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UTT/1344/09/FUL - GREAT DUNMOW

Variation of planning permission UTT1185/02/FUL for erection of 3 No. retail units, 9 No. 2 bedroom apartments and 1 No. 1 bedroom apartments with associated access onto White Hart Way, car parking, bin and cycle storage

Location: Former Dunmow Inn High Street

Applicant: Taylor Wimpey (East London)

Agent: Mr A Butcher

Case Officer: Mr N Ford 01799 510629

Expiry Date: 20/01/2010

Classification: MAJOR

NOTATION: Within Development Limits. Conservation Area. Affects the setting of a Listed Building. Town Centre. Local Policy – Land to rear of 37-75 High Street, Great Dunmow. Groundwater Protection Zone.

DESCRIPTION OF SITE: The Dunmow Inn was public house which is now demolished and the site occupies a position fronting onto the High Street in the commercial centre of the town opposite the post office and near to the former Council Offices. The site measures (0.084 ha) and is currently bounded by construction hoarding and has steel containers that appear to be used as a site office. The land declines in height to the north east and much of the land surrounding to the rear is occupied by newly constructed flats and houses some of which are still under construction. The height of these buildings vary between 2 and 3 storey.

To the west is the road that provides access for this development on White Hart Way and Weaver Close onto the High Street. Adjacent to this also fronting the High Street is a bank which is two storey. To the east are a commercial hot food takeaway premises and its rear curtilage. Opposite is Tudor Court which is a range of commercial units comprising a hot food takeaway, barbers, café, betting shop and shop in a Grade II listed building (48, 48a, 48b High Street). These are 2 storey.

DESCRIPTION OF PROPOSAL: This is a full planning application for the erection of a building for 3 no. retail units, 9 no. 2 bed flats and 1 no. 1 bed flat. The building would be 2.5 storey employing pitched roofs and gables. The main part of the building to the High Street would be about 11m high and about 12m high to the rear due to the declining slope of the land. The building would provide frontage onto the High Street and the access leading White Hart Way with retail shops at ground floor.

The flats would be accessed by a central stairwell and lift between shop 1 and 2 with passage from the car park and the street

There would be a parking court to the rear of the building for the residential units comprising ten parking spaces. This area would also provide space for bin storage and a cycle store adjacent a disabled access parking bay.

Materials proposed would comprise white painted weather boarding, white or cream smooth render and multi stock bricks to elevations. Clay plain tiles would finish the roof. The shops are indicated as having dark green painted timber fronts. All timberwork will be white painted and external flat doors will be white painted timber. Rainwater goods and railings would be metal painted black.

APPLICANT'S CASE: The application is supported by a Planning Supporting Statement by Bidwells dated October 2009. A Design, Access and Heritage Statement by Melville Dunbar Associates dated 12 October 2009, a Code for Sustainable Homes pre - assessment dated 13 October 2009 and Energy Demand Statement dated 12 October 2009. Supporting information summarised:

Notes that the permitted scheme for retail and office provides for a building of 412 sqm on the site. The proposal would result in a building of a lesser footprint of approximately 335 sqm and the ridge height would be very similar to approved at 11m.

Refers to Government, regional and local planning guidance as well as Supplementary Planning Guidance. Adds that the existing planning permission as a significant material planning consideration.

States the principle of mixed use is established by Policy GD2 and planning permission UTT/1185/02/FUL. The most significant change is the use of upper stories for residential use in place of office space. Retail and residential use would remain compliant with policies GD2 and RS2 and the Council's Employment Land Study has envisaged a surplus of employment land over the local plan period and the economic downturn will have grown this surplus.

Acknowledges that the site is prominent in the Conservation Area and that as such the design, scale and appearance of the development is crucial. The design ensures the building is appropriate to the Conservation Area, based on architectural elements of local buildings and uses vernacular materials of construction. The development would grasp the opportunity to fill an important gap in the High Street and White Hart Way frontages, provide townscape focus for the corner and enhance the appearance of the Conservation Area.

The scheme provides for one parking space for each apartment in a private courtyard to the rear of the building. One of the spaces will be accessible for wheelchair users and ten cycle spaces will be available in dedicated storage. States there is a reduction in parking space available and retail parking can be catered for by the White Street car park.

Opportunities for greening the space around the development have been taken and the majority of landscaping is hard. Discussions with the Council's Conservation Officer have discounted balconies as they would be alien to the Conservation Area. Open space requirement will be met off site and the location at the heart of the town centre provides for a range of opportunities for services, recreation and leisure. The Doctor's Pond is quality open space located 500m away and the River Walk is 800m to the south east. These factors combine to reduce the necessity for private communal space and the apartments themselves are generous in floor area that is not always possible for high density development.

Code Level 3 Sustainable Homes can be achieved and a strategy for energy savings and renewable energy is provided. Accessibility initiatives have been taken into the development and a wheel chair accessible unit and lifts to upper floors is provided.

RELEVANT HISTORY: Planning permission was granted on 6 November 2002 for the erection of 71 dwellings, retail, office units and library, construction of service and estate roads, extended parking and alterations to vehicular access (UTT/1185/02/FUL).

CONSULTATIONS: Highway Authority: To be reported.

UDC Planning Policy: No comments.

UDC Landscape Officer: Indicated that the submitted landscaping is acceptable.

ECC Archaeology: Requests an archaeological condition. States that the site is within a highly sensitive area of archaeological importance and the development will affect surviving archaeological deposits. Other areas of the 2002 excavation have been trial trenched and deposits excavated. This is the last remaining area to be assessed and is the most sensitive.

UDC Building Surveying: Energy Efficiency Surveyor – The development is on track to be Sustainable Homes Code Level 3 compliant. Apply relevant condition. The development will not achieve 10% renewable energy requirements however as this is an infill site there are constraints limited to where solar panels can be located without being seen. As such I am happy to accept what they have offered as a combination of solar PV and mechanical ventilation with heat recovery which gives a 6.26% reduction in energy demand and a 5.25% reduction in CO2 emissions. Suggest standard condition is amended for 6% in this case. Retail units are non domestic and cannot be assessed under the code. Lifetime Homes – No irregularities identified.

Environment Agency: No objection. Requests a condition to deal with ground contamination to show that there is no risk from metals and hydrocarbons in the vicinity.

Drainage Engineer: The application states that surface water drainage will be to mains drains. There are no public surface water sewers in the vicinity of the site. A scheme for sustainable drainage should be submitted for this development by condition.

Waster and Recycling Officer: There should be sufficient space for bin and recycling storage.

Conservation Officer: This proposal follows a previously approved scheme. The recently re-negotiated development is of similar proportions and vertical height but in my view of much superior design.

Both elevations, to the High Street and to White Hart Way would contain a selection of well thought out elevational elements with an interesting and finely balance fenestration. The steeply pitched roofs of the gabled features and dormers would respond well to the traditional character of the older structures within the Conservation Area and the robust chimney would greatly contribute to the thought after domestic character of the ranges. The suggested shop fronts with the narrow module glazing would be very appropriate within any historic street scene. The predominant use of smooth render and hand made plain clay tiles would be in keeping with the general character of Great Dunmow.

In conclusion I consider that this development would enhance the character of Great Dunmow Conservation Area and complement the setting of listed buildings in the locality. I suggest approval subject to conditions.

TOWN COUNCIL COMMENTS: Support.

REPRESENTATIONS: None. Notification period expired 20 November 2009. Site Notice expired 25 November 2009. Advert expired 26 November 2009.

PLANNING CONSIDERATIONS including Design & Access statement:

The main issues are

- 1) **Whether the erection of a building comprising residential flats and retail units would be acceptable in principle, be compatible with the scale, form, layout and appearance of surrounding buildings, preserve the character and appearance of the Conservation Area and the setting of adjacent listed buildings (ULP Policies S1, GD2, GEN2, ENV1, ENV2, SPD 'Energy Efficiency and Renewable Energy');**

- 2) **Whether there would be any harm to the amenity of neighbouring properties by virtue of overlooking, overshadowing or overbearing impact (ULP Policy GEN2) and**
- 3) **Whether there would be adequate parking provision and access to the development is acceptable in relation to highway safety (ULP Policies GEN1 and GEN8, SPD 'Accessible Homes and Playspace').**

1) Planning permission was granted on 6 November 2002 for the erection of 71 dwellings, retail, office units and library, construction of service and estate roads, extended parking and alterations to vehicular access (UTT/1185/02/FUL). Much of the development has been built, some are occupied and others are under construction.

This application seeks a different form of building and uses for the frontage with the High Street. This relates to a building with 3 no. retail units in lieu of 4 units, 10 no. flats in lieu of office accommodation and omission of basement parking provision. The applicant is seeking approval of this scheme in reflection of a change in market conditions.

Policy GD2 of the Uttlesford Local Plan adopted 2005 relates to land to the rear of 37 to 75 High Street and states that the site is proposed for mixed use development, including a minimum capacity of 50 residential units, subject to development including improved access to White Street and the public car park.

Officers consider that there is no objection to 3 retail units in place of 4 retail units. Parking for staff or customers would be available at the town's car parks as is the case with other retail units in the town. A mix of retail with residential above is common to town centre locations and will complement that mixture of commercial and retail uses present in the area. Officers consider a building comprising flats rather than office accommodation is acceptable and accords with Policy GD2 of the Local Plan and residential is appropriate within the development limit of Great Dunmow.

The site presently forms a gap in the street scene at a prominent and important location in the heart of the town centre within the Conservation Area and close to listed buildings. The requirement is to provide a building that is in character with the layout and scale in the area and is of an appearance that preserves or enhances the character and appearance of the Conservation Area and the setting of listed buildings. The area is a contrasting mix of style of building and varying heights. There are 2 storey and 2.5/3 buildings in the vicinity of the site.

The applicant has carried out pre-application negotiations involving the Council's Conservation Officer. The approved building of 2002 shows a broadly similar scale building to that now proposed. The Conservation Officer considers that the proposed development is of similar proportions and vertical height but of much superior design.

Both elevations, to the High Street and to White Hart Way would contain a selection of well thought out elevational elements with an interesting and balance fenestration. The steeply pitched roofs of the gabled features and dormers would respond well to the traditional character of the older structures within the Conservation Area and the robust chimney would greatly contribute to the thought after domestic character of the ranges. The suggested shop fronts with the narrow module glazing would be very appropriate within any historic street scene. The predominant use of smooth render and hand made plain clay tiles would be in keeping with the general character of Great Dunmow. The proposed development would, it is considered,

enhance the character of Great Dunmow Conservation Area and complement the setting of listed buildings in the locality.

Limited outside amenity space is provided for occupiers of the flats. This is a common feature of the flats recently constructed subject of the 2002 planning permission. The site occupies a central location within the town centre and occupiers would benefit from walking distance access to open space at the Doctor's Pond (about 0.5km). The Chelmer Valley area of open space is also within reasonable walking distance. Furthermore, the occupants of the flats would enjoy spacious internal space in excess of the minimum recommended in the Essex Design Guide. Therefore, the scheme is considered acceptable from an amenity space point of view.

Being a town centre site there is little scope for external soft landscaping and the Landscape Officer would not welcome this in any event to the frontages as this would be alien to the character of the High Street frontages. There will be some space in front of the two storey building for ornamental planting. Therefore, in relation to soft and hard landscaping the scheme is considered appropriate for its town centre location.

A bin storage area for the flats would be located in the rear parking court and therefore largely screened from public views. Bin storage for shops would also be screened adjacent the side elevation of the building. The storage area would be capable of accommodating sufficient waste containers and is appropriately located with access to White Hart Way.

The development would achieve Code Level 3 Sustainable Homes standard. The development will not achieve 10% renewable energy requirements however as this is an infill site there are constraints limiting to where solar panels can be located without being prominent and visually detracting in the Conservation Area. Therefore, a combination of solar PV (Photo voltaic) and mechanical ventilation with heat recovery would achieve a 6.26% reduction in energy demand and a 5.25% reduction in CO2 emissions. This approach is considered a sensible approach between balancing energy efficiency and townscape interests and the Energy Efficiency Officer agrees this proposal.

2) Elevations of concern for amenity are generally those facing southeast. The layout of accommodation has been designed as such so that high level windows face in this direction and predominantly hallways, kitchen and bathrooms face the boundary to the south where there is considered adequate separation distance to the boundary of 69 High Street. The element of the building adjacent 69 High Street has taken account of the scale of built form of no. 69 and has a height to eaves of about 6m. As such it is considered that this scale would not be overbearing and is similar to the scale of development previously approved. Further, the scale of the building on this elevation would limit significant overshadowing. With regard to residential properties constructed to the west there is considered adequate separation to maintain daylight to interiors and limit inter-visibility.

At land rear of 73 High Street there is an extant planning permission for the demolition of storage buildings and the erection of a building comprising 5 flats. The distance between that approved building and this proposed scheme would be about 30m. As such it is considered that potential inter-visibility between windows is limited and no concern for amenity is raised here.

3) One parking space for each flat is proposed and this is considered appropriate and similar to the approved and constructed development and to permissions elsewhere in the Town Centre. With regard to the town centre location where public transport accessibility for buses is greater this level of parking would be appropriate. There is a bus stop near opposite the site.

The scheme locates the parking in a court behind the façade of the building and would beneficially screen vehicles from public view.

Access to the development will be via White Hart Way north east of the junction with the High Street. A covered archway will lead to the parking court. The access would be 4.1m wide with pedestrian visibility splays of 1.5 x 1.5m with the building chamfered at these corners to achieve this. At the time of writing the comments of the Highway Authority have not been received and as such will be reported to the Committee.

The development would meet Lifetime Homes standards. Lift access is available within the building for upper floors of the building facing High Street. A ramped access will be provided for the shop fronting White Hart Way. And similarly the ground floor flat of the two storey building facing White Hart Way which would also be wheelchair accessible (wheelchair accessible parking space also located sensibly to the rear of this flat in the parking court).

CONCLUSIONS: The building would relate well to the scale and appearance of the traditional centre of Great Dunmow and subject to conditions would enhance the historic buildings of the Conservation Area. The building would appropriately fill the void of a prominent site and provide shops and flats that would well relate to the mixed uses in this central location.

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.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented - extension.
4. C.8.15. Restriction of hours of operation.
5. The landscape works hereby approved on drawing no. JBA/09/211-02 shall be carried out as approved unless otherwise agreed in writing by the Local Planning Authority.
REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area.
6. C.4.2 Implementation of landscape scheme.
7. No ventilation or extraction equipment shall be to the external elevations or roof of the building hereby permitted unless detailed drawings have previously been submitted to and agreed in writing by the Local Planning Authority. In such circumstances the equipment shall be fitted in accordance with the approved details unless otherwise agreed in writing by Local Planning Authority.
REASON: In the interests of amenity and the character and appearance of the Conservation Area.
8. Prior to the occupation of any flat or retail unit details of external lighting shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
REASON: In the interests of amenity.
9. C.11.7. Prior implementation of residential parking
10. Prior to the occupation of any retail unit to which it relates, details shall be submitted to and approved in writing by the Local Planning Authority of signage (to include fascia and hanging signage material, profile, colour and lighting specification). Such signage shall be fixed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of the character and appearance of the Conservation Area and visual amenity.

11. C.8.35 - Condition for compliance with code level 3 (less than five dwellings).
12. C.8.32 - Compliance with the 10% rule (developments of five or more dwellings or greater than 1000sqm floor area) AMENDED to 6%
13. C.8.34 - Condition for compliance with BREEAM 'very good' (non-domestic buildings less than 1000 sqm floor area).
14. C.16.2. Full archaeological excavation and evaluation.
15. Prior to the commencement of the development the following components of a scheme to deal with the risks associated with contamination shall be submitted to and approved in writing by the Local Planning Authority –
 1. A preliminary risk assessment which has identified:
 - All previous uses
 - Potential contaminants associated with those uses
 - A conceptual model of the site indicating sources, pathways and receptors
 - Potentially unacceptable risks arising from contamination at the site
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected including those off site.
 3. The site investigation results and the detailed risk assessment (2) and based on these, an option appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangement for contingency action.

The scheme shall be implemented as approved and any changes to these components will require the prior written agreement of the Local Planning Authority.

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.
16. REASON: To control the risk of flooding to the development and adjoining land. All electrical and telephone services to the development shall be run underground. All service intakes 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. All soil and waste plumbing shall be run internally and shall not be visible on the exterior. Eaves to all roofs shall be open with

expose rafter feet rather than boxed; all windows and doors in masonry walls shall be inset at least 100mm and shall be fitted with sub-cills unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of visual amenity.

- 17. All casement windows shall be balanced with equal size panes of glass unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of visual amenity.

- 18. Before any flat hereby permitted is first occupied provision shall be made for combined radio, TV aerial and satellite facilities to serve the development and no individual external radio, TV aerial or satellite dish or aerial shall be fixed on any individual residential property or flat or other unit of living accommodation or on any wall or structure relative thereto without the prior express grant of planning permission.

REASON: In the interests of visual amenity.

- 19. C.5.7C Window/rooflight details.

- 20. C.5.14.Black rainwater goods.

- 21. C.28.1.Implementation of accessibility scheme.

- 22. All bricks to the development (including brick retaining walls, chimney stack and wall to shop bin storage area) shall be of soft hand made clay in accordance with a sample which has been previously submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved sample unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the Conservation Area.

- 23. The roof material shall consist of hand made clay plain tiles unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the Conservation Area.

- 24. All weatherboarding shall be feather edge painted timber (not black) unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the Conservation Area.

- 25. C.5.8. Painted timber joinery.

- 26. All windows shall be timber with slender ovolo moulded glazing bars unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the Conservation Area.

- 27. All external balustrade railings shall be metal and painted black.

REASON: In the interests of the character and appearance of the Conservation Area.

- 28. All render shall have a smooth surface. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of the character and appearance of the Conservation Area.

- 29. The external door to the shop shall be vertically boarded painted timber.

REASON: In the interests of the character and appearance of the Conservation Area.

- 30. Boundary treatment shall be carried out prior to the occupation of any individual flat in accordance with drawing no. 1368-P002 and all timber fencing and gates shall be painted timber unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interests of visual amenity.

Background papers: see application file.

1) UTT/1161/09/FUL & 2) UTT/1162/09/LB - WHITE RODING

- 1) Replace barn doors with windows and new windows to rear and side elevations and alterations to provide annex living accommodation. Alterations to garage/store.
- 2) Replace barn doors with windows and new windows to rear and side elevations and internal alterations. Alterations to garage/store.

Location: Warwicks, GR/TL 575-133
Applicant: Mr & Mrs B Maidman
Agent: Andrew Stevenson Associates
Case Officer: Tony Ewbanks 01799 510606
Expiry Date: 25/11/2009
Classification: OTHER

NOTATION: Outside Development Limits / Within Metropolitan Green Belt / Grade II listed building / adjacent TPO's.

DESCRIPTION OF SITE: The application site, located on the northern edge of the A1060 to the east of White Roding, comprises of a listed thatched and tiled cottage, a detached thatched barn (listed in its own right) and detached thatched garage located within a large triangular plot of land. The detached barn structure is sited next to two small ponds which are heavily overgrown and silted up. The property is current unoccupied and accessed via a road which also serves several adjoining properties. The site boundaries are defined by a 1.4m high timber and wire fence and mature trees, hedges and other planting of a substantial nature.

DESCRIPTION OF PROPOSAL: Replace barn doors with windows, new windows to rear and side elevations, alterations to provide annex living accommodation, internal alterations and alterations to existing garage store.

The application proposes converting the main barn to include a games room, office, bathroom, guest bedroom and lobby with new staircase to the first floor. The proposed works to the existing garage will facilitate a downstairs lobby area, WC and new stair case to the first floor.

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

The applications propose minor internal changes to the layout of both buildings to provide ancillary support facilities for Warwick's Farmhouse, the host accommodation. The residential tie between uses is to be retained but also will provide an area where the main building can be used for homeworking and provide accommodation for visiting family members and guests. Works proposed to the garage studio include the provision of a weather lobby and ground floor amenity area. Existing access arrangements and landscaping are to remain unaffected.

In the main it is proposed to retain all external materials. Where new plinth works are carried out mild red clay brick in gardenwall or Flemish joints with a light/white putty mortar is to be used. Any new or repairs to the existing timber frame shall be carried out in a sensitive manner with wall panels surfaced externally in a smooth lime based render or black finished tarred weatherboard (as appropriate). Thatched roofs are to be serviced and overhauled with a small dormer on the main barn being resurfaced in slate. All new joinery shall be of a bespoke nature with painted finish. All windows are to be traditional small paned single glazed.

The Bat & Owl Survey submitted with the application noted that whilst it was probable that bats from nearby roosts would visit the grounds surrounding the application site to feed, no evidence of bats or barn owls was found on site. Consequently the proposal was not considered to have any detrimental effect on the local bat population.

RELEVANT HISTORY: None.

CONSULTATIONS: One. Expiry date: 21st October 2009.
Design Advice – Recommend conditional approval.

PARISH COUNCIL COMMENTS: No objections if annexe remains as part of the main house but would object if annexe was to be available as a separate unit. One Councillor noted the annexe was part of the Green Belt. Expiry date: 31st October 2009.

REPRESENTATIONS: One. Notification period expired 21st October 2009. Advertisement period expired 29th October 2009. Site Notice period expired 12th November 2009.

1. Gryphons, Warwick's Corner, White Roding. Warwick's is a sub-hamlet of White Roding and provides an ideal rural location. The proposal provides increased overlooking and loss of privacy of both our property and garden. The entrance to Warwick's is on a narrow road and close to Warwick's Corner and Walkers Lane. Any increase in traffic, parking and turning would be hazardous. The Barn forms part of the Grade II Listed Warwick's and this change will remove its status completely making just another barn conversion. The Barn is the feeding ground to several bats and the late owner informed me that the pond to the side was home to Great Crested Newts. The application shows no homes or habitat survey has been undertaken regarding the Great Crested Newt. We would ask this application be rejected.

COMMENTS ON REPRESENTATIONS: The two storey barn, which is the nearest structure to the Gryphons property, is approximately 30m from their front boundary and 70m from their dwelling. Each property's boundary is defined with planting and hedging and substantial tree specimens. Whilst currently vacant / unused, both structures are visually and functionally ancillary and subservient to the main dwelling. The application still proposes using both structures for ancillary domestic use therefore the listed status of the property will not be affected. A site visit of the application indicated that the ponds adjacent to the barn were heavily overgrown and silted up.

PLANNING CONSIDERATIONS: The main issues are:

- 1) **Whether the proposal is appropriate to this location (ULP Policies S3 and PPG2 Greenbelts);**
- 2) **Whether the proposal will adversely affect the character, historical fabric or setting of the listed building (ULP Policies GEN2 and ENV2) and guidance within PPG15 (Planning and the Historical Environment) and**
- 3) **Other material planning considerations – wildlife and habitat and TPO's (ULP Policy GEN7).**

1) The Parish Council's comment regarding the site's location within the Metropolitan Green Belt is correct. However no new building is proposed and the use the application seeks to put both structures to is compatible with the site's historical residential usage and character, the surrounding settlement's character not and have a detrimental impact upon the wider countryside's setting. However whilst the proposal is not considered to contravene Policies S3

and PPG2 the Parish Council's concerns may be further addressed through the imposition of conditions restricting the barn and garage to uses ancillary to and associated with the main dwelling and a Section 106 Agreement which can ensure the domestic land is not sold off from the main dwelling's curtilage.

2) Policy ENV2 aims to ensure development affecting a listed building is in keeping with its scale, character and surroundings. The proposed conversion aims at the retention of as much as possible of the original character of both barn and garage structures. Most of the existing openings will be reused to provide necessary fenestration and any new windows will be located between timber studs. The Conservation Officer's opinion that the proposal is a low key conversion providing a new economically viable use for the building, thereby securing its future, is noted. The proposal will not adversely affect the setting and special interest of the listed building.

Policy GEN2 seeks to ensure development does not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing. The objector's comments in this regard are noted. However the listed barn sits approximately 30m from the objector's front boundary and garden and some 70m from their residence. Whilst the application proposes replacing existing doors on the listed barn's northern elevation they will be at ground floor level and suitably screened from the objector's property by virtue of existing boundary planning. The proposal will not adversely affect amenity by virtue of overlooking or loss of privacy. As the application does not propose altering the dimension or scale of either the barn or garage the will be no loss of daylight or overshadowing occurring.

As the application proposes to re-use both structures for domestic activities which are ancillary to the main house the proposal will not, in itself, result in any increase in traffic over and above what is normally associated with domestic use.

The proposal is considered compliant with ULP Policies GEN2 and ENV2 and PPG15 (Historic Environment) guidance.

3) The proposed conversion works will have no effect upon the protected trees which are located within site's northern and eastern boundary. The issue raised in the letter of objection regarding Bats and Great Crested Newts is noted. Policy GEN7 seeks to protect protected species or habitat suitable for protected species from harmful development. However, whilst the Ecological Survey submitted with the application indicated the probability of the Warwicks grounds being visited to feed, there was no evidence that both structures were used by either bats or owls. A survey for Great Crested Newts or the ponds suitability as habitat was not considered necessary for this application given that new build is not proposed. Consequently the adjacent ponds in their present or any potential future state will not be adversely affected or interfered with by the proposed renovation and reuse. As such the proposal is considered compliant with Policy GEN7.

CONCLUSION: The application is considered acceptable and should be conditionally approved.

RECOMMENDATION: APPROVAL WITH SEPARATELY CONDITIONS & SECTION 106 AGREEMENT (TO AVOID ANNEXE BEING SOLD THE MAIN DWELLINGHOUSE

UTT/1161/09/FUL

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.
3. C.14.4. Use ancillary to main dwelling.

UTT/1162/09/LB

- 1 C.2.2. Time limit for commencement of development - listed buildings
2. C.3.1. To be implemented in accordance with approved plans.
3. C.5.8. Joinery details.
4. C.5.9. Painted wood.
5. The thatched roofs of both structures subject of the permission hereby permitted shall be retained in perpetuity and sensitively repaired with appropriate materials and techniques as necessary.
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.
6. All repairs shall be carried out in timber of a matching type and cross section as original.
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.
7. All render shall be smooth to match existing and lime based. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting.

Background papers: see application file.

UTT/1280/09/REN - GREAT DUNMOW

(Joint applicant was a Member of staff at the time the application was submitted. Now retired)

Renewal of planning approval UTT/1457/06/FUL for single storey rear extension with two roof lights

Location: 30 Tenterfields

Applicant: Mr & Mrs D Walls

Case Officer: Ms Nicola Holmes 01799 510629

Expiry Date: 04/12/2009

Classification: OTHER

NOTATION: Inside Development Limits.

DESCRIPTION OF SITE: The site consists of a two storey semi-detached dwelling located at the end of Tenterfield's a post residential estate, and is adjoined by residential properties to the south and east. The dwelling is a modest brick and tile building with a garage on the northern side. Car parking is located to the front of the site.

DESCRIPTION OF PROPOSAL: The application is seeking to renew planning permission that was obtained in 2006 for the erection of a single storey rear extension. The extension would have a depth of 3.05 metres with a width of 4 metres. The roof of the extension will be of a pitched design containing rooflights. The maximum height of the roof is 3.5 metres and an eaves height of 2.25 metres. In addition to the rooflights proposed there are also two windows facing to the rear and patio doors facing to the north.

APPLICANT'S CASE: None required.

RELEVANT HISTORY: UTT/1457/06/FUL Single storey rear extension with two roof lights. Conditional Approval 13/10/2006

CONSULTATIONS: None.

GREAT DUNMOW TOWN COUNCIL COMMENTS: Support the application.

REPRESENTATIONS: None. Notification period expired 20/11/2009.

COMMENTS ON REPRESENTATIONS: None.

PLANNING CONSIDERATIONS: The main issues are

- 1) **Whether the proposed extension would comply with the requirements of policies relating to Design and Home Extensions (ULP Policies GEN2 and H8 & Supplementary Planning Document (SPD) Home Extensions) and**
 - 2) **Other material planning considerations.**
- 1) In summation the policies and SPD as listed above require house extensions to respect the scale, design and external materials of the original dwelling; not have an adverse impact on the amenity of neighbouring properties; and be compatible with the established character of the area.

The extension would be modest in scale, use matching materials and would respect the scale and design of the existing dwelling. The extension is to the rear of the property and thus will not affect the street scene and given the scale and nature of the extension is consistent with the established residential character of the area and will maintain average dwelling and plot size.

The extension would be set against the boundary with 28 Tenterfields which currently has a 2 metre high close boarded wooden fence and vegetation. The rear elevation of number 28 has windows at the ground and first floor. Although the extension will be set against this boundary it would not have a detrimental effect on the amenity of this property. Given the scale of the extension and roof pitch it would not have an overbearing impact or result in loss of light to this property.

2) There are no other material planning considerations.

CONCLUSION: The proposed extension is acceptable renewal of the previous planning permission is recommended.

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.8.28. Energy Efficiency

Background papers: Application file, Development Plan & Supplementary Planning Documents
