

**UTTLESFORD DISTRICT COUNCIL**

**PLANNING COMMITTEE**

**SUPPLEMENTARY LIST OF REPRESENTATIONS**

**31 July 2013**

**PLANNING COMMITTEE APPLICATIONS:**

**P.1 UTT/13/1043/OP – LITTLE EASTON - Land West Of Great Dunmow Stortford Road**

**ADDITIONAL REFUSAL REASONS:**

8. Insufficient information has been submitted to demonstrate that the proposed development would not unnecessarily sterilise mineral resources or conflict with the effective workings of Highwood Quarry, Little Easton Airfield. Furthermore it has not been sufficiently demonstrated that there would not be harm to the amenity of the occupants of the proposed development by virtue of noise, vibration, dust, visual impact and/or hydrogeological/land stability resulting from the working of Highwood Quarry, Little Easton Airfield, contrary to the Replacement Minerals Local Plan Pre-Submission Draft (published January 2013) Policy S8 (Safeguarding mineral resources and mineral reserves) and paragraphs 143 and 144 of the National Planning Policy Framework 2012. In addition, in considering cumulative effects the Environmental Statement has not taken account of the mineral/landfill development, and therefore does not comply with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

9. The application fails to provide adequate information to demonstrate to the satisfaction of the Highway Authority that the impact on the highway network is acceptable in terms of highway safety, capacity and accessibility. The proposal would therefore be contrary to Policies DM1, DM4, DM7, DM9, DM10, DM11, DM13, DM14, DM15, DM17 and DM20 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1, adopted 2005.

**CONSULTATIONS:**

**LITTLE EASTON PARISH COUNCIL COMMENT:** Insufficient information has been submitted to demonstrate that the proposed development would not unnecessarily sterilise mineral resources or conflict with the effective workings of Highwood Quarry, Little Easton Airfield. Furthermore it has not been sufficiently demonstrated that there would not be harm to the amenity of the occupants of the proposed development by virtue of noise, vibration, dust, visual impact and/or hydrogeological/land stability resulting from the working of Highwood Quarry, Little Easton Airfield, contrary to the Replacement Minerals Local Plan Pre-Submission Draft (published January 2013) Policy S8 (Safeguarding mineral resources and mineral reserves) and paragraphs 143 and 144 of the National Planning Policy Framework 2012. In addition, in considering cumulative effects the Environmental

Statement has not taken account of the mineral/landfill development, and therefore does not comply with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

**P.36 UTT/13/1393/OP – TAKELEY – Land South Of Dunmow Road Brewers End**

**Amendment to description:** Proposed residential planning application for the erection of up to 100 dwellings, to include provision of 6.3 hectares of public open space.

**RECOMMENDATION:**

Amendment to S106 requirements:

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 23 August 2013 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant chief Executive - Legal, in which case he shall be authorised to conclude such an agreement to secure the following:
  - (i) Community payment for education
  - (ii) Provision of 40% affordable housing
  - (iii) Provision and transfer of open space
  - (iv) Contribution towards maintenance of open space for 20 years
  - (v) **Contribution towards additional healthcare provision**
  - (vi) Pay Councils reasonable costs
  
- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
  
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
  - (i) Lack of provision of payment for education
  - (ii) Lack of Provision of 40% affordable housing
  - (iii) Lack of provision public open space
  - (iv) **Lack of provision of payment for healthcare facilities**

**Condition wording to be amended:**

- 2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.

(B) The development hereby permitted shall **NOT** be begun later than the expiration of 1 year from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. **[The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.] – WORDING TO BE DELETED**

**Additional conditions:**

6. No dwelling shall be occupied until there has been the provision of improvements to bus stop infrastructure to the east and west bound bus stops on Dunmow Road in the vicinity of the site. These improvements shall include but not be limited to raised kerb, shelter, seating, real time information, flag and timetable casing. Prior to the commencement of the development details of the improvements shall be submitted to and approved in writing by the Local Planning Authority. The improvements shall subsequently be implemented as approved.

REASON: In the interests of highway safety, efficiency and accessibility, in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan, adopted 2005.

7. No dwelling shall be occupied until there has been the provision of a footway on the southern side of Dunmow Road from the site access to tie in with the existing footway, together with 2 dropped kerb pedestrian crossing points with tactile paving to the east and west of the site access. The footway and crossing points shall be carried out in accordance with details which have been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety, efficiency and accessibility, in accordance with Policies GEN1 and GEN6 of the Uttlesford Local Plan, adopted 2005.

8. No development or preliminary groundworks shall commence until a programme of archaeological evaluation has been secured and undertaken in accordance with a written scheme of investigation which has previously been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy for any archaeological deposits shall be submitted to the local planning authority following the completion of this work.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan, adopted 2005.

9. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been previously approved by the local planning authority in consultation with its historic environment advisors.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan, adopted 2005.

10. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan, adopted 2005.

11. No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority, details must comply with Advice Note 3, 'Potential Bird Hazards from Amenity Landscaping & Building Design' (available at [www.aoa.org.uk/operations-safety](http://www.aoa.org.uk/operations-safety)). These details shall include:

- *any earthworks*
- *grassed areas*
- *the species, number and spacing of trees and shrubs*
- *details of any water features*
- *drainage details including SUDS – Such schemes must comply with Advice Note 6 'Potential Bird Hazards from Sustainable urban Drainage Schemes (SUDS) (available at [www.aoa.org.uk/operations-safety](http://www.aoa.org.uk/operations-safety)).*

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To avoid endangering the safe movement of aircraft and the operation of Stansted Airport through the attraction of birds and an increase in the bird hazard risk of the application site.

12. Prior to the commencement of development hereby permitted details of the Sustainable Urban Drainage Schemes (SUDS) shall be submitted to and approved in writing by the Local Planning Authority. Details must comply with Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS). (available at [www.aoa.org.uk/operations-safety](http://www.aoa.org.uk/operations-safety)). The submitted Plan shall include details of:

- *Attenuation times*
- *Profiles & dimensions of water bodies*
- *Details of marginal planting*

No subsequent alterations to the approved SUDS scheme are to take place unless first submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To avoid endangering the safe movement of aircraft and the operation of Stansted Airport through the attraction of Birds and an increase in the bird hazard risk of the application site. For further information please refer to Advice Note 6 'Potential Bird Hazards from Sustainable Urban Drainage Schemes (SUDS)'.

13. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- *monitoring of any standing water within the site temporary or permanent*
  - *sustainable urban drainage schemes (SUDS) – Such schemes shall comply with Advice Note 6 ‘Potential Bird Hazards from Sustainable Urban Drainage schemes (SUDS) (available at [www.aoa.org.uk/operations-safety](http://www.aoa.org.uk/operations-safety)).*
  - *maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow*
- The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the development. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
- REASON: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Stansted Airport.
14. Prior to the commencement of development a Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, in accordance with the general principles outlined in the Phase 1 Habitat Survey (Rev D dated May 2013) and shall include:
- (i) Aims and objectives of mitigation;
  - (ii) Extent and location of proposed works;
  - (iii) A description and evaluation of the features to be managed, including but not restricted to the public open space and new planting;
  - (iv) Sources of habitat materials;
  - (v) Timing of the works;
  - (vi) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation including the specific native species that will be used for planting;
  - (vii) Details of the location, height, design and luminance of all fixed lighting for both construction and occupation phases of the development to minimise impacts on foraging bats;
  - (viii) Prescriptions for management actions;
  - (ix) Detailed descriptions of biodiversity enhancement measures that will be taken on-site as outlined in the Phase 1 Habitat Survey (Rev D dated May 2013);
  - (x) The Plan shall include demonstration of the feasibility of the implementation of the biodiversity mitigation & enhancement plan.

The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies.

14. Should the development hereby approved not have been commenced within 2 years of the date of existing surveys, a further biodiversity survey of the site shall be carried out to update the information previously submitted with the application, together with an amended Biodiversity Mitigation & Enhancement Plan to mitigate/compensate the impact of the development upon the identified rare or protected species. The new biodiversity survey and Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved biodiversity survey and Biodiversity Mitigation & Enhancement Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies. Legally protected species were not recorded on the development site, however may colonise the area in the intervening time if there is a delay to development. Badgers and bats particularly are highly mobile and opportunistic.

15. Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with such timetables as may be agreed.

REASON: To enhance the sustainability of the development through better use of water, energy and materials.

16. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.

REASON: To enhance the sustainability of the development through efficient use of water resources.

#### **CONSULTATIONS:**

##### **Essex County Council Highways**

Highway authority has nothing further to add to previous comments dated 13 June 2013.

### Affordable Housing

The affordable housing provision on this site will attract the 40% policy requirement as the site is for 100 (net) units. This amounts to 40 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

The mix and tenure split of the properties are given below; this mix should be indistinguishable from the market housing, in clusters of no more than 10 with good integration within the scheme and be predominately houses with parking spaces.

S106 Figures					
Tenure mix	1 bed	2 bed	3 bed	4 bed	
affordable Rent non bungalows	7	10	8	1	27
affordable Rent bungalows	0	1	0		1
<b>SUB TOTAL A/R</b>	<b>8</b>	<b>11</b>	<b>8</b>	<b>1</b>	<b>28</b>
shared ownership non bungalows	2	6	3	0	11
shared ownership bungalows	0	1	0		1
<b>SUB TOTALS/O</b>	<b>2</b>	<b>7</b>	<b>3</b>	<b>0</b>	<b>12</b>
GRAND TOTAL AFFORDABLE UNITS	10	18	11	1	40
<b>MARKET BUNGALOWS</b>		<b>3</b>			

### NHS Property Services:

A developer contribution of £31,200 is required to mitigate the 'capital cost' to NHSNE for the provision of additional healthcare services arising directly as a result of the development proposal.

### **P.64 UTT/13/1365/FUL – WHITE RODING – Colville Hall**

#### **Amendments to Conditions 22; 23 and 3**

22. Prior to commencement of the development of the buildings, the provision and implementation of improvements to the junction with the A1060 Chelmsford Road, as shown in principle on the submitted drawing numbered SK01 REVA. Such improvements are to include, but are not limited to, visibility splays of 2.4m x 160m in both directions and radius kerbs of 10m. all details are subject to the necessary safety audits and design checks and are to be agreed by the Highway Authority.

REASON: In the interests of highway safety and efficiency.

23. Prior to commencement of the development of the buildings the provision of a new access road from a revised junction with the A1060 as shown in principle on the submitted drawing numbered SK01 Rev A. Details to be submitted to and approved in writing by the Local Planning Authority

REASON: In the interests of highway safety and efficiency

3. Should have the following reason attached:

REASON: The proposed development lies on the site Colville Hall which is a protected scheduled monument and is a significant group of historic buildings dating back to the 13<sup>th</sup> Century. This application is concerned with the grade II Listed "Mill Pond barn", grade II \* Listed Byre, grade II Cart-lodge, grade I Listed "Orchard Barn and the "Stable-block". The whole of Colville Hall is protected as a scheduled monument with a series of fish ponds possibly originally forming a moated complex. The proposed conversion of the buildings will alter the character of the present farm complex and has the potential to uncover evidence of earlier occupation on the site.

#### **CONSULTATIONS:**

##### **Assistant Chief Executive – Finance**

Further information has been submitted to the above and the information has been scrutinised and he states that he now has reasonable confidence in the realism of the income and expenditure figures submitted.

He advises that only Scenarios 4(120 functions), 5(140 functions) and 6(180 functions) are viable under a 15-year loan model, and only Scenarios 5 and 6 are viable under a 10-year loan model, which is now their stated preference. On financial grounds the applicant does appear to be justified in their request to increase the number of events with a figure towards the upper end of the range 140-180 being what they need to ensure a financially viable enterprise.

##### **Essex County Council Highways**

No objections to this proposal.

The improvements to the junction with Chelmsford Road A1060 have been implemented in accordance with the consent granted under UTT/0678/12/FUL following the submission of detailed drawings which were checked for compliance with the standard Essex County Council construction specification. The highway authority is satisfied that the proposed increase in days of operation from 80 to 180 will have no significant impact on the highway network in terms of highway safety and capacity.

##### **UDC Environmental Health (additional comments)**

I'm concerned about traffic noise from the Dunmow Road affecting the nearest plots in particular.

I request that a noise survey is carried out to establish if mitigation is required from road traffic noise.

- Undertake manned measurements during the noisiest part of the night (likely to be between 0600-0700hrs during the week).

- Measurements could then be undertaken during rush hour in the morning (0700-0900hrs) to obtain daytime levels.

The shortened CRTN method would be adopted but I know this requires the survey to be undertaken for 3-hours between 1000-1700hrs.

- The noise data could then be used to predict internal noise levels with windows open to bedrooms, assuming a noise reduction of -13dB(A).



If the criterion at night (30dB LAeq and 45dB LAmax) could not be met with windows open, then mitigation would be proposed in terms of glazing and ventilation requirements.

**REPRESENTATIONS:** 2 further letters have been received:

A summary of the additional concerns are as follows:

-The planning was granted as an “enabling development” to preserve historic buildings, not as a money making scheme. To suggest that the applicants were unaware that 80 venues a year was not financially viable is quite frankly unbelievable and indicates complete financial incompetence or naivety or a total arrogance when dealing with planning authorities.

-This will be a major intrusion to our peace and quiet. To suggest that extending the operating hours to 00.30 pm with revellers not clearing the site until possibly 1.30 am will not impact our sleep is clearly preposterous.

-The variation of condition 10 now requests 180 “events/functions”. With this change it now opens up the site for parties, discos anniversaries or any celebration so we must expect further applications in the coming months for 365 days a year.

-If the Council are prepared to give any indication that they would permit some additional functions this should be dealt with by way of a planning agreement as opposed to a variation of a planning condition, thus preventing a further application being made through the planning process which has to be determined on planning grounds whereas placing such restrictions in a planning agreement would make it rather harder for the applicants to enable any further extension of the permitted number of functions.

-We believe this attempt to vary condition 10 should be treated as a wholly new planning application and not a variation, due to the substantial changes from the original and be dealt with in full by the Council Planning Committee once again. If these facts had been known from the beginning, I doubt very much that this contentious development would have had permission granted in the first place.

-It was originally passed on the basis that the site would remain predominantly the owner’s residence and was just to add a maintenance income for the barns. The public were only to be allowed access 80 days per year including overnight stays before and after events. This proposal is a new application, not a variance, as the site now becomes first and foremost a full time business venture on a 24 hour basis 365 days per year (as the proposal is for the public staying outside of the 180 events and it would be impossible to restrict guests access) which is contrary to the Metropolitan Green Belt policies and your planning policies.

-There is no consideration of the increased traffic and how the proposal will ensure that robust transport assessment is undertaken of the A1060, the junction and the lane itself.

No consideration of vehicles required to deliver supplies and take away waste.

-Impact on the village of 180 events with 150 people, plus staff, event staff and deliveries, people staying on site outside of this allowance for 365 days per year.

-Highway safety

## **P.76 UTT/13/1535/FUL – GREAT DUNMOW - 1A Station House Station Road**

Revision to condition 2:

2. The use hereby permitted within the premises shall not commence before 10am and shall cease at 11pm Monday to Saturday and shall not commence before 11am and shall cease at 11pm on Sundays with no activity undertaken between the hours of 11pm and 10am.

REASON: The use of this site outside these hours would be likely to cause nuisance and disturbance to adjacent residents in accordance with Policies GEN4 and ENV11 of the Uttlesford Local Plan (adopted 2005).

### Design and Access Statement

#### SITE ANALYSIS

The property is a free standing building at the entrance to an industrial estate. It was previously used as an office by a company. It has its own car parking for both staff and customers on the site. The site is located at the southern edge of the town centre.

#### DESIGN COMPONENTS

The application is to provide a Dominos Pizza outlet which would be create an additional service for local people.

The unit will incorporate a preparation and baking area, and a customer waiting area for those choosing not to use the home delivery option. Office and other ancillary facilities including staff area will also be located within the site.

The extract system has been amended to meet the requirements of the environmental health department and has been located to minimise any visual impact.

There would be no change to the current landscaping scheme which is already mature on the site.

The appearance of the building would be changed minimally by the high level of investment brought to it by an internationally renowned company in order to meet their high standards.

Dominos would introduce a high level of investment to the site by refurbishing the unit and creating an operation that would provide employment and a service locally.

#### ACCESS

The aim of the company is to provide units which are accessible to all. The home delivery option allows those who are house bound the opportunity to order using the telephone or the internet. The company operate over 775 units in the UK and are proud of their record as an inclusive operator.

The entrance is flat and therefore allows easy access for less able and disabled customers or shoppers with children in buggies to have simple access. The area outside the unit is flat.

There is nothing to impede the access to the unit by customers or staff.

## DESIGN SOLUTION

The highest quality finishes are used throughout and it is our aim to enhance all the units that we occupy. The fabric of the building will be well maintained and the visual impact of the building will be positive on the street scene.

The location of the extract system has been amended to meet the concerns of the local environment health officer.

## DOMINOS CONCEPT

Domino is a worldwide home delivery company. Their operation is continually expanding across the U.K. where they trade in suburbs, regional and neighbourhood centres.

Unlike many forms of food sold for consumption off the premises Dominos pizzas are only prepared and baked on receipt of an order. Pizzas are not kept warm waiting sales unlike many products that other operators sell.

Customers telephone their order to the shop or use the internet, it is then prepared and baked. The finished product is then delivered to the customer's home by trained operatives.

The vast majority of pizzas are telephone or internet orders which are delivered to the point of order.

Only about 30% are bought by customers visiting the unit who then wait for the product to be freshly prepared and baked. This is supported by local experience at more than 775 stores in the UK.

Domino's operate from numerous outlets in similar neighbourhoods often utilising listed buildings and/or being located in conservation areas. The units are usually in residential areas where recent changes in shopping, working and eating patterns have brought about changes in the eating habits of the nation.

The nature of the product and the baking method of cooking reduce the odours that may occur and the high specifications of ventilation and extract ducting ensure that no nuisance is created for the local neighbours.

Dominos ensures that the flow of traffic to the unit is kept to a minimum as it takes orders by telephone or internet and delivers them to the callers at home or in the work place. This reduces the number of visits to the shop.

The nature of pizza also deters the product from being eaten in the street because of the size and consistency. This reduces the possibility of any litter from the product although my clients often agree to place litter bins in shopping areas in order to help with litter collection in shopping centres.

The nature of the product and the style of operation reduces the visits to the unit so that any perceived nuisance to local residents is seen to be minimal when a unit is operating. Dominos units are recognised as being good neighbours supporting litter collection, providing a service to the community and employment for local people.

The staff usually live locally, work shifts and therefore there are approximately 8 members of staff working at any one time including the delivery staff.

Dominos is an expanding company and currently is one of a few companies which is actively recruiting staff nationally and offering a number of career paths for people to follow e.g. In management, catering, or administration. It is also able to provide employment opportunities for people who need to work part time as shift patterns can be adapted to meet the needs of an employee who may be a student, a parent with child care responsibilities or someone needing to supplement the family income.

## **CONSULTATION:**

### **Town Council:**

The Town Council OBJECTS to this planning application for the following reasons:

#### **Parking**

The proposal makes provision for 8 or 9 spaces (8 are shown on the plan, whereas 9 are quoted in the planning application) and this provision may or may not be adequate for the proposed number of staff member, however the site is an older residential area with already high levels of on street parking. Proposed 'Resident Only' parking in Chelmsford Road is likely to displace additional cars into Station Road. Customers visiting the site will need to park in station Road, a residential street, creating increased road congestion, danger to other road users and pedestrians, and traffic emissions. There is already conflict between residential and commercial traffic – this proposal would exacerbate it.

This is contrary to Policy GEN8 (Vehicle Parking Standards) (Uttlesford Local Plan 2005) in which it is recognized that 'Where there is a lack of off street parking in older residential areas this results in a high level of on street parking', and 'Development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location'.

#### **Noise and Disturbance**

It is noted that the operation intends to stay open from morning until midnight seven days a week. Noise will be generated by staff, customers, delivery vehicles and the operation itself. This is a residential area and there would be an unacceptable disturbance to residents who should be able to expect a degree of peace and quiet at all times, but especially in the evenings and at weekends.

This is contrary to Policy ENV11 (Noise Generations) as the need for the development does not outweigh the degree of noise generated.

It is also contrary to Policy GEN4 (Good Neighbourliness) as the noise and smell would cause material disturbance or nuisance to occupiers of surrounding properties.

#### **Design**

At this time no proposals for branding signage, lighting etc have been produced, however members are aware of the brand and object on the grounds that it will be out of character in a residential area where the properties are predominantly Victorian.

The proposal is contrary to Policy GEN2 (Design), as in particular:

- a) It will not be compatible with the scale, form, layout, appearance and materials of surrounding buildings
- d) It will not help to reduce the potential for crime

- g) It will not help to reduce waste production and encourage recycling
- h) It would not minimize the environmental impact on neighbouring properties, and
- i) It would have a materially adverse effect on the reasonable occupation and enjoyment of residential properties.

This is also contrary to National Planning Policy Framework No. 58 as the proposal does not respond to local character and history, and reflect the identity of local surroundings and materials.

It is also noted that:

1. UTT/1905/08/FUL (Change of use of D2 – Unit 3 Station Road Industrial Estate) was refused planning permission by Uttlesford District Council as it was likely to lead to increased on street parking in Station Road, contrary to GEN8.
2. APP/K/2610/A/10/2128656 (Appeal made by Domino's Pizza UK Ltd against Broadland District Council) was dismissed on two main issues:
  - a. The effect on the living conditions of occupiers of nearby residential properties with particular reference to noise and disturbance, and
  - b. The effect on the character of the surrounding area.

**REPRESENTATIONS:** 96 further letters have been received objecting to the proposal and 49 representations in support:

The representations contained a number of points that have already been stated in the report and one additional point:

- The proposed window would result in a loss of privacy to the occupiers of existing properties on Station Road.

- P.83 UTT/13/1653/OP – SEWARDS END - Plot 2 Land Adj Guyvers 2 Walden Road**  
**UTT/13/1670/OP – SEWARDS END - Plot 1 Land Rear Of Highview 6 Cole End Lane**  
**UTT/13/1654/OP – SEWARDS END - Plot 3 Land Adj Guyvers 2 Walden Road**  
**UTT/13/1652/OP – SEWARDS END - Plot 2 Land Rear Of Highview 6 Cole End Lane**  
**UTT/13/1655/OP – SEWARDS END - Land At The Vineyard Cole End Lane**

**CONSULTATIONS:**

**Sewards End Parish:**

Parish Council have unanimously agreed to strongly object to the applications. There is a high level of concern. Planning consultant has been employed to examine the applications on behalf of the Parish Council [see John Grayson's submission]. Letters from the local residents should be considered.

**John Grayson on behalf of Seward's End Parish Council (Summary provided):**

These applications should be refused for the following reasons:

- (a) The proposal should not be judged solely on the 5-year housing supply shortfall, but all other relevant and material considerations should also be taken into account,
- (b) The proposals are contrary to the NPPF and the following ULP Policies:

- (i) S7
- (ii) GEN2
- (iii) GEN4
- (iv) GEN6 & H10
- (v) LCU &
- (vi) ENV8

It is hoped that the LPA will agree with the objections put forward by the PC and refuse these applications for the reasons detailed above.

**Access and Equalities Officer:**

Application will be required to meet Accessible Homes and Playspace standards as set out in the SPD. This will need to be reflected in the plans submitted.

**NHS Property Services:**

It is unlikely that the proposed developments would have a significant impact upon the capacity of healthcare facilities and services. Do not want to raise an objection.

**Anglia Water:**

No comments.

**ECC Ecology:**

No objection subject to conditions protection of breeding birds, implementation of mitigation, and an update of survey work if there is a delay in commencement of development.

**Cllr Ketteridge:**

- My duty to represent the numerous contacts I have had in opposition to the development.
- I have had no contacts in support.
- The new dwellings are not desired by the local residents.
- The new dwellings are outside of the building line of the village.
- UDC has a duty to protect our rural villages from speculative applications such as these.

**REPRESENTATIONS:** 71 additional representations have been received objection the applications raising the following additional planning matters not previously raised

- Outside of development limits

- Development is fundamentally against the NPPF.
- The development sites are not gardens, but are paddocks.

- The developments are not affordable housing with each dwelling having an estimated value of up to £1M.
- They do not provide local employment.
- They do not meet the need of the village.
- UTT/13/1670/OP is tandem development.
- Smaller, affordable homes may be acceptable.
- Unacceptable levels of noise for long periods during construction.
- Development would lead to a loss of privacy.
- There are no facilities within the village other than a village hall;
- Loss of habitat;
- Problems with drainage;
- Loss of amenity, overlooking, loss of privacy and visual amenity;
- Layout and siting in relation to adjoining buildings, spaces and views is inappropriate and unsympathetic to the appearance and character of the local environment which is predominately open space;
- Donor properties would suffer a loss of amenity;
- There are other development which can meet the need of the 5 year land supply;
- Piecemeal development that should take place on brownfield land;
- Do not agree with the view of the NHS Property Services in that the development is unlikely to cause significant impact upon healthcare services;
- Sustainability argument is vague;
- Cole End Lane and Red gates Lane is designated as Protected Lanes;
- Pedestrian and highway safety;
- Congestion;
- There should be full commitment to meet all 16 criteria of lifetime homes standards;
- Contamination;

**P.125 UTT/13/1471/HHF – SAFFRON WALDEN - 23 Castle Street**

**CONSULTATION:**

**Access and Equalities Officer:** The applicant has rheumatoid arthritis which is severe and has resulted in a walking impairment. The circulation space on the first floor has become increasingly difficult and access to the bathroom is, and will become more limiting. Any mobility aid would be reduced because of the narrow doorway into the bathroom. The applicant has to come down the stairs backwards which will become increasingly less satisfactory.

To ensure that the applicant can stay in the property and live independently in the future, the need for a single storey extension to incorporate a bedroom and level access bathroom is required. The provision of a utility room, a kitchen with better work space and circulation area plus a living room will provide level accommodation throughout. It is anticipated that if the stepped access becomes a problem this can be addressed at a later date. It is part of government and health policy at the moment to ensure that residents can remain at home and independent for as long as possible. Such an extension will provide that need.

The applicant is close to her GP in this location, hospital services and can access the local services that are required to supplement her wellbeing.