

**PLANNING APPLICATIONS AWAITING DECISIONS WHICH HAVE ALREADY BEEN INCLUDED  
ON A PREVIOUS SCHEDULE AS AT 28 JULY 2003**

APPL NO: **UTT/1513/02/FUL**  
PARISH: **LITTLE CHESTERFORD**  
DEVELOPMENT: New central facilities building, new research building, start up  
research units, realignment of internal road, balancing pond,  
water storage tank & landscape works  
APPLICANT: Norwich Union Life & Pensions  
LOCATION: Chesterford Research Park  
D.C. CTTE: 7 July 2003 (see copy attached p2-21)  
REMARKS: Deferred for Members Site Visit  
**RECOMMENDATION: Conditional Approval with Section 106 Agreement**  
*Case Officer: John Mitchell 01799 510450*  
Expiry Date: 13 December 2002

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APPL NO: **UTT/0670/03/FUL & UTT/0671/03/LB**  
PARISH: **WENDENS AMBO**  
DEVELOPMENT: Change of use and conversion of barns to dwelling.  
Alterations to vehicular access. Construction of walls and  
fencing  
APPLICANT: Rt Honourable Lord Braybrooke  
LOCATION: Westbury Barn, Royston Road  
D.C. CTTE: 7 July 2003 (page 120)  
REMARKS: Deferred for further consultations re effects of M11  
**RECOMMENDATION: Deferral for revised report to be prepared**  
*Case Officer: Hilary Lock 01799 510486*  
Expiry Date: 8 July 2003

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APPL NO: **UTT/0129/03/FUL**  
PARISH: **HIGH EASTER**  
DEVELOPMENT: First-floor and ground-floor rear extensions  
APPLICANT: Mr P Oates  
LOCATION: 2 Parsonage Cottages, Pleshey Road  
D.C. CTTE: 7 July (see copy attached p22-25)  
REMARKS: Deferred for Members Site Visit  
**RECOMMENDATION: Approval with conditions**  
*Case Officer: Richard Aston 01799 510464*  
Expiry Date: 01 April 2003

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## UTT/1513/02/FUL - LITTLE CHESTERFORD

New central facilities building, new research building, new start up research units, realignment of internal road, balancing pond, water storage tank, landscape works.

Chesterford Research Park. GR/TL 535-420. Norwich Union Life & Pensions.

Case Officer: John Mitchell 01799 510450

Expiry Date: 13/12/2002

**NOTATION:** Within area covered by Local Policy 1, Chesterford Research Park in ADP and DLP.

**DESCRIPTION OF SITE:** The Chesterford Research Park is located to the east of Little Chesterford and to the north of Saffron Walden. It is a well established research site that has undergone a considerable period of change recently as the previous single occupier, Aventis, has withdrawn from the site and different research companies have moved in. The new owner (Norwich Union) is undertaking a programme of improvements including upgrading existing buildings and planting. Access is taken from the B184 via a new roundabout which has recently been completed. The research park is based around a Victorian country house standing in grounds of approximately 100 hectares. There are approximately 70 buildings distributed around the site with a total floor area of approximately 32,500 sq m.

The site comprises a group of some 18 outdated research buildings in the south west corner of the research park with a total floor area of 3,370 sq m. They are currently vacant but were used for a variety of research and ancillary activities including agricultural trials. There are also areas of concrete hardstanding which will be broken up.

**DESCRIPTION OF PROPOSAL:** It is proposed to demolish the 18 outdated research buildings and erect:

1. **A new central facilities building** of 2,719 sq m, replacing the old small staff restaurant and providing a modern restaurant for all those employed on the site, including a gym and meeting rooms available for use by businesses on the site. It would not be open to the general public. It would be of flat-roofed modern design, approximately 10m high with a central feature of 11.5m, a maximum width of 55m and a maximum depth of 30m.
2. **New start up and research units.** The building would be designed to provide a series of modern small research units for small companies and new businesses. It would have a floor area of 1,444 sq m, have a barrel roof rising to a height of 12m, with a width of 38m and a depth of 25m. Materials would be brick with an aluminium roof
3. **New Research building.** This would be an L-shaped building and have two stories of laboratories in the southern wing, with a plant area above, and a smaller administrative wing to the north, linked by a central entrance and core. The floor area would be 3,968m, the maximum height being 14m. The laboratory area would be 57m long and 20m wide, and the office wing 36m long and 16m wide. Materials and design features, including the use of flat and barrel roofs, would be common to the other two buildings.

The net increase in floor area, allowing for demolitions, would be 4,221 sq m. The total new floor area would be 7,591 sq m.

In addition, an underground water reservoir for fire-fighting is proposed, a balancing pond to the south where the land falls away from the development area, a realignment of the loop road in the vicinity of the site, and new pedestrian routes through the inner park and a new water feature wrapping round the eastern side of the arboretum.

A total of 204 parking spaces would be provided distributed as follows: 113 to serve the research building, 42 to serve the start up units and 59 to serve the central facilities unit. A travel plan is also in place and it is proposed to augment this with the running of a minibus service to and from local railway stations.

A Traffic Impact Assessment accompanies the application which concludes that the junctions will accommodate all the traffic generated by the additional development and, in order to reduce the potential effects on the highway network it is proposed to introduce a bus service to and from local railway stations. Finally a comprehensive landscaping scheme accompanies the application. This concludes:

*“The design of the exterior environment of Chesterford Research Park aims to take a holistic approach working carefully and sensitively with the *genus loci* to create a landscape which responds to the inherent riches of both the historic and rural landscape. The proposals recognise that features outside the application site such as the Mansion, the Estate Cottages, the arboretum and the nearby ancient woodland are vital in contributing to the sense of place and crucially provide the constraints and opportunities on which the concept of the design is founded.*

*Essentially the landscape treatment is a tapestry of interpretations from the past, present and proposed landscapes, deriving particular inspiration from the surviving historic landscape and manifest reinterpretation of parkland. The landscape will also provide a thoroughly modern threshold appropriate to a modern research establishment and a robust response to the site’s character – this is particularly evident in the outer park area of new woodland planting proposed for the western boundary.*

*Ultimately the aim is to site the new building s sensitively within the landscape, minimising impact on the outside environs while at the same time making a positive contribution to the existing, rather neglected, Chesterford Park landscape. These proposals will undoubtedly deliver an attractive landscape setting, a pleasant working environment, and a framework for conservation and enhancement”*

**APPLICANT’S CASE:** See supporting statement attached at the end of this report.

**RELEVANT HISTORY:** The history is long and varied. In June 2000 most of the planning uses were rationalised to permit B1 (b) uses (research and development). Several new research buildings have been constructed. Planning permission has been granted for a new access road and roundabout to the B184, subject to a Section 106 Agreement requiring, inter alia, a Travel Plan. This Plan includes provision for a travel co-ordinator to be designated for the site, with responsibility for arranging a car sharing scheme.

This application, submitted on 18<sup>th</sup> October 2002, has been placed “on hold” pending the approval of a Master Plan for the whole site. Officers considered that the Master Plan submitted with the application was inadequate and sought a comprehensive Plan. This was approved by the Environment and Transport Committee on 10<sup>th</sup> June 2003, after being modified following public consultation.

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

ECC Archaeology: Field evaluation by trial trenching.

Environment Agency: No objections subject to conditions

Anglian Water: No objections

Environmental Services: Remediation measures will be required should any contamination be found.

**PARISH COUNCIL COMMENTS:** Object: Increase in size of developed area.  
Master Plan is inadequate.

The Central Services Building should not be allowed, as it is not a facility for research and development.

The balancing pond is outside the Development Zone.

The TIA is incorrect and its conclusions invalid.

There will be increased potential for accidents along the B184, especially at Springwell.

The bus routes may pass through Little Chesterford.

**REPRESENTATIONS:** This application has been advertised and 4 representations have been received.

1. CPREssex: Object. The Master Plan is inadequate in a number of aspects. (*Officer Comment – the Master Plan has been revised since the comment was made and subsequently approved by the E&T Committee on 10 June*).

The development cannot be properly assessed without the context of an approved Master Plan in line with Chesterford Research Park Local Policy 1;

The TIA and Travel Plan need to be reassessed in the light of new figures for square footage and employee numbers; the nature and hours of use of the central facilities building must be defined.

2 – 4. The development represents an increase in the size of the developed area some 4221 sq m above that of the 32,516 sq m for which there is permission – a 13% increase. It is disingenuous for the applicants to put forward the argument that the central facilities building is a common facilities building and does not need to be taken into account in the assessment of the effect of the overall increase in size of the development; the Central Service Building should be assessed as if were a leisure facility: there is no provision for this in the District Plan; the balancing pond is outside the development area; the master plan does not fulfil the requirements of the Local Plan policy; the TIA is flawed, as are the assumptions on which it is based; the use of buses will not significantly decrease traffic; there may be more accidents along the B184.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposal complies with

- 1) the Chesterford Park Local Policy 1 in the ADP and DLP and
- 2) the approved Master Plan.

1) Chesterford Local Park Policy 1 in the ADP presumes in favour of development ancillary to the main use of the site as a research station, provided that such development is appropriate to a parkland setting. Chesterford Local Park Policy in the DLP permits the development of facilities for research and development in the development zone of 15.59ha subject to 5 criteria. These are:

**a) They are compatible with its parkland setting**

The proposed buildings are low-rise in scale and would be seen in the context of the parkland setting of The Mansion. They would not be visible from outside the estate. It is considered that the proposal complies with (a).

**b) The proposals include a comprehensive landscaping scheme to help assimilate development into the parkland setting**

A comprehensive landscaping scheme accompanies the proposal, which is considered acceptable.

**c) The Mansion, Garden House and Emanuel Cottage are preserved**

The proposal is neutral in regard to these properties.

- d) A comprehensive traffic impact assessment that the movement likely to be generated can be properly accommodated on the surrounding transport network and that measures are proposed to ensure that as high a proportion of journeys as is reasonably feasible in the context of the site will be by modes other than the private car.**

The application is accompanied by a traffic impact assessment (TIA) and the County Highways Authority has no objections. There is already a Travel Plan in place and recent surveys suggest that 22% of single occupancy drivers are willing to travel by train if a bus service were available. The proposal to start a bus service to local railway stations as part of the Travel Plan is therefore welcomed. Cycle parks will be provided. The Council's standard for car parking for developments of this type is one space per 35 sq m. The total parking provision is 204 spaces for 7491 sq m of development, which complies with the Council's standards. Given that these standards are derived with a view to reducing dependence on the private car when compared with previous standards, this level of provision is considered acceptable. It is considered that the proposed development complies with criterion (d).

- e) The transport needs of the development can be accommodated whilst maintaining or improving road safety and the surrounding environmental conditions for the local community without the need for engineering measures that would detract from the countryside character of the area.**

There are no additional physical infrastructure requirements arising from the proposal. The provision of a bus service will help to improve road safety in the wider area. The proposal complies with criterion (e).

2) There is also a requirement for a comprehensive Master Plan. This Plan was approved by the Environment and Transport Committee on 10<sup>th</sup> June. Norwich Union's vision for the site is to preserve the best elements of the site, to improve the environment, provide additional facilities for occupiers and to construct new buildings to meet modern research requirements. Its strengths lie in the landscaped environment and historic elements of the site. A weakness is the quality of some of the buildings. This overall vision will be achieved by the following means:

- Provision to be made for business start ups requiring smaller laboratory space and flexible terms, as well as providing for more established companies. There are advantages for high technology companies forming part of a cluster of research activities.
- Improved central facilities to produce a better café/restaurant for staff on site and a gym. This will encourage contact between occupiers and meet needs to reduce journeys elsewhere.
- Older and unsightly buildings will be removed over time and the distribution of buildings across the site changed to enhance the parkland setting. New floorspace will be initially located on the southern part of the site with some buildings in the northern part being removed.
- The amount of space will depend on a number of factors including market demand but it is anticipated that approximately 24,000 sq m of additional floorspace will be provided. A phasing plan shows how this will be achieved, as new buildings are constructed and older ones removed.
- This is a long-term strategy and one that can respond to changes in market demand. Details have to respond to needs as they arise but the Master Plan sets out the overall context.

The Master Plan is not prescriptive, and one of the requirements of the E&T Committee is that each phase of development is accompanied by a TIA. This will enable this Committee to take into

account the cumulative impacts of this and other developments in the vicinity on the road network, and to require appropriate remedial measures. It will further enable the Committee to test the assumptions on which the previous phase has been assessed and to put into place remedial measures before further development occurs, if the assumptions prove to be incorrect.

**COMMENTS ON REPRESENTATIONS:** These are covered in the report. It is stressed that the flexibility of the Master Plan enables consideration of the cumulative effect of development at all phases of the development.

**CONCLUSION:** The proposed development complies with the Chesterford Local Policies in the ADP and the DLP, and further complies with the requirements of the Master Plan.

**RECOMMENDATION: APPROVAL WITH CONDITIONS SUBJECT TO A SECTION 106 AGREEMENT REQUIRING IMPROVEMENTS TO THE TRAVEL PLAN:**

1. C.2.1 Time limit for commencement of development.
2. C.3.1 To be implemented in accordance with approved plans.
3. C.4.1 Scheme of landscaping to be submitted and agreed.
4. C.4.2 Implementation of landscaping.
5. C.4.8 Landscape management and maintenance plan.
6. C.8.22 Control of lighting.
7. C.9.1 No outdoor storage.
8. C.11.7 Standard vehicles parking facilities.
9. C.16.1 Watching archaeological brief.
10. C.25.1 Airport related parking conditions.
11. The buildings hereby permitted shall only be used for uses falling within Class B1b of the Town and Country Planning Use Classes Order 1987, as amended and as may be amended or superseded.  
Reason: in the interests of ensuring development complies with the Council's policies for the Chesterford Research Park.
12. Demolition of buildings.
13. The Central Facilities Building hereby approved shall not be used for purposes other than related to the use of the Research Park, nor available for hire or use by any outside organisation or individual.  
Reason: In the interests of the amenity of residents of nearby settlements.
14. Drainage requirements.
15. Environment Agency requirements.

*Background papers: see application file.*

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**UTT/0129/03/FUL - HIGH EASTER**  
***(Referred at ex-Member's Request)***

First-floor and ground-floor rear extensions  
2 Parsonage Cottages, Pleshey Road. GR/TL 620-147. Mr P Oates.  
*Case Officer: Richard Aston 01799 510464*  
Expiry Date: 01/04/2003

**NOTATION:** ADP & DLP: Within Development Limits, Settlement Boundaries and Conservation Area/Public Footpath to rear.

**DESCRIPTION OF SITE:** Parsonage Cottages are a row of three two-storey dwellings situated in the centre of the village on the corner of School Road and the High Street. No 2 is the middle property and has two bedrooms upstairs, the bathroom being on the ground floor. It is flanked on both sides by first-floor rear extensions. The properties are the subject of a flying freehold because the layout of the cottages overlaps, i.e. the first floor rear bedroom of No 1 overlaps the ground floor single-storey rear extension of No 2. The window of the rear bedroom of No 1 looks over the ground floor extension of No 2. The gardens of the properties are south facing.

**DESCRIPTION OF PROPOSAL:** This revised proposal details the erection of a first-floor extension, 4m wide and to an eaves height of 2.3m with a hipped roof, so that the existing rear bedroom can be converted into a bathroom. The ground-floor extension would enlarge the existing kitchen. The proposal has been amended following a refusal and negotiations in an attempt to minimise the potential impact on the residential amenity of adjoining occupiers to an acceptable level. The main change is that the first-floor extension would now be angled away from the neighbour after 0.9m (3'). The refused scheme was for the proposed side wall to be at right-angles. A gap of 1.5m would remain between the flank wall of the first floor extension and the flank wall of the adjoining property, with a gap of 700mm between the flank wall of the extension and the neighbour's window. The proposal also details the erection of a single storey rear extension running the length of the rear elevation and 1.9m in depth.

**APPLICANT'S CASE:** The application has been revised following a previous refusal for a rear extension, and follows some discussions with officers. The previous "tunnel" effect has been removed and the revised position of the wall would ensure a much smaller reduction in the times when sunlight to the neighbours' bedroom would be affected. This bedroom window at No 1 was reduced by 50% when the new first-floor extension wall was erected. The Council approved a similar extension on the neighbouring property (No3) 600mm (2') from my rear wall at No 2.

**RELEVANT HISTORY:** Erection of two-storey rear extension and single-storey rear extension refused 2002 for reasons of loss of light to the neighbour at no 1 by creating a poorly designed tunnel effect which would have had an overbearing effect, detrimental to their outlook.

**CONSULTATIONS:** Specialist Design Advice: Although the adjoining properties have been provided with additional living accommodation at the rear and side, in this instance it is not possible to do the same for this middle unit due to the site constraints. The need to provide sufficient light to the neighbouring property results in an uncomfortable architectural style. It is considered on balance that this which would not enhance or protect the character of the Conservation Area when viewed from the public footway. Recommends refusal.

**PARISH COUNCIL COMMENTS:** Concerned that the proposal would have an adverse effect on the light of the neighbouring cottage as the extension does not meet 45-degree criteria.

**REPRESENTATIONS:** This application has been advertised and one representation has been received. Period expired 27 February 2003.

We consider that application to be worse than the previous application as it would bring the wall closer to our window and has sheer vertical walls, reducing light and creating more of a tunnel effect. The proposal does not meet the 45-degree angle as laid down by the BRE.

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

- 1) **the proposal would have a detrimental impact on the residential amenity adjoining occupiers (ADP Policies H7, DC1 & DC14 and DLP Policies H7, GEN2 & GEN4) and**
- 2) **the design of the proposal would have a detrimental impact on the character and appearance of the Conservation Area (ADP Policy DC7 & DLP Policy ENV1).**

1) The revised extension would leave a gap of 1.5m where the neighbours' rear bedroom window is located, run back at right-angles for 900mm before being diagonally angled off at 34 degrees. The neighbouring window is currently located 700mm from the flank wall of the proposed extension. It is considered that, although the extension has now been designed with an angled rear and side flank wall, this element would not meet established BRE standards when applied from the eaves height of the extension. This is because a 45 degree line drawn from the eaves height would cover more than half of the window. However the 45 degree standard would be met if a 45 degree line is drawn from the depth of the extension (i.e. from 900mm). The window in question to the neighbouring property is however to a secondary bedroom, which is given less importance than if, it was a living room. On balance it is considered that the amount of skylight that would be lost into this window is not material enough to warrant a refusal. Furthermore, as the applicant suggests in the supporting information to the application, the 45-degree criteria was not considered to be an appropriate reason for refusal when the two storey rear extensions were approved at No 1 and No 3. The erection of these extensions has had a far greater impact on the amount of sky/daylight and sunlight into the rear bedroom window of No 2 and the affected window than the proposed extension would have on its own. The fact that the wall has been angled to allow more sunlight and daylight in also means that the 'tunnel' effect, which was a main reason for refusal of the previous application, is also reduced to an acceptable level.

The case however is finely balanced; the properties surrounding the application site have been considerably extended, with No 1 having almost doubled in size, on balance it is considered that although there would be a minimal impact, this would not be material enough to warrant a refusal on amenity grounds, especially as the large two storey extension to the rear of No 1 already reduces significantly sunlight during the morning. Turning to the impact of the single storey extension, it is considered that because of its depth the extension would not have a material impact on residential amenity.

2) Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Because the applicant has shown a desire to reduce the impact on the neighbouring property, this has resulted in a somewhat awkward architectural form. The council's Conservation and Listed Buildings Officer advises that because this style is needed to reduce the impact on neighbours to an acceptable level, it would have a detrimental impact on the Conservation Area. However, the property can only be seen from the footpath and would be mainly obscured between the two large rear extension on both sides, so that the existing streetscene in High Easter would not be materially affected. It is therefore considered that the extension would have no more of an impact on the Conservation Area than the existing large two-storey extensions that surround the materially site.

**CONCLUSION:** This is a finely balanced case as the neighbouring properties have been considerably extended, with No 1 being doubled in size and No 3 having a large first floor rear extension. The revised proposal would have a minimal impact on the amount of daylight and sunlight into the bedroom window of No 1, but it is considered that this is not sufficient enough to warrant a refusal. Furthermore the angle of the flank wall would significantly reduce the 'tunnel'



effect that the previous application created. It is considered that the extension would have no more an impact on the Conservation Area than the existing large extensions that surround the site.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Standard time limit for commencement
2. C.3.1. To be implemented in accordance with approved plans
3. C.5.2. Details of materials to be submitted and agreed
4. No work relating to this permission shall be carried out on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08:00 and 18:00 on Mondays to Fridays and between the hours of 08:30 and 13:00 on Saturdays  
Reason: To safeguard the amenities of adjoining occupiers.

*Background papers: see application file.*

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## UTT/0455/03/DFO – TAKELEY

Construction of hotel with associated parking, landscaping, servicing and ancillary works and operations

South Gate Site, Stansted Airport. GR/TL 547-221. BAA Lynton.

Case Officer: *Jeremy Pine 01799 510460*

Expiry Date: 26/05/2003

**NOTATION:** Within Southern Ancillary Area in both ADP and DLP (Policy AIR3 relates).

**DESCRIPTION OF SITE:** The South Gate site is located to the south of Bassingbourn roundabout, immediately southwest of the mid stay car park. Thremhall Avenue lies to the northwest and the line of the new A120 (currently under construction) is to the south. To the east, feeding off the Bassingbourn roundabout is a local distributor roundabout which currently serves the mid stay car park, further spurs having already been constructed when the roundabout was built to serve the South Gate site and to provide a link (Trinity Bridge) into the airport road system from the new A120 for motorists coming from and going to the east. This link also serves the balancing pond.

The South Gate site is roughly triangular in shape, measuring approximately 470m along the boundary with the new A120 and 200m in depth from the same boundary towards Bassingbourn roundabout. The total site area is 5.6 hectares (13.85 acres). The site rises gently from south to north and is at a lower level than Thremhall Avenue, from which it is separated by a planted embankment established in 1990. The link road running to the east of the site between the two roundabouts is also set at a higher level. The new A120 is slightly raised compared to the level of the site, and there will be a bund and planting to the south of the road alignment approved as part of the A120 road improvements.

An ancient hedgerow runs SE-NW across the western part of the South Gate site and there is a major underground service corridor across part of the eastern side. Neither would be affected by this proposal. *Members visited the site on 16 June 2003, when determination of this application was deferred so that officers could negotiate amendments to the design and height of the proposed hotel.*

**DESCRIPTION OF PROPOSAL:** A budget hotel would be erected on an irregularly shaped 1.2 ha plot (known as Plot 1) roughly in the centre of the northern part of the South Gate site immediately south of Bassingbourn roundabout and opposite Plot 2 (the approved petrol filling station). The hotel would contain 255 bedrooms (to be developed in two phases, but all applied for now) with 175 car parking spaces, cycle storage and landscaping/mounding. All access would be via the approved internal site road with a barriered entrance/exit for staff and resident guests at the eastern end of the plot and a separate entrance to a service yard/turning head at the western end.

The hotel would be located at the western end of the plot and would consist of two wings extending in a "v" shape from a central atrium area, giving a broken appearance in distant views from the south and east. The building as now revised would be of 4 storeys, with all plant relocated from the roofs of the wings to allow the omission of the previously proposed monopitch sections which would have housed the plant. As a result, the height of the wings would be reduced by 3.74m compared to the original proposal, taking into account all other height adjustments. There would still be some plant on the roof of the atrium within purpose-built aluminium housing, where a 1.8m reduction in overall height has been achieved. All but the top half of the top storey would currently be screened from Thremhall Avenue by the established bank and planting. The more public front and less public rear elevations would now have a different architectural treatment, the front elevations consisting of a modular panellised system in two tone

grey whilst the rear elevations would be of masonry panels with horizontal coursing and vertical breaks. The end elevations would be a combination of cladding, masonry and mesh for the stairwells.

The car park area has been replanned, allowing for extra mounding by the entrance/exit to further break up views of the hotel from the south.

The 2<sup>nd</sup> phase of 80 bedrooms would be constructed as an extension to the northernmost wing of the hotel, giving an asymmetric appearance.

The proposed lighting to the car park would match that in the mid stay car park, consisting of 5m columns with a horizontal cut-off. All lighting would contain low energy fittings, controlled by time clocks and photocells. Other measures to achieve energy efficiency, recycling and waste management would include key card/central switching (to ensure bedroom lights and heating are turned off when the room is not in use) and a linen re-use programme.

The application drawing also shows Plots 3 and 4, these being located to the east of Plots 1 and 2 (the previously approved petrol filling station) respectively. No proposals for Plots 3 and 4, through which the major underground service corridor runs, have currently been put forward.

**APPLICANT'S CASE:** Original Plans:

A Hotel Supporting Statement in A3 format has been submitted, copies of which can be inspected at the District Council's Saffron Walden and Great Dunmow offices.

The main points of the Statement are:

- The provision of 175 car park spaces constrains car use and therefore contributes to the general BAA policy of encouraging journeys to the airport by modes other than the private car
- A comprehensive staff travel plan to encourage use of public transport
- The design of the building seeks to maintain the "airport in the countryside" and subsequent mitigation is proposed so that the development is in harmony with the visual setting
- 4 storeys provides an efficient plan for hotel operation, reducing circulation, the building footprint and mass to minimise construction and operation costs
- The location within the site reduces on site vehicular movements and emissions while maximising the area available for landscaping
- Additional on-airport provision, and the specific provision of a budget hotel will reduce the need for additional car journeys to hotels in the surrounding countryside
- Provision of employment opportunities during construction and operation
- Incorporation of "green" initiatives such as use of passive heat, low energy lighting and thermal insulation

Revised Plans

See applicant's letter of 11/7/03 and Revised Hotel Design Statement of 26/6/03 attached at end of report.

**RELEVANT HISTORY:** Outline planning permission granted subject to conditions in 1985 by the Secretaries of State for the Environment and Transport for the expansion of Stansted Airport to about 15 million passengers per annum (mppa). The permission included a new passenger terminal, cargo handling and general aviation facilities, hotel accommodation, taxiways (including the widening of a proposed taxiway to be used as an emergency runway), associated facilities (including infrastructure for aircraft maintenance and other tenants' developments) and related

road access. A condition of the outline permission requires that the reserved matters be submitted within 20 years (i.e. by 5/6/05).

Further conditions of the outline planning permission require, *inter alia*, that the location of hotels within the site be agreed via general layout plans for 8 & about 15mppa phases (approved 9/4/86) and that the height of any hotels not within the terminal area not exceed 3 storeys in height except with the written agreement of the local planning authority.

Reserved matters submissions relating to phase 1 expansion to 8mppa were made and approved during the late 1980's and early 1990's. Phase 2 expansion from 8-about 15mppa was approved in April 1999. The reserved matters for the petrol filling station and the infrastructure works on the South Gate site were approved on 16 June 2003. *Members deferred this current application at that meeting on 16 June 2003 to enable revised plans amending the design of the hotel to be submitted.*

Outline planning permission for expansion of Stansted Airport from about 15mppa – 25mppa was granted in May 2003 subject to conditions and a Section 106 Agreement. In the Environmental Statement that accompanied that application, the development of the South Gate site was taken as being part of the Phase 2 expansion to about 15mppa and was, therefore, part of the cumulative impact at about 15mppa against which further expansion to 25mppa was assessed.

**CONSULTATIONS:** Original Plans

ECC Transportation: No objections subject to conditions.

Thames Water: Drainage and pollution control details require to be agreed.

Environment Agency: To be reported (due 23/4)

BAA Safeguarding: No objections. Attention of applicant drawn to standards of lighting for aerodromes.

Essex Police Community Safety: No objections, but do have concerns regarding car park security. Request a condition requiring hotel and car park to be subject to "Secured by Design" and "Secured Car Park" certification respectively.

ECC Archaeology: No objections subject to investigative works.

Any comments on revised plans to be reported (due 28/7).

**PARISH COUNCIL COMMENTS:** Original Plans: Object. Only 175 car parking spaces shown for 256 bedroom hotel (risk of increased fly parking). Increase in light pollution. Concern re poor design.

Revised Plans: (To be reported, due 28/7)

**REPRESENTATIONS:** These applications have been advertised and no representations have been received re the original plans. Period expired 30/4/03.

Any comments on revised plans to be reported (due 28/7).

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

- 1) **the provision of a hotel would be an appropriate facility within the Southern Ancillary Area (ERSP Policy LRT10, ADP Policies AIR3 & REC5, and DLP Policies AIR3 & LC6),**
- 2) **the design and lighting would be appropriate and neighbourly (ADP Policies DC1 & 14 and DLP Policies GEN2, 4 & 5) and**
- 3) **the access and parking would be convenient and safe (ERSP Policy T3, ADP Policies T1, 2 & 4 and DLP Policies GEN1 & 9).**

1) On the general layout plan for about 15mppa, which was approved in 1986 as a reserved matter, 3 sites for hotels within the airport development boundary were shown. The first was the Hilton adjacent to the long-term car park (now built), the second was to the northeast of the

terminal (under construction for Radisson SAS) and the third was immediately to the east of Bassingbourn roundabout. The construction of the mid-stay car park on the land to the east of Bassingbourn roundabout has resulted in some revisions to the about 15mppa layout plan, one of which has been the relocation of the third hotel site to immediately to the south of the roundabout. The wordings of both AIR3 Policies do not specifically refer to hotels within the Southern Ancillary Area, but the uses referred to in the policies are not exclusive and the principle of a third hotel remains established via the about 15mppa layout plan, notwithstanding the revised location, which is of no material consequence in airport land use terms. The provision of airport related hotels within the airport development boundary is, in any case, encouraged by the other ERSP, ADP and DLP policies referred to under main issue 1.

Evidence presented by BAA during the 1980's Airport Inquiry, and subsequently noted in the Inspector's report, indicated that some 850 bedrooms might be required within the airport development boundary to serve about 15mppa. If these reserved matters were granted, total provision would be 994 bedrooms within the boundary once all phases of all 3 hotels are completed. The applicant states that the increase in bedroom numbers is justified by changes in passenger traffic forecasting which has occurred since 1981, in particular:

- the catchment area being slightly larger than originally estimated, resulting in some passengers travelling further distances and requiring overnight accommodation,
- a higher proportion of scheduled traffic than originally estimated with relatively high business usage seeking overnight accommodation to maximise the business day, and
- the extensive growth of low cost carriers where passengers seek matching cost accommodation to utilise early/late flights.

Officers are of the view that it is in the public interest and is also more sustainable for extra bedrooms to be provided within the airport boundary on the allocated sites when this is possible, rather than in locations beyond the airport.

2) It is considered that the revised design of the hotel would be appropriate to this location, and its positioning within the South Gate site would enable the maximum screening benefit to be gained from the existing structural planting to the north as well as from the perimeter planting approved as part of the infrastructure works under UTT/0456/03/DFO and the new mounding to the south by the entrance/exit. Although the hotel would still be of 4 storeys opposed to the 3 anticipated when outline planning permission was granted, the reduction in height which has been negotiated would further reduce its impact and the additional storey would reduce the ground coverage of the building. Officers are satisfied that the "v" shaped plan form of the hotel would also assist in reducing the visual impact of the building from the south. The detail of car park lighting will be the subject of a condition.

3) There are no objections to the proposed access points off the estate road, which forms part of UTT/0456/03/DFO. Adequate on site car parking for staff and resident guests would be provided, taking into account the applicant's commitment to reduce journeys by private car. Longer term parking for air passengers would be prohibited.

**CONCLUSIONS:** Officers are satisfied that the provision of a budget hotel is reasonably required, even if its timing has been delayed relative to the throughput of passengers at the airport. The design amendments detailed in this report should assist in further reducing the impact of the building as required by Members.

### **RECOMMENDATIONS: APPROVAL WITH CONDITIONS**

1. C.3.2. To be implemented in accordance with revised plans

2. The landscaping works shown on drawing number H5751/07 shall be carried out during the first planting season following the opening to the public of the hotel hereby permitted. Any part of the landscaping works which within a period of 5 years following the opening to the public die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.  
REASON: The landscaping of this site is required to minimise the visual impact of the development hereby permitted.
3. The external materials to be used in the construction of the hotel hereby permitted shall be those specified in the Revised Hotel Design Supporting Statement submitted as part of the application.  
REASON: In the interests of the appearance of the site.
4. C.7.1. Details of external ground and internal floor levels to be submitted and agreed.
5. No development shall commence until details of the means of disposal of surface water and foul drainage) have been submitted to and agreed in writing with the local planning authority. The development shall subsequently be implemented in accordance with approved details.  
REASON: To prevent pollution.
6. Details of the positioning of all car park lighting (which shall be in accordance with the Hotel Development Supporting Statement submitted as part of the application) shall be submitted to and approved in writing by the local planning authority prior to installation. Subsequently, the approved lighting shall not be altered without the written approval of the lpa.  
REASON: To reduce glare and in the interests of aviation safety.
7. Unless otherwise agreed as part of a phased programme, all the car parking spaces and waiting areas shown on drawing number H5751/07 shall be provided and made available for use prior to the opening to the public of the hotel hereby permitted, and subsequently retained in perpetuity.  
REASON: To reduce off-site parking.
8. The development hereby permitted shall be implemented and subsequently managed in accordance with the measures to achieve energy efficiency, recycling and waste management and a reduction in the use of harmful chemicals set out in the Hotel Development Supporting Statement submitted as part of the application.
9. No development shall commence until details of measures to encourage staff to travel to and from work by means other than the motor car have been submitted to and approved in writing by the local planning authority  
REASON FOR 8 & 9: To promote sustainable development.
10. C.25.1. No airport related car parking other than for resident guests.
11. The footways shown on drawing H5751/07 shall be provided prior to the opening to the public of the hotel hereby permitted and thereafter retained in perpetuity.  
REASON: In the interests of pedestrian safety.
12. The detailing and positioning of any new signs facing the A120, and of any subsequent alterations to them shall be submitted to and approved in writing with the local planning authority prior to their erection or alteration.  
REASON: In the interests of highway safety.
13. No development shall commence until details of measures to improve public and staff safety and security on the site have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented prior to the opening to the public of the hotel hereby permitted and thereafter retained in perpetuity.  
REASON: In the interests of public and staff safety and security.
14. No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.  
REASON: To preserve the archaeological richness of the site.

*Background papers: see application files.*

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## UTT/0911/03/FUL - LITTLE CHESTERFORD

Research and development building and ancillary facilities including alteration to existing road Land at Chesterford Research Park. GR/TL 536-420. Norwich Union Life & Pensions.

*Case Officer: John Mitchell 01799 510450*

Expiry Date: 12/08/2003

**NOTATION:** Within area covered by Local Policy 1, Chesterford Research Park in draft deposit local plan.

**DESCRIPTION OF SITE:** The Chesterford Research Park is located to the east of Little Chesterford and to the north of Saffron Walden. Chesterford Research Park is a well established research site that has undergone a considerable period of change recently as the previous single occupier, Aventis, has withdrawn from the site and new research companies have moved in. The new owner (Norwich Union) is undertaking a programme of improvements including upgrading existing buildings and planting. Access is taken from the B184 via a new roundabout which has recently been completed.

The research park is based around a Victorian country house standing in grounds of approximately 100 hectares. There are approximately 70 buildings distributed around the site with a total floor area of approximately 32,500 sq m.

The site is vacant land on the eastern part of the site between a modern research building occupied by Biofocus and Boiler House 2 and fronts onto the loop road within the site.

**DESCRIPTION OF PROPOSAL:** It is proposed to erect a two storey building with laboratories and write-up space with a gross external floorspace of 2,344 sq m, excluding plant. 69 parking spaces and 16 cycle spaces are proposed. The building would be purpose-built for Medivir UK Ltd, a specialised scientific research company active in drug research and development which is currently based at the Peterhouse Technology Park in Cambridge.

The building would have be 42m x 34m x 13.5m high (maximum), with a curved roof. The design would be contemporary using durable materials and would provide an energy efficient high quality research environment. Materials would include buff facing brickwork, reconstructed Portland stone facing to areas of gable wall and mill finish aluminium standing seam roof. A landscape scheme accompanies the application which proposes landscaping in accordance with the themes established in the master plan.

A travel plan is also in place and it is proposed to augment this with the running of a minibus service to and from local railway stations.

A Traffic Impact Assessment (TIA) accompanies the application which concludes that the junctions will accommodate all the traffic generated by the additional development

**RELEVANT HISTORY:** The history is long and varied. In June 2000 most of the planning uses were rationalised to permit B1 (b) uses (research and development). Several new research buildings have been constructed. Planning permission has been granted for a new access road and roundabout to the B184, subject to a s106 agreement requiring, inter alia, a travel plan. The travel plan includes provision for a travel co-ordinator to be designated for the site, with responsibility for arranging a car sharing scheme.

A comprehensive master plan for the research park was approved by the Environment and Transport Committee on 10<sup>th</sup> June 2003, after being modified following public consultation.

**CONSULTATIONS:** Essex County Council Highways – to be reported (due 25 July)  
ECC Archaeology – Field evaluation by trial trenching  
Environment Agency – To be reported (due 25 July)  
Anglian Water – To be reported (due 25 July)  
Environmental Services – remediation measures will be required should any contamination be found.

**PARISH COUNCIL COMMENTS:** To be reported (due 25 July)

**REPRESENTATIONS:** This application has been advertised and any responses will be reported.

**PLANNING CONSIDERATIONS: The main issue is whether the proposal complies with the Chesterford Park Local Policies 1 in the ADP and DLP, and with the approved Master Plan.**

Chesterford Local Park Policy 1 in the ADP presumes in favour of development ancillary to the main use of the site as a research station, provided that such development is appropriate to a parkland setting. Chesterford Local Park Policy in the DLP permits the development of facilities for research and development in the development zone of 15.59ha subject to 5 criteria. These are:

- f) They are compatible with its parkland setting

The proposed building would be low-rise in scale and would be seen in the context of the parkland setting of The Mansion. It would not be visible from outside the estate. It is considered that the proposal complies with (a)

- g) The proposals include a comprehensive landscaping scheme to help assimilate development into the parkland setting

A comprehensive landscaping scheme accompanies the proposal, which is considered acceptable.

- h) The Mansion, garden House and Emanuel Cottage are preserved

The proposal is neutral in regard to these properties

- i) A comprehensive traffic impact assessment that the movement likely to be generated can be properly accommodated on the surrounding transport network and that measures are proposed to ensure that as high a proportion of journeys as is reasonably feasible in the context of the site will be by modes other than the private car.

The application is accompanied by a TIA. There is already a travel plan in place and recent surveys suggest that 22% of single occupancy drivers are willing to travel by train if a bus service were also available. The proposal to start a bus service to local railway stations as part of the travel plan is therefore welcomed. Cycle parks will be provided. The Council's standard for car parking for developments of this type is one space per 35 sq m. The total parking provision is 69 spaces for 2,344 sq m of development, which complies with the Council's standards. Given that these standards are derived with a view to reducing dependence on the private car when compared with previous standards this level of provision is considered acceptable. It is considered that the proposed development complies with criterion (d).

- j) The transport needs of the development can be accommodated whilst maintaining or improving road safety and the surrounding environmental conditions for the local community without the need for engineering measures that would detract from the countryside character of the area.



There are no additional physical infrastructure requirements arising from the proposal. The provision of a bus service would help to improve road safety in the wider area. The proposal complies with criterion (e).

There is also a requirement for a comprehensive master plan. The master plan was approved by the Environment and Transport Committee on 10<sup>th</sup> June. Norwich Union's vision for the site is to preserve the best elements of the site, to improve the environment, provide additional facilities for occupiers and to construct new buildings to meet modern research requirements. Its strengths lie in the landscaped environment and historic elements of the site. A weakness is the quality of some of the existing buildings. This overall vision will be achieved by the following means:

- Provision to be made for business start ups requiring smaller laboratory space and flexible terms, as well as providing for more established companies. There are advantages for high technology companies forming part of a cluster of research activities.
- Improved central facilities to produce a better café/restaurant for staff on site and a gym. This would encourage contact between occupiers and meet needs to reduce journeys elsewhere.
- Older and unsightly buildings would be removed over time and the distribution of buildings across the site changed to enhance the parkland setting. New floorspace would be initially located on the southern part of the site with some buildings in the northern part being removed.
- The amount of space will depend on a number of factors including market demand but it is anticipated that approximately 24,000 sq m of additional floorspace would be provided. A phasing plan shows how this would be achieved, as new buildings are constructed and older ones removed.
- This is a long term strategy and one that can respond to changes in market demand. Details have to respond to needs as they arise but the master plan sets out the overall context.

The master plan is not prescriptive, and one of the requirements of the E&T Committee is that each phase of development is accompanied by a TIA. This will enable this Committee to take into account the cumulative impacts of this and other developments in the vicinity on the road network, and to require appropriate remedial measures if required. It will further enable the Committee to test the assumptions on which the previous phase has been assessed and to put into place remedial measures before further development occurs, if the assumptions prove to be incorrect.

The proposed development falls within phase 2 of the proposed development of the whole site and is compatible with all the requirements of the master plan.

**COMMENTS ON REPRESENTATIONS:** It is stressed that the flexibility of the master plan enables consideration of the cumulative effect of development at all phases.

**CONCLUSIONS:** The proposed development complies with the Chesterford Local Policies in the ADP and the DLP, and further complies with the requirements of the master plan.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plan
3. C.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping

5. C.4.8. Landscape management and maintenance plan
6. C.8.22. Control of lighting
7. C.9.1. No outdoor storage
8. C.11.7. Standard vehicle parking facilities
9. C.16.1. Watching archaeological brief
10. C.25.1. Ban on Airport related parking
11. The building hereby permitted shall only be used for uses falling within Class B1 (b) of the Town and Country Planning Use Classes Order 1987, as amended and as may be amended or superseded.  
REASON: In the interests of ensuring development complies with the Council's policies for the Chesterford Research Park.

*Background papers: see application file.*

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## UTT/1718/02/OP - GREAT EASTON

Outline application to convert/extend the Moat House to form additional care flats with 4 staff flats in roof space. Erection of 14 extra care cottages with garages, children's nursery, cafe/shop, administration offices and store. Formation of new access road.

The Moat House, Dunmow Road. GR/TL 611-252. Newton Chinneck Ltd.

Case Officer: *Richard Aston 01799 510464*

Expiry Date: 03/02/2003

**NOTATION:** ADP & DLP – Outside Development Limits & Settlement Boundaries/ Within Area of Special Landscape Value (ADP only)

**DESCRIPTION OF SITE:** The site in total extends to about 4.2 ha (10.5 acres) and is located directly east of the village of Great Easton on the B184 between Great Dunmow and Thaxted. The net development area extends to some 1.7 ha (4.25 acres). The site comprises an existing care home facility known as St. Georges. The Moat House is located on the eastern boundary of the site backing onto open countryside, together with a small number of outbuildings, formal gardens for use by the residents of the care home, and a lake. The site also contains areas of scrub and woodland mainly to the southern and northern sides and is bordered by mature trees to the west on its boundary with the B184.

In addition, an independently occupied residential property known as Moat Cottage is located in the centre of the site, surrounded by a moat to the east and positioned about 50m west of the existing care home. Access to both the care home and Moat Cottage is at present taken from two existing entry points, one opposite the PA Wood Rolls Royce garage and the second (which is the main access to the care home) is located 150m to the southwest.

**DESCRIPTION OF PROPOSAL:** The proposal is in outline and comprises the following:

- The conversion and extension of the existing Moat House residential care home to provide 15 2 bed extra care flats.
- The erection of a new two storey care home, directly to the north of the existing care home to provide 30 places, a unit for patients with mental health problems comprising 10 places and the provision of 4 staff flats in the roof space.
- The erection of 14 extra care cottages in the grounds of the Moat House providing 2/3-bed accommodation. These would be located in two groups, 9 positioned along the southern boundary and 5 along the northwestern boundary.
- The proposal also details the creation of a number of community orientated facilities including a child nursery to accommodate 50 children, administration offices for up to 12 staff, a central storage facility and a café and corner shop.

The proposed development would operate as an integrated unit. The extra care cottages would be for elderly people requiring independence but with a need for a limited degree of care. This would be provided on site and would be to a greater extent than available in conventional sheltered accommodation. The flats arising from conversion and extension of the Moat House would provide a greater degree of care, with a higher degree of care being available in the new care home, along with specialised care for people with mental health care needs. In essence it would be possible for people to progress through increasing levels of care while retaining the familiarity of surroundings, friends and staff.

**APPLICANT'S CASE:** The concept is to develop a number of compatible care facilities, which can benefit being grouped in a single location, so as to take advantage of sharing buildings, staffing

and management. The facilities incorporated in this project will provide a contribution to the community, but at the same time will have to be structured to be commercially viable.

**RELEVANT HISTORY:** Change of use of home to care home approved 1978. Change of use from private dwelling to registered residential care home approved 1986. Proposed extensions to residential care home approved 1989. Erection of 10 sheltered housing units refused 1989. Single and two storey extensions to existing nursing home approved 1996. Single and two storey rear extension to care home approved 1999. Single and two storey extensions and alterations to existing care home approved 2000 but not yet implemented.

**CONSULTATIONS:** ECC Social Services – The current residential care home is located in an area of relatively low supply of residential care. The demand for care exceeds supply. The existing care home scarcely meets existing standards required under the former Essex Residential Homes Policy. The Care Standards Act and National Minimum Standards propose improved standards by 2007, although Central Government's attitude has softened. However because the frailty of older people requires larger rooms for equipment and more 'appropriate' standards of care, prudent proprietors are investing in the proposed National Minimum Standards despite their recent retraction. Due to economies of scale, proprietors tend to seek developments in excess of 40 bedrooms. The County Council will certainly support the proposal that the current provision at Great Easton is modernised and updated as it provides a valuable community resource. Notes that 10 of the proposed residential beds are specifically to be designated for mental health needs. ECC is seeking to stimulate the number of independent private sector residential beds. Having discussed the proposal for the cottages with the proprietor, the vision for the site is to provide a continuity of care ranging from those with low dependency needs through to those who require extra care support in their own properties. This model of care can work well although ECC understands that there is some resistance to the care village notion. A professional view is that they have to be affordable as well as accessible. It is also important that transport facilities are provided to ensure inclusion within the community. It is Essex County Council's assumption that the extra facilities provided are intended to create the notion of a more balanced age profile within the community. The County Council's principal interest is the retention of the residential capacity. The proposals as submitted have the potential to meet broader needs of older people in the community if the care cottages and flats are allocated to those with appropriate levels of need.

Uttlesford Primary Care Trust: Newton Chinneck approached the PCT some 12 months ago to find a solution to current provision problems as highlighted by the new standards. Central government strongly approves of innovative healthcare solutions. We see a great need for the extra care cottages as this approach allows people to stay in their own homes for treatment. In addition we also recognise that Uttlesford has a rising population of over 65's. The design of the care home will allow a very flexible delivery of social care. Though not directly in our remit, we support the provision of extra facilities because it would encourage local people to use the facilities and would give residents a sense of belonging. We wish to support this application, as it would be a valuable asset to the community in the future.

UDC Local Plans Policy Advice – The proposal would result in a major new built complex in the countryside. There is no provision for this type of development in the ADP. The applicants are seeking to justify the development on the grounds that it is a facility, which meets an identified need, and on the positive side, it may also generate local employment, but it is essentially a commercial venture. Is this the best site for a facility of this type? No feasibility study has been done. Facilities for social interaction at Great Easton are limited. The housing element in particular raises concern as the properties could become market housing if not properly controlled. Traffic generation will also be a consideration. The overall view is that it is contrary to policy and the site is unsuitable for such a facility.

Specialist Landscape Advice – The proposal would significantly impact on this 19<sup>th</sup> century garden and parkland landscape. The proposals would be harmful to the character and fabric of the

countryside. The fact that the site is screened from public vantage points does not diminish the detrimental impact it would have. Recommends refusal.

ECC Transportation - Following the resubmission of a Traffic Impact Assessment to Mouchel Essex, the highways department consider that it would be unreasonable to raise an objection to the proposal given the existing uses on the site. No adverse comments have been forthcoming in relation to traffic impacts. A Sec 106 agreement would be needed to cover works in the limits of the public highway.

Environment Agency – The agency finds it unacceptable that a detailed Flood Risk Assessment (FRA) is not submitted at this outline stage, as PPG25 seeks assurance at the time of determination. In view of this the agency is unable to withdraw its objection to the proposal until a detailed FRA has been submitted to prove that the proposal would not increase the risk of flooding downstream. Makes a number of advisory comments in relation to watercourses.

The Garden History Society – The Moat House itself appears to have some gardens of interest, no adverse comments.

Essex Gardens Trust – A historic landscape assessment is advocated to explore the full potential and history of the site.

ECC Archaeology – Recommends that a field evaluation by trial trenching be conducted prior to a planning decision being made.

Anglian Water – No objections in principle, suggests standard conditions relating to drainage

Environmental Services – No adverse comments, insufficient details to comment fully at this stage

**PARISH COUNCIL COMMENTS:** Concern over potential disturbance to residents of Moat Cottage. The access and egress are not desirable. A significant amount of traffic would be generated as a result of extra facilities such as nursery. The Parish Council is also sympathetic to the owners of Moat Cottage.

**REPRESENTATIONS:** This application has been advertised and 15 representations have been received. Period expired 9<sup>th</sup> January 2003.

### **General Summary**

The development is clearly contrary to National, Strategic and Local Plan policies and no material consideration has been put forward by the applicants to justify such a departure from the adopted policy. Commercial additions to the site would be totally inappropriate because of its location and would not add to the viability of the project. No consideration has been given concerning the impact on Moat Cottage; the scale of the scale of development would mean a 24-hour a day disturbance. The proposal would also destroy a natural habitat for deer, owls, bats, geese, ducks and small mammals. We fear that the proposal is an opportunist one and the degree of urbanisation is totally unacceptable and would destroy the setting of Moat Cottage. Destruction of woodland would lead to an important loss of habitat. Traffic generation would be unacceptable and the new proposed access would be dangerous. Insufficient justification has been given for the development and should be refused.

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

- 1) **there is sufficient justification to set aside the strong presumption against this type of intensification of development in the countryside (ERSP Policies C5 & CS4, ADP Policy S2, DLP Policy S6 and National Planning Policy Guidance Notes 7 & 13),**

- 2) **the proposal would have a detrimental impact on the Area of Special Landscape Value (ADP Policy C2), rural character and the residential amenity of adjoining occupiers (ADP Policy DC14 & DLP Policy GEN4) and**
- 3) **the proposal would have satisfactory access or an adverse impact on traffic generation and highway safety (ADP Policy T1& DLP Policy GEN1).**

1) National Planning Policy Guidance Note 7 (PPG7) seeks to safeguard the countryside for its own sake, although there is a recognition that some development may have to take place and it can be appropriate in certain circumstances. PPG 7 advises that development in the countryside should both benefit economic activity and maintain or enhance the environment and that new development should be sensitively related to existing settlement patterns. In addition, PPG 7 advises that building in the open countryside away from existing settlements or from areas allocated for development in development plans, should be strictly controlled. At the County level, Structure Plan Policy C5 continues this guidance by advising that development should be well related to existing patterns of development and should be of a scale, siting and design, which is sympathetic to the rural landscape character. At the local level, Policy S2 of the Adopted District Plan states that *'permission will not normally be given for development in the countryside beyond development limits unless the proposal relates to agriculture, forestry, appropriate outdoor recreational uses or appropriate changes of use of suitable existing buildings compatible with a rural area'*. This thread is continued in Policy S6 of the Revised Deposit Plan which states that *'In the countryside planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. There will be strict control on new building'*.

It is considered that the location of the site is satisfactory in relation to the eastern part of the village of Great Easton as it is in close proximity to the former village store and petrol station and reasonably close to the primary school. The village does not have a significant range of facilities such as shops, transport links and community facilities, but it is located on the B184 between the towns of Great Dunmow and Thaxted with Great Dunmow having a larger share of such facilities only two miles to the south. Although clearly it is not the most sustainable site having regard to PPG 13 (Transport), which seeks to focus development where extra travel demand is generated in town and district centres, the proposal makes use of an existing site and it is considered that other more suitable sites do not exist in this district. Accordingly, if Members were minded to approve this outline proposal a comprehensive Travel Plan would be necessary to minimise use of the private car and promote more sustainable forms of transport. For example, it may be desirable to have a minibus which could collect local relatives for visiting.

73 units of varied accommodation are proposed which equates to a density of 43 per hectare, discounting the land that would remain as open grounds for the occupiers. At the time the application was submitted, part of the justification put forward by the applicants was that the development needs to take place to bring the facility into line with new government Care Standards for the existing accommodation. In March/April of this year the government abandoned the key standards for existing care homes, but only those covering the physical environment. Refurbishment to new standards is clearly desirable but is no longer mandatory. The standards will however still apply to new build homes and extensions. If Members were minded to accept the justification for such a development, then this site is considered one of very few suitable locations in Uttlesford.

The individual elements of the proposal are examined below.

#### Refurbished Care Home to provide 15 two-bed flats and erection of new 50 bed care home

The existing care home would be refurbished to accommodate for 15 extra care flats and a new care home would be erected on raised ground immediately to the north. It would have an 'H' shape with its main entrance facing west over Moat Cottage. The detailed design, siting and appearance would be determined as a reserved matter, but this element of the scheme is

supported in principle by Essex Social Services and Uttlesford Primary Care Trust on the grounds that it would provide for a shortfall in healthcare provision at the moment and in the future.

### Extra Care Cottages

The applicant advises that *'unless grants are available, it will be necessary to include some commercial elements to help subsidise the community based elements'*. The provision of the extra care cottages would appear to be an enabling development used to finance the development of the rest of the site. The cottages are clearly an integral part of the overall vision for the provision of care facilities on the site to provide 'independent' living enabling people to live more fully in their own homes. However, it is considered that the extra care cottages could be more appropriately sited and potentially reduced in number. It is also acknowledged that the inclusion of garages to be excessive. The detailed siting and design of the cottages would form part of the reserved matters application, if Members were to grant approval for this outline scheme, this would allow a certain amount of negotiation to take place to limit these concerns. In addition, it is acknowledged that there are concerns over the potential occupation of the cottages, as a result, the occupation of these cottages would have to be the subject of a Section 106 legal agreement, to make sure that they are linked to the facilities on the rest of the site and therefore unable to become independently occupied market housing in the future.

### Children's Nursery, Café and Additional facilities

The provision of a day care nursery on the site is to try and provide a community orientated facility which would promote social inclusion and integration. The same applies to the café, which could encourage people to stay on site for a greater length of time and attract varying age groups to the site. However, this has to be carefully balanced against the potential harm extra traffic generation to and from the site would create. The site is within easy travelling distance of schools and a nursery and would therefore relate well to the area. As a result this may lead to a reduction in journeys that may otherwise be made by parents of children of a pre-school age. However, local residents may not use the facilities and it could be argued that if the premises were to be used only by the residents and visitors to the site, then the facilities could be deemed unsustainable and excessive. Whilst not as integral a part of the application, these additional facilities have been included to try and achieve the professional aspirations of the applicant for the site in the sense that they would be providing facilities which are not available in the immediate area and would complement the healthcare proposals.

2) Turning to the impact of the proposed scheme on the surrounding Area of Special Landscape Value and rural character, the applicant accepts the importance of siting the new buildings within the existing site and the tree envelope, to minimise the potential impact the scheme would have on visual amenity and the Area of Special Landscape Value. It is considered that although the proposed care home would, because of its size and relationship with the existing care home, create a cluster of buildings with a large and imposing scale and mass, it would have a minimal impact on visual amenity and the Area of Special Landscape Value. Traffic generation would increase as a result of the scheme and would have a minimal impact on rural amenity. However, because this is an outline application, design issues can be negotiated at the reserved matters stage in order to fully address the potential impact.

Turning to the effects of the proposed scheme on the residential amenity of adjoining occupiers, it is conceded that the proposal would primarily impact on the occupiers of Moat Cottage. This property is entirely surrounded by the grounds of the existing development and shares its main access. The scheme has been designed to minimise these effects by dedicating the central access point solely for use by the residents of Moat Cottage, which would take the bulk of traffic away from its environs and reduce any effects further traffic generation may have. In addition, following negotiation, the café, corner shop and Nursery facility have been moved from the boundary with Moat Cottage and repositioned 25m to the northeast, with a heavier belt of planting

along the boundary replacing the buildings. Activities associated with the site on a day to day basis would change as a result of the scheme and the current level of amenity enjoyed by the residents of Moat Cottage would be affected. However, the effect on amenity that would arise from the unimplemented permission for an extension of the Moat House also has to be taken into account and it is considered that the revised layout of the scheme and the provision of an independent access for Moat Cottage would result in a satisfactory environment for its occupiers.

3) Exact details of the design of the access points are not included at this outline stage, however no objections have been received from ECC Highways and this can be considered as a reserved matter. Similarly, no adverse comments have been received with regard to the extra traffic that the scheme would generate, and it is considered that based on this consultation, it would be unreasonable to object to the application on highway safety or access grounds.

**COMMENTS ON REPRESENTATIONS:** With regard to the occupiers of Moat Cottage, undoubtedly their residential amenity would be affected, however, the applicant has gone to some length to limit this impact, mainly by creating a new access to the site. This means that the current access to Moat Cottage and the rear of the existing care home would be solely for use by the occupiers of the cottage. In addition the proposed café and nursery facility has been removed from the boundary of the cottage further reducing the impact. With regards to the loss of a wildlife habitat and historic landscape, the site does not benefit from any special protection and as a result it is difficult for the Local Planning Authority to retain any control over the site. The scheme does involve proposals for landscaping which would prevent any adverse impacts on local wildlife. Although concerns over traffic generation are acknowledged, no objections have been received from ECC Highways. A preliminary Flood Risk Assessment has been included, as part of the application and this has been analysed by both the Environment Agency and the Council's Drainage Engineer who have no objections in principle.

**CONCLUSIONS:** This is a finely balanced proposal requiring Members' careful judgement. On one hand this outline proposal to develop what is essentially a Residential Care Village on the site is clearly contrary to Adopted Local Policies. On the other hand the scheme is supported by Essex Social Services and the Uttlesford Primary Care Trust as it seeks to provide an innovative approach to healthcare provision not currently available in the District. It is located on an existing site already used for the provision of healthcare for the elderly and no alternative locations for such development appear to be available. No adverse comments have been received from ECC Highways after full consideration of the revised traffic impact assessment. The effect on the residential amenity of the occupiers of Moat Cottage is considered satisfactory.

Having regard to all these matters, Officers considers that, on balance, approval can be recommended as an exception to Policy. A section 106 agreement would be necessary to ensure all elements of the scheme operate as an integrated unit and not independently of one another. The application would also have to be referred to the First Secretary of State under the departures procedure, were Members minded to grant permission. Members may wish to visit the site prior to further consideration of the application.

**RECOMMENDATION: APPROVAL SUBJECT TO A S106 AGREEMENT TO ENSURE THAT THE DEVELOPMENT OPERATES AS AN INTEGRATED UNIT, SUBJECT TO REFERRAL TO THE ODPM AS A DEPARTURE AND WITH THE FOLLOWING CONDITIONS**

1. C.1.1 Submission of reserved matters
2. C.1.2. Submission of reserved matters
3. C.1.3 Time limit for submission of reserved matters
4. C.1.4. Time limit for commencement of development
5. C.4.1 Scheme of landscaping to be submitted & agreed
6. C.4.2 Implementation of landscaping
7. C.4.4 Retention of trees



8. C.4.7 Detailed landscaping survey to be submitted & agreed
9. C.7.1 Slab levels to be submitted, agreed & implemented
10. C.8.13 Restriction on hours of construction: 0800-1800 Mon – Fri, 0830-1300 Sat & not at all on Sun or Bank/Public Hols
11. C.10.1 Details of junctions to be submitted, agreed & implemented
12. C.90A Detailed Flood Risk Assessment to be submitted, agreed & implemented
13. C.90B Detailed Green Travel Plan to be submitted, agreed & implemented
14. C.15.1 Superseding previous permission
15. C.16.2 Field evaluation by trial trenching
16. C.20.2 Protection of other wildlife species.
17. No development shall take place until the new access roads have been constructed in accordance with details of a scheme, which will have been submitted to and approved in writing by the local planning authority. The scheme will include details of the closure of the existing main access to the Moat House to the main part of the site and its restriction to access for the occupiers of and visitors to Moat Cottage only. No construction traffic will use this existing main access.  
Reason – In the interest of the amenity of the occupiers of Moat Cottage.
18. No person under the age of 55 shall occupy any of the residential units hereby permitted.  
Reason – To minimise the need for on-site car parking in the interests of highway safety and amenity.
19. None of the extra care cottages shall be occupied until the extension of the care home and the new care unit have been constructed and brought into use.  
Reason – To prevent development of isolated elements of the scheme, which in themselves would be contrary to planning policy because permission is granted, exceptionally, owing to the overall benefits of the scheme as a whole.

*Background papers: see application file.*

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**UTT/1219/02/DC - LITTLE BARDFIELD**  
**(District Council Proposal)**

Construction of shared vehicular access. Removal of part of bank to provide visibility splays.  
2 & 3 Grid Iron Villas, Bardfield Road. GR/TL 660-308. Uttlesford District Council.

Case Officer: Michelle Guppy 01799 510477

Expiry Date: 10/10/2002

**NOTATION:** ADP: Within development limits & Area of special landscape value.  
DLP: Within Settlement Boundary

**DESCRIPTION OF SITE:** The site is located on the eastern end of the village on the Bardfield Road. The two properties are on an elevated position with an earth bank to the front boundary of height approx. 2m from the road level.

**DESCRIPTION OF PROPOSAL:** The application is for a shared vehicular access with hard-standing for use by two adjacent semi-detached properties.

**APPLICANT'S CASE:** Occupiers: Cutting back of the bank would improve visibility of the whole village. Have not experienced any problems with surface water lingering. These are family houses which require safe-off road parking in this location. Concerned for safety of their family. There is no kerb, pavement or lighting and have to park car further up the road. Pulling out of the drive would be no more dangerous than pulling out of the existing lay-by to west. Deliveries etc have to park on the road which is dangerous.

**CONSULTATIONS:** ECC Transportation – no objections subject to suitable drainage.

**PARISH COUNCIL COMMENTS:** Revised scheme: similar to previous – dangerous particularly in icy conditions. Recommendation to enlarge existing lay by. Understands that No. 4 Grid Iron Villas has new tenants, should investigate taking entrance to parking area round the back of the houses.

**REPRESENTATIONS:** 3. Notification period expired 05.12.02.  
Eyesore, dangerous bend, loss of amenity and vegetation, increased flooding in vicinity.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposal accords with

- 1) **ADP Policy T1 (DLP Policy GEN 1) regarding road safety issues and the need to ensure there is no increase in flooding and**
- 2) **ADP Policies DC 1 & C2 (DLP Policies GEN2 & GEN8) regarding the special characteristics of this Area of Special Landscape Value.**

1) The site is on the inside of the sweeping bend and the existing sight lines are restricted. The proposal includes the cutting back of the existing banking to obtain improved visibility. At the moment there is no on-site parking, with vehicles left in a lay-by to the west of the properties. This is far from ideal as there is no path. The Highways Authority raises no objections and there would this proposal would be a gain in safety terms. There would be additional water run-off from the new hard standing & this could be catered for by a drainage system independent from the existing road drainage. A channel grating could be installed full width of the drive approx 1.0m from the bottom and run to a suitable soak-away. It is considered that there would be benefits from a highway point of view if this access was implemented.

2) In order to achieve the sight lines a substantial amount of bank would need to be cut away. Some form of low-level planting along the verge is proposed to help mitigate the impact of loss of this section of the bank, but it would need to remain at such a low level to ensure sight lines were retained, that it would not adequately compensate for the harmful visual impact of the proposal. It is considered that the works would materially alter the character and appearance of this part of the Area of Special Landscape Value. The visual effect would be to increase the openness of the site and the scale of the proposed alterations would not accord with the special characteristics of this rural area. Alterations necessary to achieve the required sight lines would have a detrimental effect on the special characteristics of this Area of Special Landscape Value.

**CONCLUSION:** It is considered that the detrimental visual impact would outweigh the improvement in highway safety in this case. An alternative access from the west to the rear of the dwellings should be considered. If Members are in any doubt, a site visit may be appropriate.

**RECOMMENDATION: REFUSAL REASON**

The proposal would be detrimental to visual interests resulting from the loss of this section of bank and destruction of the existing verge. The visual effect would be to increase the exposure of the site in the landscape, which would significantly alter the character and appearance of this part of the Area of Special Landscape Value. The scale of the alterations would not respect the rural environment and would not accord with the special characteristics of the area. The proposal would not safeguard important environmental features in its setting and the appearance would not protect or enhance the particular character of this part of the countryside, contrary to ADP Policies C2 & DC1 and DLP Policies GEN2 & GEN8.

*Background papers: see application file.*

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## UTT/0786/03/FUL - GREAT HALLINGBURY

Conversion of two buildings to form 8 units of motel accommodation  
Yew Tree Farm House, Tile Kiln Green. GR/TL 521-209. Hoare-Leyh Partnership.  
Case Officer: Anthony Betros 01799 510471  
Expiry Date: 24/07/2003

**NOTATION:** Countryside Protection Zone/Outside Development Limits/Adjacent to Public Safety Zone limits/ within 57-66dB(A) Leq zone re noise from aircraft using Stansted Airport.

**DESCRIPTION OF SITE:** The property is located on the western side of the road which connects Great Hallingbury village to the A120. The property is approximately 1 km south of the southern end of the existing runway at Stansted Airport. The site contains an existing farm house (previously converted to a 5 room guest house) with two single level detached barns, forming a u-shape around a central parking area.

**DESCRIPTION OF PROPOSAL:** This revised application has been submitted as alterations to the two existing barns to Bed and Breakfast Accommodation to provide a total of 8 rooms. Four rooms are proposed in each of the 2 existing single storey stable buildings adjacent to the farmhouse. No change to the envelope of the barns is proposed as alterations are confined to the internal fit-out and new window/door openings for accommodation. Each room would have private bathroom and storage facilities. A car park is proposed at the rear of barn 1. The plan differs from the one refused earlier this year by omitting the first-floor and extension previously applied for on barn 2 and follows suggestions from Officers.

**RELEVANT HISTORY:** The most relevant applications included:

UTT/0842/93/FUL- approved a change of use of the main farm house from office to a guest house. The original application to convert the farm house from a residence to offices was granted in 1990.

UTT/0841/02/FUL- refusal of proposal to provide 12 units of accommodation through the conversion of Barn 1 to 4 units and the provision of 4 units in the ground floor of Barn 2 and another 4 units above. The proposal was refused on policy and design grounds following a Members' site visit:

*"Permission will not normally be given for development in the countryside beyond Development limits unless the proposal relate to agriculture, forestry, appropriate outdoor recreational uses, or appropriate changes of use of suitable existing buildings compatible with a rural area" and*

*"The bulk and scale of the front two-storey extension and external staircases to Barn 2 (northern barn) are considered to be detrimental to the character of the countryside and would contribute to coalescence between the airport and existing development contrary to Policy S4. Furthermore, the proposed extension would encroach into the courtyard and reduce the amount of car spaces available for use by visitors to the premises, resulting in the need to create an overflow car park to the rear which would add to the loss of openness within the Zone."*

**CONSULTATIONS:** Essex County Transportation: no objections.

Environment Agency- no objection.

NATS- no objections

Environmental Services- no objections subject to noise insulation and requirement to register it as a food premises 28 days prior to opening. No comments on possible contaminants on site.

Essex Bat Group- request a bat survey conducted to ensure that roosting places that may be used by bats are not destroyed in the work schedule.

**PARISH COUNCIL COMMENTS:** No objection, although some concerns were raised over visibility when exiting the premises. Concerns are also raised to ensure adequate drainage.

**REPRESENTATIONS:** This application has been advertised and 3 representations have been received. Period expired 20 June 2003.

Two submissions are in favour of the proposal while the third raised no objection but requests consideration of road safety due to the siting of the access point on a bend in an unrestricted speed area and that there is no footpath in an area where there is considerable pedestrian movements. A request is made that the area be included in the 30mph zone.

*Officers' comment: The existing access services the existing tourist accommodation and is considered acceptable, if not desirable. The issue of speed limits and the provision of new footpaths is a matter for Essex Highways.*

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

- 1) the proposal is consistent with policies for the re-use of rural buildings in the countryside and for tourist accommodation in the countryside (ADP Policy S4, C5, REC3 & 4, Structure Plan RE2, C5 & LRT10, Draft DLP 2001 Policy E4, S7 and LC6),
- 2) the proposal is acceptable in relation to parking and traffic issues under (Policies T1 & T2 of the ADP, T12 of the Structure Plan and GEN9 of the Draft DLP 2001) and
- 3) the premises would be adversely affected by aircraft and traffic noise (ADP Policy N1 & N2, DLP Policy ENV9)

1) The re-use of these two barns for the conversion of the stable blocks for 8 self-contained units for tourist accommodation is acceptable in principle under the Policies as it is a genuine adaptation. The barns are in sound structural condition and will not require substantial rebuilding. The use for tourist accommodation satisfies the Council's policy for barn conversions.

2) The provision of a small parking area to the rear of the buildings on the site is considered acceptable as the spaces would be screened from the public view and surrounded by a combination of existing and future planting.

3) Given the site's proximity to the airport and southern edge of the runway, the tourist accommodation is likely to be affected by aircraft noise. However, this is not considered fundamental as the buildings can be insulated to provide satisfactory internal levels.

**CONCLUSION:** This revised proposal complies with the relevant policies for barn conversions and tourist accommodation and would have no detrimental design or amenity impacts.

**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.4.1. Scheme of landscaping to be submitted and agreed
4. C.4.2. Implementation of landscaping
5. C.11.1. Standard vehicle parking facilities
6. C.8.25. Sound insulation requirements close to Stansted Airport
7. C.13.6. Short-stay holiday lets
8. C.25.3. Ban on Airport-related car parking
9. C.20.1. Protection of bat roosts

*Background papers: see application file.*

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## UTT/0690/03/FUL – NEWPORT

Demolition of existing house and sheds. Erection of replacement dwelling.  
Long Common, Debden Road. GR/TL 530-337. Mrs C Griffith.  
*Case Officer: Michelle Guppy 01799 510477*  
Expiry Date: 07/07/2003

**NOTATION:** ADP: Outside Development Limits/Within Area of Special Landscape Value  
DLP: Outside Settlement Boundaries

**DESCRIPTION OF SITE:** The site is located to the south side of the road to Debden from Newport approx. 1km from Newport centre. The existing modern house has an extensive curtilage and is set well back on the site. Including the garage it has a footprint of approx. 146 sqm and is screened from the road by existing mature planting. As the site rises away from the road, the existing house is on land about 2m higher.

**DESCRIPTION OF PROPOSAL:** It is proposed to demolish all the built form on the site and erect a two storey detached dwelling and detached 3 bay garage. The dwelling would have a footprint of approx. 211 sqm and the garage about 37 sqms (total 248 sqm). The proposed dwelling would be set further back into the site immediately to the rear of the existing house. It would be sited at least 13m from the boundary with the property to the northeast and over 30m from the dwelling. The existing house is 7.1m high and the proposed replacement would be 8.7m. There have been extensive negotiations to reduce the size of the proposed replacement dwelling.

**APPLICANT'S CASE:** Original Plans: I confirm that I have met with your representative on site, and that she has indicated acceptance of the location of the new property. I have also reduced the overall scale of the proposals, from the original scheme, in order to represent a closer match to the existing. The existing site is surrounded by mature planting which has been carefully preserved in order to minimise the effect of any new build on the surrounding landscape.

Revised Plans: See letter attached at end of schedule. (*Officers have been unable to accurately verify some of the applicant's figures.*)

**CONSULTATIONS:** English Nature: Not likely to affect SSSI.

Environment Agency: Advice regarding surface and foul water disposal and culverting works.

**PARISH COUNCIL COMMENTS:** Original Plans: No comment.

Revised Plans: None received (due 26/6/03).

**REPRESENTATIONS:** Original Plans: One letter. Notification period expired 5/6/03.

Concerns regarding siting of drainage / sewerage system as there would be a substantial increase in the number of bathrooms. Request appropriate fencing/hedging/landscaping along boundary.

Revised Plans: None received (notification period expired 26/6/03).

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

- 1) the proposal complies with ADP Policy H8 Replacement Dwellings (DLP Policy H6),
- 2) the design would affect the character and appearance of the countryside and Area of Special Landscape Value (ADP Policy C2 & DLP Policy GEN8) and
- 3) there would be any effect on residential amenity (ADP Policy DC14 & DLP Policy GEN4)

1) The siting of the replacement dwelling is considered to be in proximity to the original structure. The repositioning of the built form on the site would not materially increase the impact on the countryside or neighbouring properties. This proposal has been negotiated and its scale and bulk has been reduced. Although it would still result in a larger dwelling. It is now considered that the visual impact on the rural characteristics of the countryside would not be so detrimental as to warrant refusal.

2) The existing dwelling is not of such architectural merit to make it worthy of retention in its own right. The increase in size of the dwelling should not have such a detrimental effect on the character and appearance of the countryside as to warrant refusal in this case. Due to the mature screening on the site and the distance of the proposed house from the road, the modern design of the proposal would not be out of keeping with the character and appearance of the countryside.

3) The proposal should not have an adverse affect on residential amenity due to the distances from other residential dwellings.

**COMMENTS ON REPRESENTATIONS:** Drainage and boundary treatment can be dealt with by way of condition.

**CONCLUSIONS:** On balance, it is considered that the increase in scale and bulk of the dwelling is not to such a great extent as to warrant refusal. It would be smaller than a similar case approved at Wendens Lofts in May.

**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.4.5. Retention of hedges
6. C.4.6. Retention and protection of trees and shrubs for the duration of development
7. C.5.2. Details of materials to be submitted, agreed and implemented
8. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
9. C.6.7. Excluding conversion of garages
10. C.6.11. One dwelling unit only
11. C.7.1. Details of external ground and internal floor levels to be submitted, agreed and implemented
12. C.23. Demolition of existing dwelling
13. C.8.27. Drainage details to be submitted, agreed and implemented.

No development shall take place until the results of a satisfactory percolation test have been submitted to and approved in writing by the local planning authority. The requirements of condition C.8.27. shall be implemented and retained in accordance with the requirements of the percolation test.

REASON: To protect the surrounding countryside and to avoid flooding.

*Background papers: see application file.*

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## **UTT/0514/03/DFO - GREAT DUNMOW**

Details following outline permission for the erection of 8 two-storey dwellings  
Site at 22/24 Ongar Road. GR/TL 631-210. J S Bloor (Sudbury) Ltd.  
*Case Officer: Richard Aston 01799 510464*  
Expiry Date: 12/06/2003

**NOTATION:** ADP & DLP: Within Development Limits/Settlement Boundaries/Part of committed Residential Site

**DESCRIPTION OF SITE:** Site of 0.34ha fronting onto Ongar Road (B184), towards the southern edge of Great Dunmow. Two inter-war bungalows with gardens approximately 95m long currently occupy the site. The site abuts the entrance road to the Ongar Road Industrial Estate

**DESCRIPTION OF PROPOSAL:** The proposal details the replacement of the two existing bungalows on the frontage of the site with two 4-bedroom two storey dwellings, the creation of a central access point as approved under UTT/1316/02/OP and the erection of 6 dwellings (one 5-bedroom and five 4-bedroom) on land to the rear with associated garaging and landscaping.

**RELEVANT HISTORY:** Outline application for three detached dwellings, approved 1994. Outline permission granted for 6 dwellings and replacement of two bungalows following a Members' site visit in 2002. Full permission allowed on appeal for the erection of 6 dwellings, new access and the replacement of the two bungalows. None of the consents has been implemented

**CONSULTATIONS:** Environmental Services – If the drive is not constructed for 26 tonne vehicles then refuse collection should not exceed 25 metres and there should be a communal collection point.

UDC Engineer – There are no public surface water sewers in the vicinity. The run off from the site will be greatly increased as a result. Problems exist with the Ash Grove brook, which would be the likely recipient of this run off. A condition that surface water disposal arrangements are agreed in writing should be attached. It is possible that on-site storage and attenuation may be required to restrict flows to the existing levels.

ECC Transportation – The access should be formed and constructed in such a manner so as to avoid the tracking out of materials. There should be no obstruction above a height of 600mm above the level of the adjoining carriageway of the county road B184 within a 2.4m x site boundary visibility splay. This private drive access is not considered to be suitable for adoption by the County Council.

**TOWN COUNCIL COMMENTS:** Members are still concerned over the access onto the main B184 Ongar Road.

**REPRESENTATIONS:** This application has been advertised and 3 representations have been received. Period expired 5 June.

General Summary – Loss of privacy, proximity of road to properties on Lukins Mead. There should be no overlooking of the rear gardens of Lukins Mead.

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

- 1) the site is suitable for residential development and the density would be appropriate in accordance with ERSP Policies BE1 & H3, ADP Policies S1 & H10 and DLP Policies S1, GEN1, H1 and H3,



- 2) **the proposal is acceptable with regard to Highway issues in accordance with ERSP Policy T8, ADP Policy T1 and DLP Policies T4 & GEN1 and**
- 3) **the design of the scheme would affect the character and appearance of the locality or be detrimental to the residential amenity of adjoining occupiers (ADP Policies DC1 & DC14 and DLP Policies GEN2 & GEN4).**

1) The site is within the Development Limits of Great Dunmow and is generally in line with advice given in National Planning Policy Guidance Note 3: Housing, as the site is within an existing urban area and maximises the use of a previously developed site with good access to public transport and other facilities. As the proposed density would now be 23 dwellings per hectare, it is below the recommended minimum advised by the Government in PPG3. However, other development along the Ongar Road is low/medium density in character and therefore it is considered that the proposal on balance is acceptable. The principle of residential development has been established through three previous applications.

2) The current proposal would retain the existing access as approved pursuant to UTT/1316/02/OP. Although the local comments relating to the problems that a new access on Ongar Road would cause have been given due consideration, there are no objections from the County Highways for this type of access, subject to no obstructions to visibility and satisfactory surfacing. It is considered that the additional traffic created as a result of residential development in this area would not have a detrimental impact on the amenity of adjoining occupiers and that the proposal conforms to both Structure and Local Plan Policies.

3) The proposal details the erection of 6 new dwellings and the replacement of the existing two inter-war bungalows with two storey-detached properties. The plots would be located off a private drive, which would differ from the last scheme on the site, in so far as it would run directly behind the rear gardens of properties in Lukins Mead. Concern has been expressed by local residents, but in the recent appeal the Inspector concluded that *'I do not question the position of the access in relation to the question of noise'*, and accordingly, the position of the access is considered acceptable. With regard to the design of the scheme, the proposed dwellings range in style and design, which would be in keeping with this area with no particular style of architecture or design. The house types are considered acceptable and the two dwellings proposed fronting the highway would not have a detrimental impact on the character and appearance of the streetscene and are similar to all previously approved schemes on this particular site. Furthermore, there would be sufficient car parking in line with current standards as detailed in the Adopted District Plan. Turning to the impact of the proposal on the residential amenity of adjoining occupiers, the layout of the site is designed to minimise any overlooking that may occur. Plots 3 and 5 are the only dwellings with a front elevation facing the rear elevations and gardens of the properties on Lukins Mead and would be separated by a dwelling to dwelling distance of 25m, which is acceptable. Plots 4, 6 and 8 have side elevations facing the rear gardens of the properties on Lukins Mead, but again these are 25m away from the rear elevations of dwellings on Lukins Mead and would be obscure glazed as they serve bathrooms Internally, the layout of the plots would not give rise to any material impact on residential amenity, although because of the orientation of the dwellings and their position there would be a minimal amount of overshadowing between the plots and little loss of sun/daylight, but this would not be sufficient enough to warrant a refusal.

**COMMENTS ON REPRESENTATIONS:** Plot 1 is also located close to Orchard House, but the orientation of the properties would result in no material impact on residential amenity. Highways comments in relation to this application have not changed since previous proposals. The impact of the development on highway safety and the location of the access have also been refuted in the recent application allowed on appeal, The 25m distances are in accordance with the Essex Design Guide and will not amount in a material loss of privacy. A 2m boundary fencing scheme was required by condition on the last permission and this would also help to reduce the effects on neighbours and any noise emanating from the adjoining Light Industrial Estate.

**CONCLUSIONS:** The principle for residential development on this site is well established. The detailed siting and design of this detailed proposal are acceptable having regard to the previously approved scheme and the recently allowed appeal. The design of the dwellings is acceptable given the previous schemes and the site layout would not result in a material loss of residential amenity.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.3.1. To be implemented in accordance with approved plans
2. C.4.1. Scheme of landscaping to be submitted and agreed
3. C.5.1. Sample of materials to be submitted and agreed
4. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
5. C.6.7. Excluding conversion of garages
6. C.8.13. Restriction on hours of construction
7. C.12.1. Boundary screening requirements (2m fencing and walling)
8. C.15.1. Superseding previous permissions
9. C.8.27. Drainage details to be submitted, approved & implemented.  
No development shall take place until details of surface water disposal arrangements have been submitted to and approved in writing by the local planning authority.  
REASON: There are no public surface water sewers in the vicinity.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or recanting this Order), no windows or openings shall be formed at first floor level in all elevations of the properties hereby permitted, unless permission is granted on an application made to the local planning authority.  
REASON: To avoid overlooking of the adjacent property in the interests of residential amenity.
11. C.7.1. Details of external ground and internal floor levels to be submitted and agreed
12. C.10.26. Standard highway requirements
13. C.10.25. Standard highway requirements
14. No development shall take place until details for the provision of a communal refuse collection point within the site has been submitted to and approved in writing by the local planning authority.  
REASON: To enable the safe collection of refuse from the site.

*Background papers: see application file.*

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## **UTT/0873/03/FUL – HENHAM**

Erection of two storey dwelling to replace existing bungalow  
Kingsmead, Old Mead Lane. GR/TL 532-282. Mr Rice & Ms Bird.  
*Case Officer: Katherine Benjafield 01799 510494*  
Expiry Date: 01/08/2003

**NOTATION:** Outside Development Limits

**DESCRIPTION OF SITE:** The site is located on the eastern side of Old Mead Road approximately 1.3km north of Elsenham Station and has an area of approximately 0.18ha. The property is one of a small group where the dwellings are set back from and on a level higher than the road. The overall pattern of development in the vicinity is linear with dwellings located in similar positions on adjacent sites. The existing dwelling is a bungalow with a ridge height of 5m and has a double attached garage to the front with a ridge height of 3.8m.

**DESCRIPTION OF PROPOSAL:** This application relates to the replacement of the bungalow with a one and a half storey chalet style dwelling and attached garage. It would have an increased ridge height of 8.4m and would be located on the same footprint as the existing. Four dormer windows would be inserted into the front and rear elevations, however no windows are proposed for the side elevations. This revised proposal is the same as the previously approved scheme for extensions to the property, however, as a result of an engineer's report, it is considered more economic to rebuild the dwelling incorporating the approved extensions rather than simply extending the existing building.

**RELEVANT HISTORY:** First floor extension to create a chalet style dwelling with four dormer windows at front and rear conditionally approved 2002.

**PARISH COUNCIL COMMENTS:** to be reported (due 12 July).

**REPRESENTATIONS:** None. Notification period expired 4 July.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposal would comply with

- 1) **ADP Policy H8 – Replacement Dwellings (DLP Policy H6),**
- 2) **ADP Policy DC1 – Design of Development (DLP Policy GEN2) and**
- 3) **ADP Policy DC14 – General Amenity (DLP Policy GEN4).**

1) The new dwelling would be in scale with neighbouring properties and the siting would be on the same footprint as the existing dwelling, therefore the proposal complies with Policy H8.

2) The proposal would be in keeping with the neighbouring properties in terms of respecting their scale, proportions, appearance and materials, therefore complying with Policy DC1.

3) The main impact on the amenity of neighbouring properties would be as a result of the increased height of the ridgeline from 5m to 8.4m and the insertion of four dormer windows to the front and rear of the dwelling. Due to the linear pattern of development, it is not considered that raising the roof and inserting dormers would result in any overshadowing, loss of privacy or daylight to neighbouring properties.

**CONCLUSIONS:** The proposed scheme was previously considered to be acceptable when it formed an application for an extension to the dwelling. Although the proposal is now for a

replacement dwelling, the resulting development would be no different from the previously approved scheme and complies with all the relevant policies.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.19.1. Avoidance of overlooking
4. C.6.2. Excluding all rights of permitted development within the curtilage of a dwellinghouse without further permission
5. C.23. Demolition of dwelling to be replaced
6. C.7.1. Slab levels to be submitted, agreed & implemented
7. C.4.1. Scheme of landscaping to be submitted & agreed
8. C.4.2. Implementation of landscaping
9. C.3.2. Details of materials to be submitted, agreed & implemented

*Background papers: see application file.*

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**UTT/0872/03/FUL – FELSTED**

***(Revised Report)***

Change of use of part of sports field to form car park and enlargement of existing car park  
Land to the rear of main school. GR/TL 677-204. Felsted School.

*Case Officer: John Grayson 01799 510455*

Expiry Date: 1/08/03

**NOTATION:** On edge of Village Development Limits & Conservation Area/Opposite Listed Building.

**DESCRIPTION OF SITE:** The site is located north of Felsted School, to the northeast of the modern Lord Riche Hall and its car park.

**DESCRIPTION OF PROPOSAL:** The car park would be opposite the new music school alongside the Lord Riche Hall and would replace spaces lost by the proposal, as well as serving visitors to the new building. The proposed car park has now been expanded to accommodate 55 cars (14 more than originally) and 4 mini-buses. It would be landscaped along its north-eastern and south-eastern edges and have a “grass-crete” surface on its outer edge. It is also now proposed to double the size of the existing car park to the west of the Hall from 26 to 52 spaces.

**APPLICANT’S CASE:** See letters dated May and 10 July 2003 attached at end of report.

**RELEVANT HISTORY:** Members’ site visit on 7 July 2003.

**PARISH COUNCIL COMMENTS:** Original Plans:

It is suggested that the existing car park is further developed rather than going beyond the development limits with further movements down Stebbing Road. It is also suggested that the surface should be ‘open weave’ allowing for grass growth to keep the rural aspect.

Revised Plans: To be reported (due 25 July).

**REPRESENTATIONS:** Any received will be reported (due 25 July 2003)

**PLANNING CONSIDERATIONS:** The main issues are whether the revised proposals would

- 1) **create sufficient car parking facilities to meet the needs of users of the new Music School (ADP Policies DC1 & T2 and DLP Policies GEN2 & 9) and**
- 2) **leave sufficient sports facilities to meet the needs of the School (ADP Policy REC7 & DLP Policy LC1).**

1) The plans for the proposed new Music School were not originally accompanied by replacement and new parking provision to cater for events which would attract vehicle-borne visitors from outside the school. These have now been submitted and it is considered that the revised proposal for 55 car spaces and 4 minibus spaces would be sufficient to meet this need. The proposed location on the opposite side of School Road next to Lord Riche Hall would be convenient, but some form of crossing or traffic calming would be necessary. The outer part of the new car park would be in “grass crete”, but the main and inner parts need to be properly hardened for safe walking over on certain days.

2) The loss of recreational open space for the School’s use would be negligible.

**CONCLUSIONS:** It is considered that the revised proposal overcomes Members' and the Parish Council's concerns regarding the original plans.

**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with revised plans.
3. C.4.1. Scheme of landscaping to be submitted and agreed.
4. C.4.2. Implementation of landscaping.
5. C.25.3. No airport-related car parking.
6. Before the car park hereby approved is brought into use, a scheme of traffic calming/pedestrian crossing in Stebbing Road shall be submitted, agreed, implemented and retained thereafter.  
REASON: In the interests of highway safety.
7. The north-eastern part of the new car park shall be laid in a concrete/grass pattern mix.  
REASON: To form an attractive transition between the hard car park and the open park and the open recreational area.

*Background papers: see application file.*

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## **1) UTT/1020/03/FUL & 2) UTT/1021/03/FUL – FELSTED**

- 1) Erection of floodlights for proposed astro turf pitch
  - 2) Construction of all weather surface hockey pitch with associated fencing and extension to existing hard courts
- Land at Stebbing Road, Felsted School. GR/TL 677-208. Paul Watkinson.  
*Case Officer: John Grayson 01799 510455*  
Expiry Date: 20/08/2003

**NOTATION:** Outside Development Limits & Conservation Area

**DESCRIPTION OF SITE:** The site lies to the north of the School, adjacent to the existing artificial pitch. It slopes gently down to the north.

**DESCRIPTION OF PROPOSAL:** It is proposed to construct a second artificial pitch with floodlights to the north of the existing pitch and tennis/netball courts. There would be 8 lighting columns 12m high. Additional landscaping would be provided to the west and north.

**APPLICANT'S CASE:** See agent's letter dated 19 June 2003 with accompanying supporting statement attached at end of report.

**RELEVANT HISTORY:** Permission granted in 1996 for erection of 8 masts 14m high for floodlighting the Philips Pitch, subject to maximum lux of 290 and hours of use of lights restricted to 9pm on four days per week Mondays – Saturdays and not at all on Sundays & Bank/Public Holidays. Use until 10.15pm on two extra evenings per week approved in 1999 for 12 months (expired and not renewed).

**CONSULTATIONS:** Environmental Services: to be reported (due 11 July)

**PARISH COUNCIL COMMENTS:** to be reported (due 25 July).

**REPRESENTATIONS:** The first application (for the lights) has been advertised and one representation has been received. Period expires 24 July.  
See letter dated 9 July attached at end of report.  
Any representations regarding the second application (for the pitch) will be reported (due 25 July)

**PLANNING CONSIDERATIONS:** The main issues are whether the proposals would be detrimental to this attractive area close to open countryside (ADP Policy REC6 & DLP Policy LC4: Provision of outdoor sport and recreational facilities outside development limits) or be harmful to the amenities of local residents (ADP Policy DC14 and DLP Policy GEN4: General amenity and good neighbourliness).

### **1) The proposed floodlighting for proposed pitch**

The Policies state that outdoor sports and recreational facilities will normally be permitted if they are of an appropriate scale and design in harmony with the rural and visual interests of the locality. The pitch would be between 1-2m lower than the existing and the floodlight pylons 2m lower, totalling between 3-4m. The lighting of this second pitch would have an impact on the character of the adjacent countryside and the amenities of neighbours. The site is well screened at present to all sides, but additional planting would help to reduce spillage of light, especially towards Stebbing. There is an open area immediately north of the new pitch which could be heavily planted to form a copse, with mounding to the sides to reduce glare from the surface of the pitch. The only dwelling

outside School ownership in close proximity is the new Bury Farmhouse about 200m to the southwest. Most other properties in the village are screened by the complex of School buildings.

The applicants propose to use the latest technologically advanced “Ultra Low Glare” lighting, but it is inevitable that the additional effect would be noticeable. The existing lights have now been in place for over 6 years and their effects can be seen from Stebbing. In the circumstances, it is proposed to include a condition requiring that they be replaced with modern lighting to the same standard as the new ones. This should reduce the overall effect and impact on both the countryside and local residents’ amenities to a reasonable level.

**2) The second pitch**

The provision of a second pitch in this location would be acceptable and meet the Policy requirements. It would help to serve a need arising from the School’s and outside clubs’ use, thereby helping the local community. There are sufficient convenient car parking facilities to meet likely demand. No objections are raised regarding the pitch itself.

**CONCLUSIONS:** The proposals are acceptable, but if Members have any doubts about the floodlighting, it is suggested that this be deferred for further consideration and the application for the pitch itself be granted first, for the reason set out in the agents’ letter.

**RECOMMENDATIONS: APPROVALS WITH CONDITIONS**

**1) UTT/1020/03/FUL (floodlighting)**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans
3. C.4.1. Scheme of landscaping to be submitted, agreed & implemented
4. C.4.2. Implementation of landscaping
5. C.4.6. Retention & protection of trees & shrubs during development
6. C.4.8. Landscape management & maintenance plan to be submitted, agreed and implemented
7. Before the new lighting is first used, the lighting to the existing pitch shall be replaced with the same standard of facilities as hereby approved.
8. The floodlights shall not be used after 21.00 on at least four evenings per week Mondays – Saturdays, or after 22.15 on the other two evenings and not at all on Sundays, Bank and Public Holidays. There shall be no carry forward of these extended hours from one week to any others in the future.  
Reason 7 & 8: in order to help protect the rural character of the area and neighbouring residents’ amenities.

**2) UTT/1021/03/FUL (pitch)**

1. C.2.1. Time limit for commencement of development
2. C.3.1. To be implemented in accordance with approved plans

*Background papers: see application file.*

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**UTT/0799/03/FUL - STANSTED**  
***(Referred at Officers' Discretion)***

Removal of condition C.6.14 of planning permission UTT/0320/90 to allow food take-away use Royal Tandoori Restaurant, 8 Chapel Hill. GR/TL 513-249. Mr M Abedin.

Case Officer: Hilary Lock 01799 510486

Expiry Date: 23/07/2003

**NOTATION:** Within development limits & village centre; Conservation Area; Class B road

**DESCRIPTION OF SITE:** This application relates to a restaurant on the northern side of Chapel Hill, 30m west of its junction with Lower Street, Park Road and Station Road and the access to the Castle and car park. There are double yellow lines outside the premises and white 'zig zag' lines either side of a zebra crossing between the site and road junction.

**DESCRIPTION OF PROPOSAL:** The applicant proposes to remove the condition preventing take-away meals (for a fourth time in 10 years).

**RELEVANT HISTORY:** change of use from A1 to A3 approved 1989, and of first floor to A3 1990. Rear extension approved 1991. Applications to remove condition prohibiting takeaway refused 1993, 1996 & 2001, the latter also dismissed at appeal on highway grounds. Enforcement investigations under way.

**APPLICANT'S CASE:** Detailed statement on file. In summary:

Clients have found it increasingly difficult to remain economically viable because unable to offer takeaway facility. Since initial A3 permission granted, occupants have changed 3 times, and this high rate of change reflects unviable nature of business. Since 1996, has been significant increase in number of restaurants in Stansted area, all with takeaways, and client feels this element of competition may deprive people of Stansted from the provision of an excellent Indian food restaurant.

Since last refusal, material change in circumstances is that the management have made strenuous efforts to ensure no customers park in unsafe locations. Pedestrian crossing on Chapel Hill has 'bedded in' which reduces pedestrian/vehicular conflict in vicinity of premises and acts as deterrent to illegal parking. Double yellow lines have been repainted and the zigzag no stopping area extends to restaurant frontage. Given geometry on Chapel Hill it would be foolish to park there. Also parking at Stansted Castle car park. Restaurant window gives details of where to park, and home delivery leaflet includes safe parking instructions. Include petition of 65 confirming no evidence of parking on Chapel Hill, and petition of 312 in support of application. Proposed takeaway would be low key (3 to 5 per evening, and 10 on Fridays and Saturdays, about 40 customers per week). Given efforts of management to control parking not considered that this would cause traffic problem. Restaurant does not open until 6pm when there is adequate local parking. Highway objection is more imagined than real. Parking would be dangerous which is why it does not happen. Business should not be penalised for remote chance that someone would break traffic regulations.

**CONSULTATIONS:** ECC Transportation: recommend refusal on highway safety grounds.

**PARISH COUNCIL COMMENTS:** No objection

**REPRESENTATIONS:** This application has been advertised and one representation has been received (plus petitions submitted with application). Advertisement expired 24.6.03.

Objection – despite refusals cars still park on pavement and cause problems for pedestrians and road users.

**PLANNING CONSIDERATIONS: The main issue is whether the proposal overcomes the previous reasons for refusal on highway safety grounds (ERSP Policy T3, ADP Policy T1 & DLP Policy GEN1).**

The original permission for the A3 use prohibited takeaway use, the condition being imposed “*in the interest of highway safety, as the use of the premises as a takeaway food outlet could encourage the informal waiting of customers vehicles within the public highway on a busy stretch of road*”. Three applications to remove the condition were refused, the last in 2001, this also dismissed at appeal. The Inspector noted the distance of the site from the junction, the position of the nearby buildings relative to the narrow footpath, the bend in the road reducing forward visibility, and the presence of double yellow lines and associated signage. He found the road busy and had no evidence to show that the road would not be busy in the evenings when a takeaway would operate.

The Inspector stated that: “*I consider that there would be a genuine risk that drivers stopping to pick up hot food orders would be tempted to stop for a short period directly outside the appeal premises, notwithstanding the availability of public off-street parking at the castle. I say this because the car park is about 120m away and car borne patrons of hot food takeaways are likely to wish to keep their food hot and hence minimise the delay in picking it up and returning home or elsewhere to consume it. The appellant’s own evidence that short term on-street parking already happens at the Y-Z mini market convenience store and off-licence opposite the appeal site tends to confirm this concern. In view of the narrowness of the road and the proximity of the zebra crossing across Chapel Hill in the vicinity of the Lower Street junction, any additional stopping would be likely to add to existing hazards along the road. Despite the existing traffic regulation orders I conclude that to permit continued use as a hot food takeaway would be likely to cause unacceptable harm to the free and safe flow of vehicular and pedestrian traffic in the locality*”.

The applicant’s efforts to provide information on safe parking are noted, but it would be impossible to prevent visitors stopping on the public road and pavement should they so wish. The Inspector took into account the parking at the Castle and considered it too far from the premises for takeaway users when the need was to prevent the cooling of collected food. He also took into account the presence of an existing pedestrian crossing and traffic restrictions, but again considered they would not overcome the perceived risks to safety. It is not obvious whether the ‘zig zag’ either side of the crossing has been added since the last refusal, but yellow and white lines were in place at that time (stated in report). Indeed, at the time of my site visit on 27 June, a delivery van was parked on the ‘zig zag’ area (unconnected with this application site, but demonstrating the problems which already occur).

As parking management is not wholly within the control of the applicants, it is not considered that adequate measures could be imposed which would overcome the identified risks to highway safety. There is sympathy with the applicant’s difficulties in operating a viable business, but the site specific constraints are such that public safety must be paramount.

**CONCLUSION:** It is not considered that there has been a material change in circumstances sufficient to overcome the previous reasons for refusal and appeal dismissal.

#### **RECOMMENDATION: REFUSAL REASON**

The proposed removal of condition C.6.1.4 of planning permission UTT/0329/90 to allow a Class A3 hot food takeway to operate from the premises would be detrimental to highway safety. The proposal is considered likely to result in short term parking taking place within the adjoining

carriageway of the County road B1051, to the detriment of the safety of other road users and pedestrians, leading to conflict and interference with the free flow of traffic on this main road. There have been no material changes in circumstances since the appeal dismissal of application UTT/1476/00FUL in 2001 to warrant the grant of planning permission, contrary to adopted Essex & Southend on Sea Replacement Structure Plan Policy T3, adopted Uttlesford District Plan Policy T1, and Deposit Draft Policy GEN1.

*Background papers: see application file.*

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**1) UTT/0376/03/FUL & 2) UTT/0377/03/LB – STANSTED**

***(Referred at Officers' discretion)***

- 1) Change of use from Class A1 retail to Class A3 restaurant.
  - 2) Internal alterations, including removal of partition and creation of doorway at ground floor and new partitions at first floor. Insertion of vent in gable end.
- 40 Lower Street. GR/TL 514-250. A Fordham.  
Case Officer: Michelle Guppy 01799 510477  
Expiry Date: 23/05/2003

**NOTATION:** ADP & DLP: Within Development Limits, Conservation Area and Town or Village Centre/ Listed Building

**DESCRIPTION OF SITE:** The site is located within the eastern part of the centre of Stansted Mountfitchet. The building is a two-storey antiques shop located on the corner at the junction of Lower Street (B1351) with High Lane and Grove Hill (B1051), between the two streets. To the northeast is a dwelling house, otherwise the property faces onto the road. There are various commercial and residential properties in the vicinity. The property has two parking spaces to the north of the building.

**DESCRIPTION OF PROPOSAL:** The applicant proposes to convert the shop into a restaurant. A vent would be installed in a gable end behind the parapet.

**APPLICANT'S CASE:** Further to our telephone conversation and your remaining concerns over the external flue, we have met yesterday on site, with the ventilation company we propose to use, and crawled through the various roof spaces, and found a solution whereby we can accommodate the duct size required in the roof spaces, and site a simple grill, in the gable end that no one can see. As we achieve discharge nearly the same height as the chimney top, we believe this to be the best solution for listed building, planning, and environmental health, and trust you agree.

**CONSULTATIONS: Original Plans:**

Specialist Design Advice: No objection in principle to the proposed minor alteration to the modern elements of the building subject to no elements of historic timber to be cut or removed with out inspection and consent.

Environmental Services: concerns regarding position of premise in relation to neighbouring and close by residential properties, and potential nuisance to be caused. Particular concern re. Ventilation of premises and odours that may be produced as neighbouring property is higher than restaurant. High level discharge of system will be required, also regular maintenance and good specification of system will be important. The kitchen in these premises is very small. The applicant is aware that to make it useable he has to be creative with the layout of the equipment and has to choose his menu carefully. It would not be suitable for all food types.

**Revised Plans:**

Specialist Design Advice: Vent in gable end would not be seen due to location behind parapet therefore should not be detrimental to character and appearance of listed building.

Environmental Services: Reiterated previous comments.

**PARISH COUNCIL COMMENTS:** No objection but request quiet unobtrusive extraction system and as long as the metal cowl is approved on a listed building.

**REPRESENTATIONS: Original Plans:**

These applications have been advertised and 2 representations have been received regarding the original plans. Advertisement expired 6/5/03.

1. Object. Unnecessary extra amenity. Already plenty of restaurants and takeaways in Lower Street Area. Restricted Parking. Residents themselves have a problem parking. Noise and air pollution. Excess food rubbish and associated smell. 40 Lower Street should be kept as a Class A1 retail to maintain a balanced community in Lower Street, in keeping with the listed conservation area.

2. Object. Concern regarding parking area. Approval Ref UTT/0174/02/FUL will bring out property even closer to No. 40. Allowing further A3 use in this location and loss of A1 use would be contrary to policy. Loss of residential accommodation would be contrary to policy. Has inadequate parking, detrimental to highway safety, local amenities and character of the area. Pedestrian access to site is poor. Detrimental to residential amenity due to increased noise and activity especially in the evenings, cooking odours. Concern over disposal of rubbish.

Revised plans: to be reported (due 25 July 2003)

**PLANNING CONSIDERATIONS: The main issues are whether the proposal would be acceptable having regard to its effects on**

- 1) residential amenity (ADP Policy DC14 & DLP Policy GEN4),
- 2) the setting, character and fabric of the listed building and the appearance of the conservation area (ESP Policies HC2 & HC3, ADP Policies DC2 & DC5 and DLP Policies ENV1 & ENV2) and
- 3) highway safety, character of the area and parking facilities (ADP Policies T1, T2 & SM2 and DLP Policies GEN9, GEN1 & SM1).

1) Officers are concerned regarding the harmful effects of fumes on neighbouring properties due to the residential properties in Grove Hill being at a higher level than the site. Environmental Services have recommended that a high level (ie elevation) of discharge for the extraction system will be required. The highest level achievable would be to use the existing chimney and/or to have another flue installed at the same height or higher. However, this would impact on the listed building and conservation area (see 2 below). The revised proposal is to have the discharge for the extraction system in the gable end behind the parapet at the front of the building, which would result in fumes being discharged at a lower level than existing dwellings. It is also the applicant's intention to use the first floor terrace as outdoor seating, which could result in a disturbance and loss of privacy to the residential properties opposite.

2) It is considered that placing a cowl on the chimney top in order that the chimney can be used as the method of discharge for the ventilation system should be acceptable in terms of conserving the character and appearance of the listed building and the conservation area. However, the addition of a further flue at any location is considered to be detrimental to the character and appearance of the listed building. The insertion of a vent in the gable end behind the parapet should not be detrimental to the character and appearance of the listed building or the conservation area. (The applicant has stated that the chimney is not wide enough for the ventilation system therefore another flue would be required alongside the chimney, or a ventilation system can be routed to emerge on the gable end behind the chimney).

3) The site is located in an area of mixed commercial and residential properties and the proposal would replace an existing commercial facility in the centre of Stansted. The surrounding roads should be capable of accommodating the traffic generated by the development. There is currently on-street parking within the vicinity of the site, but with no capacity for any additional spaces. The site is within the centre of the village and there is a public car park and main line station within 3 minutes walking distance of the site. The existing premises are commercial and there are other commercial activities in the vicinity. It is considered that the absence of parking provision for customers at the proposed restaurant would not be contrary to current Government guidance in town/village centres.

**CONCLUSIONS:** Although concerns regarding the impact on the listed building and conservation area can be overcome, the proposal would still result in a detriment to residential amenity due to the fumes emitted and the proximity of the outdoor seating area to residential properties. The low level of available kerbside parking available in the vicinity is not considered of sufficient weight to warrant refusal on this ground.

**RECOMMENDATIONS: 1) UTT/0376/03/FUL REFUSAL REASON**

The proposal would adversely affect the amenities of the occupiers of neighbouring residential properties by reason of excessive smell, fumes, loss of privacy and disturbance, contrary to ADP Policy DC14 and DLP Policy GEN4.

**2) UTT/0377/03/LB: LISTED BUILDING CONSENT WITH CONDITIONS**

1. C.2.2. Time limit for commencement of development
2. C.3.2. In accordance with revised plans
- 3-5. Detailed Design requirements

*Background papers: see application file.*

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## **UTT/0573/03/FUL - STANSTED**

Upgrade of existing telecommunications mast for site share. Replace 25m high mast. Installation of 6 antennae, two 600mm dishes and two 300mm dishes. Add 7 equipment cabins in extended compound.

Stansted Sports Association, Cambridge Road. GR/TL 510-253. Orange PLC.

*Case Officer: Hilary Lock 01799 510486*

Expiry Date: 17/06/2003

**NOTATION:** ADP: Within Development Limits; PF/ENV [Protected Open Space – Playing Field & of Environmental Value (Policy DC8)] DLP: Within Settlement Boundary; ENV/PF [Protected Open Space: of Environmental Value (Policy ENV3) & Playing Field (Policy LC1)]

**DESCRIPTION OF SITE:** The site is within the sports ground on Cambridge Road, Stansted, located between Gilbey Crescent to the north and Cawkell Close/Bentfield Gardens to the south. The sports ground has a floodlit football pitch and cricket ground, and to the east a clubhouse and pavilion close to the entrance to the site, to the rear of houses fronting Cambridge Road. The site is surrounded by housing, and Hargrave House to the northwest. Bentfield Primary School is beyond, some 200m from the site.

**DESCRIPTION OF PROPOSAL:** The proposal is to replace an existing 25m high mast with a mast of the same height, and install antennae for the proposed and existing operators (Orange and Hutchinson 3G). This would include 6 antennae, 2 x 600mm dishes and 2 x 300mm dishes. There would be seven equipment cabins located in an extended compound. The mast would be on the site of the existing, adjacent to the clubhouse on the eastern side of the sports field, and the cabinets would be located alongside the clubhouse, adjacent to the pitch. The clubhouse would screen the cabinets from dwellings to the east on Cambridge Road. The mast would be sited a minimum 22m from the eastern boundary, and 31m from the closest house.

**APPLICANT'S CASE:** Upgrading at the site is necessary to allow Orange to operate on the 3G network. Necessary to replace the existing 25m high mast with a different styled tower which will have structural capacity to take the load of the additional equipment. The operator previously opposed mast sharing, but provider has now agreed to allow Hutchinson 3G to use an upgraded Orange mast. This is most environmentally suitable option, and ensures Orange would not require further development in the area. The applicant's detailed supporting statement is available for inspection at the Council Offices.

**RELEVANT HISTORY:** No objections raised to prior notification application for telecommunications mast and equipment June 1994, replacement equipment September 2001, and to replace a 25m mast with a 23m mast in 2001. Application to erect a third 22.5m mast and antennae to the north western boundary of the football pitch (to double as a floodlight pylon) was refused in December 2002, as the applicant had not demonstrated that mast sharing (there are two other masts on the playing fields) would be an option, and that this would have resulted in a proliferation of masts at the site.

**PARISH COUNCIL COMMENTS:** Whilst members appreciate the efforts made to share masts, they still object on environmental grounds, and have concerns about proximity to housing, given that health risks are not yet proven.

**REPRESENTATIONS:** This application has been advertised and two representations have been received. Period expired 12 June.

1. Strongly object. Site is in middle of residential housing in picturesque historic village and consider it totally unacceptable that so many houses should be blighted in this way. Concerned at possible ill effects on health. Council should take responsible attitude and act in interest of constituents rather than commercial interests.
2. Objection. Concerns at effect of radiation on health. Child's bedroom already less than 25m from pair of masts erected without consultation. Adverse effect on property values. If permitted seek written assurances in respect of long-term health of family.

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

- 1) **a) the location is essential for technical reasons and if alternative sites have been fully considered,**  
**b) the proposal would be appropriate in a residential area in terms of its visual impact and effect on amenity, and suitable measures have been taken to mitigate adverse effects (ERSP Policy BE8, ADP Policies DC13 & DC14 and DLP Policies T4 & GEN4), and**
- 2) **health considerations are relevant (PPG8).**

1a) The coverage maps indicate a technical requirement for an additional base station in the vicinity of this site, to serve the village. There are two existing masts at the sports ground and site sharing is considered to be a good solution to the problem of coverage. This is supported by national and local planning policy. Given the relatively tight-knit surroundings, it would be difficult to find a preferable site within the vicinity. There does not appear to be a more appropriate site for such development which would both meet technical requirements and have less visual impact on its setting or residential amenity. Other sites considered were the existing 10m high Vodafone mast at the sports ground (incapable of sharing without much stronger mast), the Police Tower (police authority does not allow sharing), the Fire Tower (land levels too low and would have required considerable extension to mast), and a new H3G mast.

1b) ADP Policy DC13 supports mast sharing. The site is an open sports ground surrounded by residential development. There are already two masts and floodlighting columns at the site, and it is not considered that the visual impact of the replacement mast and cabinets would be significantly greater than existing. Although close to residential property, the impact and effect on outlook would be little changed from the current situation. Following the refusal of an earlier application for a separate mast on site, it is considered that by mast sharing and the careful siting of cabinets, the applicant would have taken sufficient measures to ameliorate the impacts of the development on its setting.

2) Planning Policy Guidance note 8 on Telecommunications states that health considerations and public concerns can be material considerations. However, it is the Government's view that the planning system is not the appropriate place for determining health safeguards. If a base station meets the International Commission on Non-ionising Radiation Protection (ICNIRP) guidelines for public exposure, it should not be necessary for the local planning authority to consider health aspects. The Stewart Report 2000 concluded that *'the balance of evidence indicates that there is no general risk to the health of people living near base stations, on the basis that exposures are expected to be small fractions of guidelines.'* The application states that the predicted field strengths would be well within the ICNIRP guidelines.

**COMMENTS ON REPRESENTATIONS:** The proposal would be no closer to residential property than the existing mast. Impact on property prices is not a material planning consideration. Issues of health are addressed above.

**CONCLUSIONS:** The proposed mast sharing and replacement of an existing mast, would accord with adopted Policy.



**RECOMMENDATION: APPROVAL WITH CONDITIONS**

1. C.2.1. Time limit for commencement of development
2. C.3.2. To be implemented in accordance with revised plans
3. C.21.1. Excluding extensions to telecommunications masts without further permission
4. The base cabinets, compound fencing and associated equipment hereby permitted shall be coloured green prior to installation on the site, in accordance with details first submitted to and approved in writing by the local planning authority, and shall thereafter be retained as approved unless otherwise first agreed in writing by the local planning authority.
5. The existing mast shall be removed from the site within one week of the first use of the new mast.  
REASON 4 & 5: To minimise the visual impact of the development.

*Background papers: see application file.*

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### UTT/0380/03/FUL – STANSTED

Conversion of dwelling to 5 flats and erection of block of 5 flats to rear. Construction of vehicular access and parking area for fourteen vehicles.

The Limes Stables, Silver Street. GR/TL 509-246. Feeney Bros Ltd.

*Case Officer: Hilary Lock 01799 510486*

Expiry Date: 13/05/2003

**NOTATION:** Within Development Limits/Adjacent Residential allocation (developed as Old Bell Close)/Adjacent listed building/Access onto Class B road

**DESCRIPTION OF SITE:** The site comprises a dwelling (former stables) with large rear garden on the eastern side of Silver Street, north of the junction with Old Bell Close. Gardens serving houses in Old Bell Close back onto the southern boundary. Access to the dwelling is in front of the building, with the remainder of the frontage enclosed by a wall with planting above. The rear garden contains mature shrubs and trees, although part of the southern and eastern boundaries at the rear have sparse screening. Dwellings in Brook Road are in an elevated position above the rear garden to the east.

**DESCRIPTION OF PROPOSAL:** There are two main elements: the existing detached three-bedroom house with one-bedroom annex would be converted to five two-bedroom flats, three at ground floor (accessed from the front of the building) and two at first floor (accessed from the rear). External changes to the building would include full glazing to ground level in place of windows to the front entrance and two front rooflights; a new first floor rear window, and replacement of one rear window with two; and on the southern side elevation a new ground floor window and three rooflights.

The second proposal would be the construction of a detached two-storey block of five flats in the rear garden. The front elevation of the building would include similar gable detailing to the main house. It would have a width of 15.4m and depth of 11.6m, with a single storey section at the rear 9.1m x 11m. It would range in height from 7.3m to 9.1m. The first floor side elevations facing dwellings in Old Bell Close and the garden of the house to the north would have secondary windows to a dining room/lounge and bedroom (which could be obscure glazed) and the sole windows to second bedrooms. Distances to boundaries would be:

To gardens in Old Bell Close (southern boundary) – 2.9m to 5.8m

Back-to-back distance (at second floor) to dwellings in Old Bell Close – minimum 16m

To the garden to 193 Silver Street (northern boundary) – 2.6m to 5.8m

To the rear (eastern) boundary – 7.6m to 9.8m

Back-to-back distance to Lime Stables – 26m

There would be two vehicular accesses off Silver Street. The existing in front of the house would provide turning and parking for two cars. This would be separated from a new access road by a bin store. The second access would involve the demolition of part of the front wall and the construction of a block paved road 3.6m wide (4.8m at the entrance) running alongside the gardens of houses in Old Bell Close (with planting in between) and serving a fourteen space paved parking area. This would be between the converted and new block of flats. The existing hedge is to remain, but there would be removal of a number of trees within the site to accommodate the development. Amenity space for the converted building would be an area in the region of 135sqm behind the building and next to the parking area. Space would be retained around the new building, but it is considered that the only usable areas would be approximately 185sqm.

**APPLICANT'S CASE:** Due to the topography of site building sits lower than Old Bell Close and should have no adverse impact. Residents would object to any change as a matter of principle but we maintain that no overlooking would occur and should not be reason for refusal. See agent's statement regarding car parking and access attached at end of report.

**RELEVANT HISTORY:** change of use of existing building from stabling to dwelling approved 1978. Outline application for backland scheme of two dwellings, garages and alterations to access refused 2002, on basis of loss of amenity from two-storey houses, access and parking in close proximity to dwellings in Old Bell Close and Limes Stables itself, inadequate access and turning facilities.

**CONSULTATIONS:** ECC Transportation: Original Plans – No objection in principle, but concerned that an acceptable and workable access layout to the site could be obstructed by the existing right turn lane facility and the two centre island bollards at the junction with Old Bell Close. Revised Plans – new access could conflict with central island refuge on Silver Street, but no space available to relocate it.

**PARISH COUNCIL COMMENTS:** Object strongly on grounds of over-development and dangerous access close to other junctions.

**REPRESENTATIONS:** This application has been advertised and three representations have been received. Period expired 22 April.

1. No objection to conversion of existing property but object to development at rear on basis of inadequate access for construction vehicles, loss of amenity from parking area and use of access road close to garden of 3 Old Bell Close. Will be only 3.5m from sitting area to traffic. Inadequate width of access could result in cars queuing on Silver Street and within parking area. Vehicles from 10 flats would have greater impact than two refused houses. Overspill parking in Old Bell Close. Much new building in vicinity recently and this will add to congestion on Silver Street. Loss of security once garage to Limes Stables demolished.
2. Existing drains are in garden of 193 Silver Street and proposal will overstretch system. Query liability for maintenance, damage to hedges and trees during construction, and safety during construction. Site is unsuitable for heavy vehicles. Pollution from car park will affect ability to use garden. Loss of privacy.
3. Excessive overdevelopment. Plenty of other properties in Stansted which could be converted to small apartments thus reducing need to squeeze buildings onto small plots. Old part of village is being ruined by development.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposal would

- 1) be an appropriate form of backland development, and have an acceptable impact on residential amenity (ADP Policies H10 & DC14, and DLP Policies H3 & GEN4);
- 2) be satisfactory in highway safety terms and provide adequate parking for the development (ERSP Policies T3 & T12, ADP Policies T1 & T2, and DLP Policies GEN1 & GEN9);
- 3) overcome the previous reasons for refusal for the outline development of two houses on this backland site; and
- 4) whether there are any other material considerations which would affect determination of the application.

1) The conversion of the existing building into five flats would necessitate parking at the rear of the building, and therefore require an access road at the rear of Old Bell Close properties. However, given the urban setting, and the number of vehicles that would be generated by the proposal, it is considered that it may be unreasonable to resist the more intensive residential occupation of this building. Subject to retaining ample rear garden area to minimise the impact on

adjacent residents and to provide a setting commensurate with the size of the existing building, it is considered that this element could be recommended favourably.

However, the size of the new block to the rear would result in a development which would appear cramped relative to its surroundings. Little space would be retained around the building, and at 9m high its mass and bulk could not fail to be overbearing and dominate the outlook of the properties in Old Bell Close. Although the site slopes down to the east, this would still appear as an extremely large building out of keeping with the otherwise more domestic scale of buildings in the vicinity. Although Lime stables itself is relatively large, as a frontage building, it has less impact than the proposal, and its design reduces the impact on adjoining properties.

The cumulative effect of the proposed conversion and new build, in particular the impact of the new building, are considered unacceptable. The combined proposal would result in a site dominated by car parking, and generating a significant amount of traffic in a backland location. The close proximity to adjacent residents and number of vehicles involved would produce noise, nuisance and fumes beyond levels reasonably expected by residents in this residential area.

2) Silver Street is a busy main road (B1383), and the addition of a second access point in close proximity to a road junction and island refuge is considered unacceptable. Given the relatively narrow access road width available, and the number of vehicles which could be using it, there is concern that vehicles may need to manoeuvre or wait on the main road, which would cause obstruction and interfere with the free flow of traffic. As this is a busy distributor, such potential hazards would be unacceptable in highway safety terms.

3) The proposals fail to overcome the previous reasons for refusal, and indeed it is considered that the impact of a redevelopment with ten flats would have greater adverse impact than the previously unacceptable two houses. The proposed building at the rear of the site would be excessive in height and depth relative to the dwellings and gardens of the properties in Old Bell Close, and could not fail to have an overbearing impact on those properties given their close proximity. A new access road running alongside the boundary with Old Bell Close was previously considered unacceptable in terms of noise, nuisance and fumes, but the vehicle movements connected with ten units would be greater than the three previously proposed on the site. Although set further off the boundary and retaining more planting than previously, it is considered that this would not materially reduce the impact on residents.

4) There have other flat schemes approved along Silver Street in recent years, some of which were allowed at appeal. However, none are considered to have a similar relationship with adjacent property, and do not set a precedent for this proposal.

**COMMENTS ON REPRESENTATIONS:** Many of the issues raised are addressed in the report. Drainage rights and maintenance would be a civil matter, but the capacity of the system could be addressed in the Building Regulations application. There would inevitably be nuisance and disruption during the construction period, and a condition restricting hours of construction could reasonably be imposed.

**CONCLUSIONS:** This backland proposal and conversion would create a cramped form of development dominated by parking, and would give rise to loss of amenity to adjacent residents through noise, nuisance and pollution from use of the unacceptably close access road and parking area, and the overbearing impact of the building at the rear of the site. The creation of a second access point and the number of vehicle movements to be generated from the site could give rise to highway hazards on Silver Street. The proposal does not overcome the previous reasons for refusal for two dwellings in the rear garden. There are no objections to the proposed conversion of the dwelling to 5 flats.

**RECOMMENDATION: REFUSAL REASONS**

1. The proposed construction of a two storey block of flats in the rear garden of the site would create an unacceptable form of backland development, which would create significant loss of amenity to adjacent residents by virtue of the noise, disturbance and pollution caused by use of the proposed access road and parking area within close proximity. The size and bulk of the proposed building within 6m of the garden areas of properties in Old Bell Close would also create an unacceptably overbearing development which would dominate the outlook from those properties. The development would be contrary to ADP Policies, S1, H10 & DC14, and DLP Policies S1, H3 & GEN4.

2. The access arrangements to serve the development could create potential hazards and interfere with the free flow of traffic on the Class B Silver Street, Only two parking spaces are proposed at the front of the existing building, and it is considered there is potential for parking on the turning area by occupants of the three flats accessed from the front of the site. This could result in manoeuvring on the public highway, to the detriment of highway safety. The proposal would also involve the construction of a second access point in close proximity to the existing, the junction with Old Bell Close, and a right turn lane with central island refuge. Given the potential number of vehicle movements, and the proximity to the island refuge, it is considered that there could be conflict in manoeuvring movements, and therefore potential for vehicles waiting on the public highway during access and egress to and from the site. Such manoeuvres within close proximity to other junctions would introduce an unacceptable level of additional hazard on this busy stretch of B 1383 road. The development would be contrary to ERSP Policy T3, ADP Policy T1 and DLP Policy GEN1.

3. Although it may be possible to develop the site and meet the technical standards of the Council in terms of parking and amenity space, it is considered that in this backland location these minimum requirements may not always be sufficient to ensure a satisfactory scheme which respects the amenities of adjacent residents. It is considered that the construction of the block of flats at the rear of the site in close proximity to the boundary with adjacent gardens could result in a development unduly overbearing, with the outlook from surrounding dwellings and gardens dominated by close form. In addition, the significantly reduced amenity area to serve Lime Stables would appear cramped relative to the size of the building, and the development and all amenity spaces would be dominated by parking and turning areas. The proposals would therefore result in unacceptable living conditions for all existing and future occupants, and would not respect the existing development which surrounds the site. The development would be contrary to the requirements of ADP Policies DC1 & DC14 and DLP Policies GEN2 and GEN4.

4. The proposals fails to overcome the reasons for refusal of application UTT/0759/02/OP, and given the number of units that would result from this development would exacerbate the loss of residential amenity identified from use of the proposed access road and the overbearing effect of the built form. The addition of a second access point would introduce additional hazards not previously raised.

*Background papers: see application file.*

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## UTT/0943/03/FUL - SAFFRON WALDEN

Demolition of garages and construction of detached chalet dwelling  
Land off Victoria Gardens. GR/TL 544-380. Mr G Bower.  
*Case Officer: Hilary Lock 01799 510486*  
Expiry Date: 12/08/2003

**NOTATION:** within Development Limits/Settlement Boundary

**DESCRIPTION OF SITE:** This application relates to a small triangular parcel of land (approximately 400m<sup>2</sup>) on a private road off Victoria Gardens. The access is between frontage housing, and serves three existing dwellings, and the application site, which houses a block of three flat roofed garages (formerly used by a local building firm and then for storing a boat and commercial vans). They have never been used by the nearby dwellings and are no longer required for business purposes.

**DESCRIPTION OF PROPOSAL:** The proposal is to demolish the garages and construct one three-bedroom chalet, with a footprint of 75.8 sqm, and height of 7m. Three parking spaces would be provided (although only two are required), but turning would rely on the adjacent access road, which has a turning head at its end. It is an irregular shaped site, but garden area in the region of 75sqm would be provided to the sides of the dwelling. The chalet would be sited 1m -1.5m from the rear boundary, with three rooflights to a bedroom and dressing room. Between 1m and 11m would be retained to the northern boundary with a public footpath beyond. A 1½ storey front gable and two dormer windows would serve two bedrooms and a bathroom.

**APPLICANT'S CASE:** Direct overlooking from first floor bedrooms into private amenity areas of adjoining properties has been designed out and back-to-back distances from the new to existing dwellings is some 40-50m. It has been designed to reduce the overall footprint on the site from that approved and to provide more sympathetic design characteristics to this area. The 3 bedrooms would not have direct overlooking aspects (the approved bungalow indicated two bedrooms). Government guidelines are that density and use of land is paramount. Proposal conforms to planning policy. Design, scale and height are acceptable.

**RELEVANT HISTORY:** Outline permission was granted earlier this year for a bungalow, with an indicative footprint similar to the current proposal. Due to the limited site size, it was subject to conditions requiring the reserved matters to be a single storey dwelling with no greater footprint than indicated. A subsequent application for a chalet was withdrawn by the applicant following officer advice that it would be recommended for refusal.

**CONSULTATIONS:** Landscape Advice: to be reported (due 28 July)

Environment Agency: Land level of proposed site is on high ground well above existing water level of The Slade (non main river) and should not constitute flooding problem. However, there should be no restrictions in the river channel to impede the flow, from this proposal. Advice to applicant.

Ramblers Association: no response received – due 6 July

Building Control: no objection subject to incorporation of domestic sprinkler system.

Environmental Services: turning head is large enough but lane very narrow for HGV access in places. 4m + width required for comfortable passing. 60m is above recommended distance to carry refuse from property to collection vehicle. Access road needs to be to highway standard to ensure collection from house. If not residents may be required to put refuse out on highway boundary with road.

**TOWN COUNCIL COMMENTS:** no objections

**REPRESENTATIONS:** Three. Notification period expired 11 July.

Concerned that during construction and afterwards access to existing dwellings should not be impeded. Issues of maintenance of access road. Previous conditions attached to outline consent should apply. Parking on site would restrict manoeuvring by large vehicles (particularly emergency vehicles). Would need to lop trees to build dwelling.

Friends of the Earth – Concerned that public footpath which runs along access road must be safeguarded, and its use should not be discouraged or inhibited. If development could be used to enhance ease and attraction of use of footpath it would be consistent with policy.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposed dwelling would

- 1) be an acceptable form of development, in keeping with its setting (ADP Policies S1 & DC1, DLP Policies S1 & GEN2), and
- 2) would enable the retention of trees surrounding the site (ADP Policy DC8 & DLP Policy ENV3).

1) The site is within Development Limits and the principle of a dwelling here has already been accepted. In granting the outline permission, it was a finely balanced decision, but it was determined that (1) a bungalow could be constructed without causing overshadowing or loss of privacy/amenity (2) the additional traffic to be generated by a two-bedroom bungalow would not be significant, and no greater than the existing use; and (3) given the backland location of existing dwellings along this track, the redevelopment of the site would be in keeping with the existing pattern of development.

The outline proposal indicated a bungalow orientated to face west, with a usable garden area to the rear. Due to the first floor windows, the current proposal has been twisted on the site to avoid overlooking of adjacent dwellings, and to reduce the impact of the increased mass of the building. In so doing, this would significantly reduce the amount of available garden area to below the Council's standards. Removing the third unnecessary parking space would not significantly increase the garden area. The other backland dwellings in this location are single storey on larger plots. It is considered that this proposal would result in a cramped form of overdevelopment, out of keeping and scale with the other dwellings off the access road. Although PPG3 and the Council's own policies seek to achieve best use of urban land, these do not promote overdevelopment of modest sites, and any new development is still required to be compatible with its setting.

2) The site is already dominated by the canopy of trees adjacent to The Slade. The outline proposal would have enabled a low-key dwelling to be constructed which would have required limited works to the overhanging trees. By moving the dwelling closer to the boundaries and increasing its height significant lopping would be required to accommodate the dwelling, which would have an adverse impact on the character and appearance of the area.

**COMMENTS ON REPRESENTATIONS:** The access issues raised were fully considered prior to granting the outline permission. Issues of maintenance of the access road are a private matter. Redevelopment of the site would not prevent use of the footpath.

**CONCLUSION:** The proposal would be overdevelopment of the site, providing limited garden area. Its siting would inevitably require significant works to mature trees which overhang the site. A chalet of the scale proposed would not be in keeping with the other dwellings in this backland location.

#### **RECOMMENDATION: REFUSAL REASONS**

1) The proposal is considered to be an unacceptably cramped form of overdevelopment out of keeping with other dwellings in this location, and its two-storey design would appear out of scale with the bungalows in the vicinity. The proposal is therefore considered contrary to ADP Policies S1 and DC1, and DLP Policies S1 and GEN2.

2) The necessary siting of the dwelling to avoid loss of amenity and overlooking of adjacent dwellings results in a plot with limited usable garden area contrary to the Council's standards, resulting in unacceptable living conditions for future occupants. The siting and height of the building would also inevitably require significant works to mature trees which overhang the site, to the detriment of the attractive landscaped character and appearance of this part of the residential estate of which the site forms part. The proposal would therefore be contrary to ADP Policy DC8 and DLP Policy ENV3.

*Background papers: see application file.*

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## **1) UTT/0710/03/FUL & 2) UTT/0711/03/LB - FELSTED**

- 1) Residential barn conversion.
  - 2) Demolition of extensions, conversion of barn to dwelling.
- Straits Farm. GR/TL 691-226. Mr C Richardson.  
*Case Officer: Mr A Betros 01799 510471*  
Expiry Date: 28/07/2003

**NOTATION:** Outside development limits/Listed Building.

**DESCRIPTION OF SITE:** The site is located on the southern side of the new A120, 1.5km north of Watch House Green. The land has a flyover across the A120 which is under construction and contains a two storey listed building as well as a barn and stable block which are linked to the dwelling by a car port.

**DESCRIPTION OF PROPOSAL:** The proposal involves a residential conversion of the barn adjacent to the dwelling and demolition of the link between the barn and the carport as well as the link between the barn and the stable block. The applicant has indicated that a further application will be submitted for conversion of the stable block to a garage/store.

**APPLICANT'S CASE:** The listed building application contained the following details:

“The barn is redundant and without a practical use and will soon fall into disrepair. The proposal would result in the demolition of unsympathetic modern extensions and replacement of modern materials with traditional materials”.

A detailed statement has also been submitted including Site Description, Development Plan Policies, Government Advice, History, Conservation Philosophy, Proposal Outline, Planning Issues and Conclusions. (A copy is available for inspection in Council offices).

**RELEVANT HISTORY:** It appears that the barn and associated buildings were erected in the early 1700s while the house was built in the late 18<sup>th</sup> century.

**CONSULTATIONS:** Specialist Design Advice: The structure is a good quality redundant farm building of 17<sup>th</sup> century origins. The buildings appear to fulfill the criteria of the policy for residential conversions. The scheme is considered to be sensitive and low key aiming at retention of as much as possible of the farm character of the building. Conditional approval is recommended.

Policy: As far as the principle is concerned, the application demonstrates an awareness of the policy requirement that business development etc be considered before residential. However, there is no evidence of a lack of significant demand. It cannot be accepted that proximity to residential use is a ground for not considering business use, because it could be a Class B1 use. On the weight to be attached to the policy, the local plan is being brought into line with Structure Plan Policy RE2 which is accepted.

**PARISH COUNCIL COMMENTS:** No objections

**REPRESENTATIONS:** None. No notification due to isolation of the site.

**PLANNING CONSIDERATIONS:** The main issues are whether the proposal complies with policies

- 1) **C6 of the ADP – Conversion of Rural Buildings to Residential Use (H05 of the Draft DLP 2003 and RE2 of the Structure Plan)**

- 2) **DC5 of the ADP- Development Affecting Listed Buildings (ENV02 of the Draft DLP 2002 and HC3 of the Structure Plan) and**
- 3) **DC14 of the ADP- General Amenity.**

1) The proposal complies with the relevant policy for the conversion of rural buildings as the barn is in sound structural condition while its historic form enhances the character and appearance of the rural area. The proposed works respect and conserve the characteristics of the barn through the restriction of new openings and retention of the setting as no additions are proposed.

2) The proposed design has been endorsed by Council’s Conservation Officer due to a respectful conversion and appropriate use of materials. The setting and integrity of the nearby listed dwelling will be maintained by the proposal.

3) The barn is significantly separated from other farm buildings on the site and no additions are proposed. Therefore, no adverse amenity impacts are associated with the proposal to convert the barn to a single residence. Adequate parking and open space are available for future occupants of the dwelling.

**CONCLUSIONS:** The proposal conforms with Council’s Policies for barn conversions in an appropriate manner which will preserve the integrity and setting of the built forms on the site. There are no adverse amenity impacts and the additional traffic generated by the dwelling is acceptable. Therefore, conditional approval is recommended.

**RECOMMENDATIONS:**

**1) UTT/0710/03/FUL – APPROVAL WITH CONDITIONS**

- 1. C.2.1. Standard time limit.
- 2. C.3.1 To be implemented in accordance with approved plans.
- 3. C.6.2. Excluding all rights of Permitted Development

**2) UTT/0711/03/LB – LISTED BUILDING CONSENT WITH CONDITIONS**

- 1. C.2.2. Time limit for commencement of development.
- 2. C.3.1 To be implemented in accordance with approved plans.
- 3. No elements of historic timber frame to be cut or removed without inspection and consent.
- 4. The roof is to be hand made plain clay tiles with details to be submitted for local authority approval.
- 5. All weatherboarding to be feather-edge and painted black.
- 6. All external timber joinery to be timber painted black.  
Reason 3-6: To protect the heritage quality of the listed building.

*Background papers: see application file.*

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