surrounding homes will suffer loss of light particularly in winter
- Increased traffic movements in Waldgrooms with additional noise
- Larger vehicles such as vans, commercial vehicles and caravans that use the current car park will need to find alternative parking. There is likely to be an increase in on street parking. Larger vehicles cannot use the replacement garages
- Noise generated by more vehicle movements in and around the car park adjacent to 37 Waldgrooms will increase as more people try to use the existing reduced off street parking.
- In the evenings and weekends car parking in Waldgrooms is at saturation point with cars blocking footpaths and accesses.
- Loss of privacy and overlooking of neighbouring properties.
- Overshadowing of properties to north and existing flats as building would be set forward of the flats.

COMMENTS ON REPRESENTATIONS: The land is currently owned by the Council but would be transferred to the housing association if planning permission is granted in order to facilitate the provision of affordable housing. The land is not permitted currently to be used as a general public car park. See also planning considerations.

PLANNING CONSIDERATIONS including Design & Access statement: The main issues are whether the proposal would comply with policies regarding:

- 1) **Development limits for the Main Urban Areas (ULP Policy S1);**
- 2) **Access and Parking (ULP Policies GEN1, GEN8);**
- 3) **Design (ULP Policy GEN2 & SPD Accessible Homes and Playspace).**

1) The site is located within the Development Limits for Great Dunmow. As such, development of the site is acceptable in principle subject to being compatible with the character of the settlement.

2) It is not proposed to alter the existing access to the site; this currently provides access to 6 garages and an additional area for parking. Traffic flow into and out of the site would be light. The proposal would not result in any detrimental impact to the surrounding

road network. The site is located in a position whereby the occupiers of the flats could gain access to shops and services without having to rely on the use of cars.

The level of parking provision (1.5 spaces per new dwelling) proposed within the site is also acceptable when the site's position within walking distance of the town centre is taken into account. Displacement of parking is unlikely to have a significant impact due to the relatively small size of the site. The Committee will recall granting planning permission earlier this year for a replacement block of garages on another car park in the locality.

3) The design of the proposed block of flats uses the existing flats to the east of the site as a reference point. Surrounding the site are blocks of flats, older semi-detached properties and recently constructed dwellings within the Woodlands Park development. The design and materials proposed for the block of flats is compatible with that of the existing Waldgrooms development while having a more modern overall design.

The revised plans which indicate that the western section comprising flats 1, 3 and 5 would have a ridge height of 11.5 m and the eastern section a ridge height of 10.3 m. The accommodation in the top flat (Flat 6) in this section is partly provided in the roof space. The ridge height would be broadly the same height above ground level as the existing adjacent block. The application site is, however, currently slightly higher than the existing flats but this is not likely to have any significant impact.

The Council's Accessibility Officer has commented on the lack of a lift within the block. The adopted Supplementary Planning Document (SPD) regarding Accessible Homes and Playspace specifies that blocks of flats of three or more storeys should have lifts. The supporting information submitted with the application identifies that the scheme will comply with the mandatory Building Regulations requirements however the cost of a lift would be £48,000 which would not be viable for the limited number of flats proposed. The extra costs would have to be funded by increasing the amount of social housing grant requested, resulting in the grant required per bed space rising above the regional average, and therefore less likely to be funded by the Homes and Communities Agency. Without HCA funding, social housing cannot be provided. The benefits achieved by the provision of 6 affordable flats on this site outweigh the SPD requirement for a lift. The service charges to the tenants for the future maintenance of the lift would also reduce the affordability of the homes even if the HCA were to accept the bid.

This issue has been considered by the Committee on previous occasions when considering other flatted affordable developments. This proposal is similar to that at Phase 9 at Priors Green where Officers and the Committee agreed to forgo a lift on the basis of the viability of affordable housing and because the flats at second floor level were single bed units and therefore unlikely to be occupied by children. This is also the situation here and this recommendation is therefore consistent with previous permissions elsewhere.

The plans include a proposed lighting column to the requirements of the Secure by Design officer to light the car parking area.

The Essex Design Guide identifies that living room windows in upper storey flats can cause overlooking and therefore no upper storey windows should be closer than 35m to the rear of any other dwelling. The proposed flats would be positioned approximately 20m, at their closest point, from the rear of existing properties located to the north of the site on Willow Road (Woodlands Park) and would have living room windows facing these properties. Oblique views from side elevation windows can also cause problems and the side facing kitchen windows to the west elevation would provide views towards the rear of other Willow Road properties. In some instances there is approximately 25m between the side elevation and the properties to the north.

To avoid a material loss of privacy to the occupiers of the Willow Road properties the top flat at the eastern end of the building has no windows in the northern elevation (other than high

level rooflights) but instead faces south, looking out over the car park, with the rooflights providing light and ventilation to the bathroom and kitchen. Half obscured (lower half) windows would be provided in the west elevation to Units 3 and 5 to the kitchens and to the living rooms in the north elevation of the same units at first and second floor levels. By condition the lower half of the three north elevation windows to Unit 4 are to be obscure glazed.

Due to the distances which would exist between the properties on Willow Road and the proposed flats, it is unlikely that the proposal would result in a level of overshadowing which would have a materially adverse impact on the occupiers of Willow Road. An element of overshadowing to these properties may occur, however this would be of a level which would be within the normal range often experienced within settlements and would not warrant refusal of this application.

The proposed bin and cycle store would not have a detrimental impact on the residential amenity of any neighbouring property and would have an acceptable design in relation to the surrounding buildings.

CONCLUSIONS: The proposal is acceptable. It provides needed smaller rented affordable homes in the town and would not give rise unacceptable levels of impact as a result of overlooking, overshadowing or displacement of parking.

RECOMMENDATION: 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.4.4. Retention of trees.
6. C.4.6. Retention and protection of trees and shrubs for the duration of development.
7. C.5.1. Samples of materials to be submitted agreed and implemented.
8. C.8.27B. Soakaways.
9. C.8.29. Condition for compliance with code level 3 (five or more dwellings).
10. C.8.32 . Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area).
11. C.11.6. Prior provision of residential communal parking.
12. C.19.1 Avoidance of overlooking. (Use of obscure glazing and prevention of additional windows.)

Background papers: see application file.

UTT/0935/09/GD - WIMBISH

Proposed 3-storey modular temporary accommodation block

Location: Site at Carver Barracks. GR/TL 570-347

Applicant: Ministry of Defence

Agent: Mr C Hicks

Case Officer: Ms K Hollitt 01799 510495

Expiry Date: 26/10/2009

Classification: MAJOR

NOTATION: Outside Development Limits.

DESCRIPTION OF SITE: The application site is located within the fenced area of Carver Barracks in Wimbish. Essentially the Barracks has 3 areas – married quarters and community facilities which are predominantly outside of the fenced area, the operational area and single living quarters which fall within the fenced area. The site is located to the north of existing single living accommodation blocks (SLAM). To the east is an area of open space, a play area and the married living quarters. To the west are various operational buildings. To the north is a tennis court and along the eastern edge of the playing field is a line of Leylandii trees. The site is partially on the footprint of a former building that has been demolished.

DESCRIPTION OF PROPOSAL: The proposal relates to the erection of a three storey building to provide single living accommodation (known as a SLAM block). This would be 3-storey, similar to the other SLAM blocks to the south. This would provide accommodation for 62 soldiers in a range of single rooms and rooms to accommodate 3 or 4 soldiers. Additional facilities such as baggage rooms, drying rooms, utility rooms and stores would also be provided. This block is proposed to be a temporary construction and would be clad with polyester powder coated steel panels to match the adjoining SLAM blocks. The roof would be pitched, clad with a tile effect metal profiled sheeting to match the colours of the adjoining SLAM blocks. The building would be 11.4m tall and have a span of 11m and a length of 53.5m.

APPLICANT'S CASE including Design & Access statement: A supporting statement has been submitted with the application. Following the removal of Crown Immunity the Ministry of Defence is now required to submit full planning applications and is required to comply with planning legislation. However, it is recognised that various aspects of information required to be submitted with planning applications can be sensitive and therefore the legislation permits certain parts of the submission to remain confidential. In this instance the supporting statement is a confidential document.

RELEVANT HISTORY: There is an extensive history of applications relating to the barracks as a whole. There is no history relevant to this particular part of the barracks.

CONSULTATIONS: Water Authority: None received.

NATS: No safeguarding objections.

Drainage Engineer: Disposal of surface water to mains drainage is not preferred option under PPS25.

Building Control: Exempt from Building Regulations – no comment.

Accessibility: Concerns if anyone will be living there if they are disabled. Hopefully Regiment would note needs.

Sustainability: Suggest we waive 10% onsite renewable energy requirement but keep BREEAM Very Good requirement although we would use the MoD's own version of this called DREAM (Defense Related Environmental Assessment Method).

PARISH COUNCIL COMMENTS: None received. Consultation period expired 28 August 2009.

REPRESENTATIONS: This application has been advertised and no representations have been received. Advertisement expired 3 September 2009. Site notice expired 8 September 2009.

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

- 1) whether the proposals are appropriate to this area (ULP Policy S7);**
- 2) the design is appropriate and if any amenity issues would arise from the proposals (ULP Policy GEN2 & SPD “Energy Efficiency and Renewable Energy”);**
- 3) there would be sufficient parking (ULP Policy GEN8);**
- 4) Other material planning considerations.**

1) The site is situated outside of any development limits and therefore falls within the rural area and is covered by ULP Policy S7 and PPS7. However, at the time of adopting the Local Plan the Ministry of Defence was covered by Crown Immunity. This meant that it was only required to notify the local authority that it was intending to carry out development and not apply for planning permission in the normal way. The local authority could then object or raise no objections which would be considered by the Secretary of State, but had no specific control over the development. Crown Immunity was removed in 2006 and since then the Ministry of Defence has been required to apply for planning permission. Due to the unusual situation of the barracks being outside of planning control no development plan policies have been established to cover development on this site. The site is demonstrably not rural in nature or character and is an extensive urban development set in open countryside. As such development of an appropriate nature and scale would be appropriate on this site.

The application site is located in close proximity to existing single living accommodation blocks which are 3-storeys high. These new accommodation blocks are T-shaped and the main part of the building is around 50m in length. As such the proposed new SLAM block would be in keeping with the general scale of buildings in this part of the site. The proposal relates to the erection of a “temporary” modular block to enable quick construction to provide accommodation required for early 2010. A long-term plan is being established and will probably include the demolition of building 48 and the erection of a new permanent block adjacent to this temporary block. The siting of this “temporary” block has been determined by the long-term plan for the new SLAM block and is approximately midway between Elder Street and Thaxted Road in excess of 200m from both and in this instance it is considered that the proposals would be acceptable.

2) The design of the building is modular construction and clad with materials that will blend in with the colours and materials of the permanent buildings on site, as far as possible. Whilst this is not an ideal construction method the urgent requirement to meet a need to provide accommodation whilst a long-term plan is prepared is a material consideration. In this instance the special circumstances of the applicant are sufficient to warrant the erection of this modular building as a temporary structure. Whilst the proposal does relate to a temporary building, it is not unknown for international circumstances to change that would affect requirements at Carver Barracks. In view of this it is appropriate to require a sustainable form of construction. The Ministry of Defence has their own criteria for sustainable construction called DREAM (Defense Related Environmental Assessment Method). Whilst the adopted SPD does not cover this mechanism we would normally require the building to comply with the civilian equivalent of BREEAM. Therefore a condition requiring compliance with DREAM ‘Very Good’ is considered appropriate.

No adverse loss of amenity issues would arise from these proposals as the new block would be located approximately 36m from the nearest SLAM block and approximately 96m from the nearest married living quarters dwelling.

3) The area immediately adjacent to the building would not be able to accommodate parking provision for the occupiers of the proposed building. This is due to the fact that this would be required at a later stage for the erection of the permanent SLAM building. However, parking facilities are available in the large car park to the north west and there is a parking area to the north. The MoD has a policy to reduce vehicular movements around the base where possible and a cycle shelter is proposed to be located adjacent to the SLAM building. Similar facilities have been provided adjacent to the other SLAM buildings within the barracks. Parking is essentially a management issue for the MoD and would not have an effect outside the site.

4) No other issues are considered to arise.

CONCLUSIONS: The proposal is considered acceptable on this site. Whilst the materials would not normally be considered appropriate, in view of the need to urgently provide accommodation whilst a long-term plan can be put into operation this would be acceptable in this instance.

RECOMMENDATION: APPROVAL WITH CONDITIONS

- 1 C.2.1. Time Limit for commencement of development.
- 2 Temporary five year period for development.
REASON: This is the period requested in the application and this is the basis on which the application was considered.
- 3 C.3.1. To be implemented in accordance with approved plans.
- 4 C.5.2. Details of materials to be submitted and agreed.
- 5 C.8.33. Condition for compliance with DREAM 'very good' (non-domestic buildings with 1000 sqm or greater floor area).
- 6 C.11.10. Secure cycle storage.
- 7 No building hereby permitted shall be occupied until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles set out in Annex F of PPS25 (or any subsequent version), and the results of the assessment provided to the local planning authority. Where a sustainable drainage scheme is to be provided the submitted details shall:
 - i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii) include a timetable for its implementation; and
 - iii) provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.REASON: To control the risk of flooding to the development and adjoining land.

Background papers: see application file.

UTT/0569/09/DFO - LITTLE CANFIELD

Construction of spine road and public open space with associated landscaping of Phase 11 Priors Green

Location: Priors Green Takeley GR/TL 573-216

Applicant: Countryside Properties

Agent: Rosa Etherington

Case Officer: Mr M Ovenden 01799 510476

Expiry Date: 27/08/2009

Classification: MAJOR

NOTATION: Takeley/Little Canfield Local Policy 3 – Priors Green.

DESCRIPTION OF SITE: The site occupies approximately 2 hectares of land in a roughly semi-circular form abutting the northern boundary of Jacks Lane on at the western crossover near the local centre, and then following a curving route north and then east before turning south to again meet up with the eastern crossover of Jacks Lane. Three previous permissions for the three sections of the spine road have been implemented and follow the same course. On either side of the spine road are former fields that are no longer in agricultural use and while currently not developed for housing are part of the overall Priors Green residential development and will be developed in due course.

DESCRIPTION OF PROPOSAL: This submission proposes minor realignment and widening of the implemented spine road and details two limbs/spur roads from the spine road into areas which will be developed in due course and provision of public open space. The Loop Road design is a requirement throughout the development to ensure public transport is accessible to all residents, and also for emergency and refuse vehicles. In the top central section of the development would be an oval public open space dissected by the road. Detailed drawings show that the northern part of this open space would be ornamental while the southern two thirds of the remainder would contain both a LEAP (Local Equipped Area for Play) and a LAP (Local Area for Play). These would be separated from the spine road by hedging, gates and a 15 metre wide grassed area. A second area of open space is proposed just north of Jacks Lane near the local centre and the western crossing of Jacks Lane. This includes a 25 x 30 area suitable for informal sports together with a low mound to discourage football from getting too close to an area likely to be occupied by dwellings. Additional pockets of open space including along the northern line of Jacks Lane have been discussed with officers but don't fall into the site of this application but will form part of later phases.

The design of the spine road varies in width but much of it would have a 6.75 metre wide carriageway, next to that on each side there would be a three metre wide grass verge with tree planting forming an avenue along much of the spine road and then three metre wide pavements. This would extend the planting proposed in the extant permissions for the spine road and represents a contrast to the character of previous phases of Priors Green. The same avenue design is proposed along the two spur roads. This aspect has drawn comment from ECC Highways.

No details of street lighting are included in the application but it has been stated that across the development it is proposed to be in accordance with Essex County Council's Adopted Standards. The specification was upgraded by applying 'Campaign for Darker Skies' recommendations such as utilizing 'zero degree tilt' lanterns which effectively means that light is reflected downwards and light pollution is therefore, kept to a minimum.

APPLICANT'S CASE: A covering letter has been submitted with the letter but makes no comment about the scheme. A landscape specification and maintenance plan has been submitted.

RELEVANT HISTORY: The Master Plan for the Priors Green site was approved in August 2000. In June 2005, outline planning permission (all matters reserved) was granted for the development of a new residential neighbourhood, including residential development, a primary school site, local centre facilities, open space, roads, footpath/cycle ways, balancing ponds, landscaped areas and other ancillary or related facilities and infrastructure (UTT/0816/00/OP). This permission is subject to conditions, a Section 278 agreement (highways works) and a Section 106 legal agreement to secure the provision of public open space, play areas, a community hall, community facilities, structural landscaping and sports and community facilities. Conditions covered the following matters.

- Submission of phasing plan
- Time limits for submissions and implementation T
- Maximum of 650 dwellings at Priors Green
- Overall density achieves 30 dwellings per hectare
- To be carried out in accordance with the Masterplan
- Details of materials
- Submission and implementation of landscaping and retention of trees
- Submission of ecology strategy
- Scheme of archaeological works
- Scheme of water supply and foul drainage
- Submission of parking layouts
- Submission of street furniture details
- Scheme of walls and fences
- Control of construction noise
- Construction access details
- Hours of construction
- Agreement of routes of construction vehicles
- Preventing dust and mud passing onto the highway
- Submission of cross sections
- Prohibiting development until new A120 is open
- Dust prevention measures
- Provision of affordable housing over the main Priors Green site

In 2007 reserved matters approval was granted relating to three applications which together concerned the entire length of the spine road north of Jacks Lane. It is these approvals that this application seeks to amend.

CONSULTATIONS: ECC Highways: Consider spur roads (not the spine road itself) of a width of 6.75 metres to be excessive and suggests narrower pavements and omission of the associated verge from the public domain. Subject to these aspects being addressed it recommends conditions.

UDC Drainage Engineer: This application should be assessed by the Environment Agency who has been overseeing role for Priors Green.

Environment Agency: No objections subject to compliance with the outline permission.

PARISH COUNCIL COMMENTS: Objection: The Parish maintains its original concern about Jacks Lane becoming a cut through. A physical barrier should be provided and a down grading in its hierarchy to a bridleway. Both the Parish and Lord of the Manor are pursuing this with ECC Highways. Recommend a 20 mph speed limit on spine road. Concern over potential flooding; and possible entry of herbicide into the water course from the areas of planting.

COMMENTS ON REPRESENTATIONS BY THE PARISH: The works to Jacks Lane, its place in the hierarchy and the speed limit are all matters for the Highways Authority. The Environment Agency has raised no concerns over drainage matters. The points have been raised with the applicant.

REPRESENTATIONS: Twelve. Notification period expired 24 June 2009. Objection to the inadequate provision of open space which is less than Government guidelines. Object to wheel washing being a third of a mile from the site. A method statement should be provided to show how it will be dealt with. Request gates to close development site when not working. Complaint about difficulty of viewing plans in Dunmow and on the website.

COMMENTS ON REPRESENTATIONS: See report.

PLANNING CONSIDERATIONS: The main issues are:

- 1) **Matters of principle taking into account the background and planning of the site area. (ULP Policies S2, S7 & Local Policy 3)**
- 2) **The affects of the development on the ecology of the area. (ULP Policies S2, S7, GEN2, GEN7, ENV3, ENV8 & Local Policy 3);**
- 3) **Highway Safety (ULP Policy GEN 1) and**
- 4) **Other matters.**

1) The land subject to this application, benefits from outline planning permission for residential development pursuant to application UTT/0816/00/OP. The outline permission and its associated Masterplan have agreed the principle of the development and set the terms within which subsequent reserved matters applications are considered. A similar scheme for a spine road also benefits from an implemented planning permission.

The amount of open space proposed is comparable to that on the Masterplan – there are further areas as well to come forward as part of other phases – although on the Masterplan it was shown to be mostly concentrated into one area. This is roughly the location where the central oval open space is proposed. Masterplans are indicative and a departure in this respect is acceptable and follows conversations with the applicant where officers have reported concerns raised by the committee on the lack of open space in previous phases. The western area proposed has a number of advantages including proximity to the local centre, school and to previous phases where there is no significant open space.

2) The revised spine road would follow the existing one and therefore not represent any threat to ecological interests. This addresses the cautious reply from Natural England.

3) The comments of ECC Highways have been reported to the applicant. Its concerns appear to relate to speed of traffic on the spurs and maintenance issues. While the former is a planning matter, the latter is between the applicant and the highways authority. However because safety is a planning matter a revised plan condition is proposed to address the detail of the spur roads.

4) Other than those matters addressed in comments on the Parish Council's comments or in other representations, no further issues area raised.

CONCLUSIONS: In light of the above considerations the proposed northern loop of the spine road accords with the requirements of the Master Plan, the approved phasing plan and the outline planning permission for the site (UTT/0816/00/OP), Policy 3 relating to Priors Green and all other matters of material importance.

RECOMMENDATION: APPROVAL WITH CONDITIONS

1. Submission of revised details of spur roads
2. Provision of 2m x 33m sight splays to each junction
3. Provision of 1.5m x 1.5 m pedestrian visibility splays from each property
4. No unbound driveway materials within 6 metres of highway boundary
5. Completion of estate road up to base level prior to occupation.
6. Details of traffic calming to be agreed.
7. Any trees including their position within the highway to be agreed.

Background papers: see application file, Development Plan & Supplementary Planning Documents

UTT/1015/09/FUL - SAFFRON WALDEN

(Referred to Committee at the request of Cllr Perry.

Reason: Impact on the community and impact on the street scene.)

Insertion of window to western gable, insertion of 2 no. roof lights to front elevation and 1 no. roof light to rear elevation. Insertion of stairs. Removal of condition C.6.6. on planning permission UTT/0426/08/OP (The development hereby permitted shall be only one storey in height, with no rooms within the roof.)

Location: Site to the rear of 125 Thaxted Road. GR/TL 545-379.

Applicant: Mr N Buckler

Agent: Mr B Christian

Case Officer: Ms K Hollitt 01799 510495

Expiry Date: 01/10/2009

ODPM Classification: MINOR

NOTATION: Within Development Limits.

DESCRIPTION OF SITE: The application site is located in a backland position to the rear of 125 Thaxted Road. The Slade runs along the western (rear) boundary and to the east is a pair of semi-detached bungalows. To the south is the rear garden to 127 Thaxted Road and to the north is an access track serving further properties to the west of The Slade. This track is also a public right of way leading to Victoria Avenue. The site slopes towards the Slade and there are several trees adjacent to the northern and western boundaries. The properties fronting onto Thaxted Road are bungalows. A bungalow has been constructed on the site following the grant of planning permission in November 2008. This property has a frontage of 10.75m, a span of 7m and a ridge height of 5.8m. The Committee visited the site at the time of a previous application in September 2008.

DESCRIPTION OF PROPOSAL: The proposal has two aspects: Physical works and the removal of a planning condition. The works are the insertion of two rooflights to the front roof slope and a window in the side elevation overlooking the applicant's garden and out towards the Slade nine metres away. An additional rooflight is also proposed to the rear roof slope. This would provide light to new accommodation (an additional two bedrooms and bathroom) to be created within the roof space of the existing building. No extensions are proposed. Planning permission is required for the works because permitted development rights have been removed on the property. The insertion of rooms in the roof of the dwelling would be contrary to condition C.6.6. imposed on the original outline permission and it is therefore requested that this condition be removed.

APPLICANT'S CASE including Design & Access statement: The statement is available in full on file. It describes the site and surroundings and the proposal.

The roof space of the dwelling can provide valuable extra space for the owner without creating any amenity or other nuisance to near neighbours. The insertion of a gable window and roof lights will help improve the internal space with better natural light and ventilation for which planning permission is sought. The internal changes do not need planning permission.

RELEVANT HISTORY: Outline consent granted for a single dwelling May 2008. Reserved matters application refused September 2008 on grounds of inappropriate design. Reserved matters application approved November 2009.

CONSULTATIONS: None.

TOWN COUNCIL COMMENTS: None received. Consultation period expired 10 September 2009.

REPRESENTATIONS: This application has been advertised and 1 representation has been received. Period expired 17 September 2009.

Object. Increase in number of bedrooms will result in increased traffic thus presenting an unnecessary safety hazard to pedestrians using access which is narrow and uneven with no "pedestrian safe" strip. Inclusion of a rear window will result in loss of privacy in my garden to the rear of my house.

COMMENTS ON REPRESENTATIONS: See below.

PLANNING CONSIDERATIONS:

The main issues are whether the works respect the original dwelling and whether any amenity issues arise from the works or removal of the condition (ULP Policies S1, H8, GEN2, GEN1).

The dwelling previously granted consent has now been constructed. At the time of receiving the application the dwelling had not yet been occupied and was still having internal works completed. There are two elements to the proposal. Firstly it is proposed to install three roof lights (two to the front roof slope and one to the rear roof slope) and a window to the gable end. Planning permission is required because the property does not have permitted development rights. No extensions are proposed to the building and the conversion of the loft space is not classified as development and therefore would not normally require planning permission. The roof lights are small and would not have a significant or harmful impact on the character of the property and no overlooking issues would result due to the height above floor level of the roof lights. The roof light to the rear roof slope would serve a bathroom and this could be obscure glazed by condition. Small rooflights do not create overlooking in the same way as dormers or windows in the wall of a building as viewpoints are contained within the envelope of a building and therefore constrained. The proposed window in the gable end would not result in overlooking of neighbouring properties due to an adequate separation distance between this property and the property to the west at least 12 metres to the property boundary and existing extensive screening in between. Whilst the insertion of the window may permit some limited views towards the dwelling, it would not be sufficient to warrant refusal.

The second element of the proposals is the removal of condition C.6.6. which states that the dwelling as approved shall be single storey only with no rooms in the roof. The reason for this was "In the interests of the amenity of occupiers of adjoining dwellings", principally by restricting the scale of the development at reserved matters stage. As has been demonstrated above, it is possible to incorporate living accommodation within the existing roof space without adding volume to the building and without having a detrimental impact on the amenity of neighbouring properties. The character of the property would remain largely unaffected from external view and therefore the effect on the street scene would be negligible. It would therefore be unreasonable to not permit the removal of this condition. Control over the future development of the site is retained because the permitted development rights were removed on the outline permission.

The property would become a 3-bedroom dwelling rather than the two bedrooms previously permitted. The parking standards for 2 and 3-bedroom properties are the same and therefore no issues would arise in this respect. The comments of the neighbour are noted

but they have not been quantified and it is the view of Officers that there would be no discernable harm and any that would arise would fall short of justifying a refusal.

CONCLUSIONS: The proposal is considered acceptable. The proposed development should not give rise to a material increase in traffic levels which would have an adverse impact on the public right of way or the harm that the original permission sought to avoid. It would be unreasonable to not remove condition C.6.6. in this instance.

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.19.1.Avoidance of overlooking.

Background papers: see application file.

UTT/0986/09/FUL - GREAT DUNMOW

(Referred at the request of Cllr Smith. Reason: Parking; effect on Conservation Area; not appropriate development)

Erection of first floor front extension
Location: 1 Doctors Pond. GR/TL 626-221
Applicant: Mrs A Cherry
Agent: Mr I Abrams
Case Officer: Nick Eagle 01799 510389
Expiry Date: 30/09/2009
Classification: OTHER

NOTATION: Inside Development Limits/Settlement Boundary. Great Dunmow Conservation Area. Adjacent to Grade II Listed Buildings – Numbers 6 & 8 Star Lane. Adjacent to Protected Open Space of Environmental Value. Adjacent to Protected Open Space for Informal Recreation.

DESCRIPTION OF SITE: The application site, lies on the north-east side of the town of Great Dunmow and is located on the south-west corner of Doctors Pond. It is side onto Star Lane, and over looks Doctors Pond to the north, there is green public open space to the north; the property contains an attached garage. Due to its position the property is open to clear public view from both nearby and from a distance.

1 Doctors pond was linked to the adjoining dwelling, 10 Star Lane, under planning reference UTT/ 1024/76. An application was recently approved to separate the two dwellings (reference number UTT/0779/09/FUL). The property is not listed but is located within the village development limits and the Conservation Area.

To the rear of the property is Grade II Listed Buildings – Numbers 6 & 8 Star Lane.

DESCRIPTION OF PROPOSAL: This planning application relates to the erection of a first floor front extension over the existing flat topped attached garage and minor internal alterations.

The proposed extension comprises a timber framed structure with timber walls under a steeply pitched plain clay tiles roof forming a first floor bathroom. The present garage will be converted to provide a breakfast area off the proposed kitchen. Painted timber windows and doors will be used throughout to match the existing.

The proposed extension will be approximately 3.1 metres in width, 4.7 metres in length and stand at 5.1 metres at the eaves and 6.9 metres at the ridge.

APPLICANT'S CASE including Design & Access statement: The statement is available in full on file. It describes the site and surroundings and the proposal.

RELEVANT HISTORY: UTT/0779/09/FUL Conversion of one dwelling to form two dwellings. Conditional Approval 24-06-2009 – permission for garage in 1976.

CONSULTATIONS: Conservation Officer: Number 1 Doctors Pond is an unlisted building prominently located by a pond in Great Dunmow Conservation Area. The dwelling is of pleasant form and proportions and in generally responds well to the local vernacular. However the unfortunate flat roof garage with small pitched roof up-stands, located on the

principle elevation of the house is visually damaging to its architectural merit as well as the quality of this splendid location.

The proposal subject of this application is to erect a first floor extension over the existing garage. The extension would be of a traditional narrow span plan form with a steeply pitched roof under a hand made plain clay tiles. The windows would be of painted timber with all other elevational features matching the existing structure.

The recently formulated Great Dunmow Conservation Area Appraisal specifically makes reference to this locality stating that 'the views across The Downs and Doctor's Pond are extremely important'. I strongly feel that this application presents a perfect opportunity to visually improve on the mistakes of the past.

In conclusion and should there be no planning objections I suggest approval subject the following conditions.

- New roof to be hand made plain clay tiles to LA approval.
- New external joinery to be painted timber and to match existing in terms of cross sections.
- All render to be smooth to match existing.

TOWN COUNCIL COMMENTS: Object. The proposed loss of the garage at this property and increased size of the dwelling will result in the elimination of car parking at the same time as increasing the need for it. The Doctor's Pond area is the iconic scenic feature that represents Great Dunmow locally, regionally, nationally and internationally; it is the most visually attractive feature in the centre of the town, much photographed and admired. To introduce additional cars in this location without any provision for parking other than on the public highway, causing safety problems and visual intrusion, is unacceptable.

REPRESENTATIONS: Notification period expired 1 September 2009.

1 Objection. Relating to specifications on design and materials used.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) **whether the design would respect the adjoining buildings, including listed buildings 6 and 8 Star Lane and protect or enhance the character of the Great Dunmow Conservation Area and the area in general (ULP Policies ENV1, ENV2, GEN2, S1, [SPD Home Extension](#) & [SPD Great Dunmow Conservation Area Appraisal and Draft Management Proposals](#));**
- 2) **whether the proposal would result in any amenity impact to neighbouring properties (ULP Policy GEN2);**
- 3) **whether there would be any highway implications as a result of the proposal (ULP Policy GEN8 & SPD Accessible Home and Playspace).**
- 4) **Other material planning considerations.**

1) This application is acceptable in design terms because it would be of simple traditional design, would not detrimentally affect the character and appearance of the adjoining Grade II listed buildings and its setting and would not have any negative impact on this part of Great Dunmow Conservation Area and the area in general. It would result in the removal of an unattractive flat roof garage which has three false pitches which do little to soften its unappealing and non-traditional form which stands out in this prominent location. The loss of this garage is a positive aspect in itself. The materials to be used are in line with the existing building and the design is sympathetic and in keeping with the area.

Furthermore and to the east is a pair of semi detached two storey dwellings which front the pond and are of similar modest and traditional appearance to that of 1 Doctors Pond.

2) This application is acceptable in amenity terms because its use will not affect the amenity of adjacent occupiers detrimentally. It is also considered that future occupants of the scheme would not suffer any undue loss of amenity as a result of the development. This is due to the location and nature of the proposed first floor extension.

3) The application would result in the loss of a single garage. However with an internal measurement of an average of just over four metres in length it is not sufficient to park most modern cars inside. Furthermore, there was no condition on the 1976 permission requiring its retention for parking. Notwithstanding its modest dimensions its use for parking could cease without permission. Given the location of the site in close proximity to the town of Great Dunmow the proposed additions to this two-bed house raises no highway or parking problems. So as a result it would not generate unacceptable traffic or create congestion that would warrant a refusal. All existing informal off-street car parking arrangements would be maintained.

4) This application raises no other implications.

CONCLUSIONS: The proposal is considered acceptable and should be granted.

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.5.3 Matching Materials.
- 4 C.5.5(b) Clay plain tiles- hand made.
- 5 C.5.11 Smooth rendered walls.

Background papers: see application file.
