

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 20 AUGUST 2014**

Present: Councillor J Cheetham –Chairman.
Councillors C Cant, J Davey, R Eastham, K Eden, E Godwin, E
Hicks, K Mackman, J Menell, D Perry, V Ranger, J Salmon and L
Wells.

Officers in attendance: E Allanah (Senior Planning Officer), N Brown
(Development Manager), M Cox (Democratic Services Officer),
L Mills (Planning Officer), C Oliva (Solicitor), J Pine (Planning Policy/
Development Management Liaison Officer), A Taylor (Assistant
Director Planning and Building Control) and C Theobald (Planning
Officer).

PC22 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Loughlin.

Councillor Ranger declared a pecuniary interest in applications
UTT/14/1879/FUL and UTT/14/1880/LB Great Dunmow as the designer of the
building.

He declared two further non- pecuniary interests as follows:-

UTT/14/0779/FUL Aythorpe Roding as he knew one of the employees of .Crest
Nicholson Eastern.
UTT/14/1688/FUL Saffron Walden as he had been the guest of Hastoe Housing
Association at its awards dinner.

Councillor Hicks declared a non -pecuniary interest in applications
UTT/14/1879/FUL and UTT/14/1880/LB Great Dunmow as in his capacity as
deputy Chairman of the CVSU he had been working with the applicant
regarding the use of the building as an office hub for the voluntary sector.

Councillor Eden declared a non-pecuniary interest in application UTT/1108/FUL
Saffron Walden as a member of Saffron Walden Town Council but he had not
been at the meeting when the vote had been taken.

PC23 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 23 July 2014 were received, confirmed and
signed by the Chairman as a correct record.

PC24 PLANNING APPLICATIONS

(a) Approvals

RESOLVED that the following applications be approved, subject to the conditions set out in the officer's report.

UTT/14/1879/FUL Great Dunmow – erection of entrance porch and installation of 2 roof lights – the Old Police Station, Stortford Road for West Essex Mind.

Councillor Ranger left the meeting for the consideration of this item.

UTT/14/1880/LB Great Dunmow – erection of entrance porch and installation of 2 roof lights – the Old Police Station, Stortford Road for West Essex Mind.

Councillor Ranger left the meeting for the consideration of this item.

UTT/1938/FUL Stansted – erection of floodlight on a pole with aerial extension – Stansted Bowls Club, recreation ground for Stansted Bowls Club.

Subject to an additional condition as follows

The floodlight hereby approved shall be of the fixed on/off type and not of the sensor light variety.

REASON: in the interests of the protection of residential amenity in accordance with ULP policies GEN2, GEN4 and GEN5.

(b) Approvals with legal obligations

UTT/14/0122/FUL Takeley – Demolition and removal of existing buildings and structures. Redevelopment of site to form 15 dwellings, formation of vehicular access, hardstanding etc – Ersamine, Dunmow Road, Little Canfield for Banner Homes and the Bush Family.

RESOLVED that conditional approval be granted for the above application

1. subject to the conditions set out in the report and the replacement of condition 2 as follows

Prior to the commencement of the development, details of the access from Dunmow Road (B1256) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include but not be limited to : a minimum carriageway width of 4.8metres with 2 metre wide footways on both sides and 8 metre junction radii. The development shall be carried out in accordance with the approved details prior to occupation of any dwelling. REASON: to provide adequate inter-visibility between users of the access and the existing public highway in the interests of highway safety, in accordance with policy GEN1 of the Uttlesford Local Plan (adopted 2005).

2. A legal obligation as follows

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freeholder owner enters into a binding obligation 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 obligation to secure the following:

- (i) secure provision of affordable housing and provision for a local lettings clause.
 - (ii) secure contributions towards education
 - (iii) secure contribution towards wheelchair adaptations
 - (iv) pay the Council's reasonable costs
 - (v) pay monitoring charges
- (II) In the event of such an obligation 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 obligation by 15 September 2014 the Assistant Director of Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:
- (i) Lack of affordable housing provision
 - (ii) Lack of contributions towards education
 - (iii) Lack of contribution towards wheelchair adaptations

It was also agreed to include an informative note that the frontage hedge should be retained.

Councillor Bagnall (Takeley parish Council) spoke against the application. Neil Cottrell spoke in support of the application.

UTT/14/0779/FUL Aythorpe Roding – Demolition of existing buildings and redevelopment of site to provide 11 residential units (class 3) comprising 9 x 5 bed units, 1 x 2 bed units and 1 x 3 bed unit together with associated highways and landscaping improvements – Windmill Works for Crest Nicholson Eastern.

RESOLVED that conditional approval be granted for the above application subject to the conditions in the report and a legal obligation as follows

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freeholder owner enters into a binding obligation 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 obligation to secure the following:
 - (i) Provision of affordable housing and provision for a local lettings clause
 - (ii) Secure contributions towards education
 - (iii) Meet Council's legal costs

- (iv) Monitoring Charge
- (II) In the event of such an obligation 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 obligation by 20 September 2014 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:
 - (i) Lack of provision of affordable housing
 - (ii) Lack of contributions towards education

It was also agreed to send an informative note to ECC Highways asking for the consideration of a reduced speed limit when the development was completed.

Mark Bedding spoke in support of the application

UTT/14/1688/FUL Wimbish – erection of affordable housing development consisting of 11 dwellings, 3 of which are ‘open market’ – land at Mill Road for Hastoe Housing Association.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report and a legal obligation as follows

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freeholder owner enters into a binding obligation 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 obligation to secure the following:
 - (i) Secure provision of affordable housing
 - (ii) Contributions towards education and school transport provision
 - (ii) Pay Council's reasonable legal costs
- (II) In the event of such an obligation 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 obligation by 8 September 2014 the Assistant Director of Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:
 - (i) Lack of provision of affordable housing
 - (ii) Lack of contribution towards education and school transport

Cllr Mike Young (Wimbish Parish Council) and Ulrike Maccariella spoke in support of the application.

(c) Deferral

RESOLVED that the following application be deferred

UTT/14/1108/FUL Saffron Walden – change of use from class A1 (retail) to class A5 (hot food take-away), installation of 1 compressor unit, 1 no. extract grill and 1 no. fresh air intake grill – 1 – 2 Market Walk for DPGS Ltd.

Reason: To request a highways report and a marketing report and to obtain clarification on the pick- up/delivery arrangements.

(d) Site visit

RESOLVED to visit the site of the following application.

UTT/14/1999/FUL Stansted – erection of 1 dwelling – land at 40 Bentfield Road for Mrs M Luther.

Simon Howard-Dobson spoke against the application. George Luther spoke in support of the application.

PC25

BYWAY 25 TAKELEY AND LITTLE CANFIELD

The Committee was informed that the District Council was proposing to make an application to the Secretary of State for Transport for an Order under Section 249 of the Town and Country Planning Act 1990, which would restrict the use of Byway 25 to private vehicular rights and exclude the public from using any mechanically propelled vehicles, inclusive of cars and motorbikes.

The report explained the procedure to be followed, and gave details of the initial statutory local consultation that has been undertaken. The report incorporated guidance that the council had received to help the committee understand the likely timescale and the application process.

Councillor Bagnall from Takeley Parish Council spoke to the committee. He thanked Jeremy Pine for his diligence in getting to this point. He said the parish councils had been pursuing a solution to the problem of vehicular use of the byway for a number of years and the proposal would greatly improve the amenity of the residents.

The Chairman declared a non-pecuniary interest in this item as she lived at Smiths Green and had been involved with this issue for a number of years. She said it was the wish of all concerned to remove vehicles from this route and return it to a useable walking/cycling route for residents.

Some members were concerned about how it would be possible to enforce the exclusion of motorised vehicles. It was explained that once the application had been approved the council would look at the most effective way of blocking off the route.

RESOLVED that the District Council, via the Planning Committee, in its capacity as the local planning authority resolves:

- i) to improve the amenity of this part of the Parishes of Takeley and Little Canfield by the length of Byway 25 shown between points A to E on the attached plan ceasing to have any public right of way for mechanically propelled vehicles, inclusive of cars and motorbikes, and
- ii) to make an application to the Secretary of State for Transport for an appropriate Order, with the provision for any necessary structures, under Section 249 of the Town and Country Planning Act 1990.

PC26 **APPEAL DECISIONS**

The committee noted the appeal decisions which had been received since the last meeting.

The meeting ended at 4.15 pm.

UTT/14/1069/OP - (STEBBING)

PROPOSAL:	Outline application for up to 30 dwellings, public open space, landscaping, new access associated and ancillary development with all matters reserved except access
LOCATION:	Land to the North of Stebbing Primary School and rear of Garden Fields and Parkside Garden Fields Stebbing Essex
APPLICANT:	Mr David Rich - Jones
AGENT:	Mrs Julie Cross
EXPIRY DATE:	10 July 2014
CASE OFFICER:	Mrs Madeleine Jones

1. NOTATION

1.1 Outside Development Limits Public Rights of Way.

2. DESCRIPTION OF SITE

2.1 The site is located on land to the north of Stebbing Primary School and to the rear of Garden Fields and Park Side Stebbing. It comprises of 1.78 hectares of land.

2.2 The site is made up of two separate parcels of land, one being an allocated site (approximately 0.7 hectares) within the draft local plan; the other is located outside the designated development limits of Stebbing. The two sections are separated by a hedgerow and public footpath. To the north and east are arable fields and to the west of both sections are residential dwellings. Adjacent to a section of the northern boundary of the section of land (that is not allocated within the local plan) has residential dwellings.

2.3 The southern part of the site slopes down to the west and is enclosed by hedgerows. The southern part of the site slopes downwards to the west and south. The adjacent land to the east of both parcels of land of the site slopes away from the site. There is a public footpath that runs from west to east through the site and continues through the arable fields to the east. There is a further public footpath that runs from north to south along the eastern rear boundary or the southern section of the site and beyond.

2.4 There is an existing field access to the west of the site.

3. PROPOSAL

3.1 The proposal is an outline application for up to 30 dwellings, related infrastructure, play area and landscaping. All matters are reserved with the exception of access. The indicative layout shows a mix of semi-detached and detached properties. The indicative proposed mix is 4 x 5 bed, 5 x 4 bed, 11 x 3 bed, 8 x 2 bed and 2 x 1 bed. Forty per cent of the properties are proposed to be affordable housing (12 No. in total), 2 No. of which are one bedroom bungalows, 7 No. two bedroom (including 3 available for shared equity), 3 No three bedroom (one of which being shared equity)

The open market properties consists of 3 No. two bed houses, 6 No. three bed houses, 5 No. four bed houses and 4 No. five bedroom houses.

The density would be approximately 17 dwellings per hectare.

- 3.2 It is proposed that part of the site would form public open space.
- 3.3 Each house shall have a minimum of two off street car parking spaces allocated. In addition the development will have a minimum of eight visitor spaces spread around the site. The one bedroom bungalows would have one off street parking space. A total of 77 parking spaces are shown on the indicative plans.
- 3.4 All gardens are indicated as being 90M² or above.

4.0 APPLICANT'S CASE

4.1 The application is accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- Arboricultural Report and Landscape Assessment
- Ecological Appraisal
- Transport Statement
- Flood Risk Assessment
- Statement of Community Involvement
- Supplement survey for bat and biodiversity offsetting calculations.

4.2 Summary:

This application seeks outline planning permission for residential development on land north of Stebbing Primary School and on land to the rear of Park Side and Garden Fields in the village of Stebbing on behalf of the client Perfect Properties Ltd.

The scheme follows on from favourable pre application advice from Uttlesford District Council. The site has previous planning permission for one residential dwelling with access from "The Downs" and is allocated in Uttlesford District Councils Strategic Housing Land Availability Assessment (SHLAA).

The scheme provides a broad mix of 1, 2, 3, 4 and 5 bedroom accommodation with bungalows, semi-detached and detached dwellings to suit all needs. The ecological value of the site will be enhanced to protect any indigenous wildlife with new tree and hedge planting to the northern and southern boundaries as well as throughout the site. It provides a decent scale of development contributing to Uttlesford District Councils five year land supply with a range of housing in a logical and sustainable location.

4.3 Land to the north of Stebbing Primary school, and rear of garden Fields and Park Side, adjoining the village in Stebbing, comprises some 1.78 hectares of vacant greenfield land.

Uttlesford District Council's settlement hierarchy for growth as set out in its emerging local plan, identifies Stebbing as a village suitable for a scale of development that would reinforce its role as a local service centre. Part of the application site has been allocated for residential development and the proposed settlement limits of Stebbing are proposed to be altered accordingly.

The Parish Council has supported development on this part of the site, to the east of Park Side and Garden Fields.

- 4.4 The remainder of the site is identified in the Council's Strategic Housing Land Availability Assessment as being achievable and deliverable for residential development.
- 4.5 Recent engagement with UDC has confirmed that although there is strong policy objection against development in the countryside, the Council is currently unable to demonstrate a five-year land supply of deliverable sites for residential development. In such circumstances the National Planning Policy Framework specifies that housing applications should be considered in the context of a presumption in favour of sustainable development. The housing land requirements for the district are currently the subject of revision to revise upwards its requirement and find more sites to meet this need. Although recent planning consent had reduced the shortfall, it is submitted that there remains an undersupply of land for housing.
- 4.6 The outline planning application package represents the culmination of a period of 18 months of extensive iteration and refinement of the development proposals. These have been prepared in response to a public consultation exercise and engagement with key statutory bodies including a Council planning officer and representative of Essex County Council – Highways. The layout design and landscaping proposals also take into account the detailed policies of the adopted and emerging local plans for the District.
- 4.7 Following advice from the Council, the application is supported by a number of freestanding documents. These include assessment of access and highways, drainage and flood risk, landscape and visual impact, arboriculture, and ecology. The reports highlight areas of likely impact and recommended mitigation measures. They also identify how the proposals will be beneficial to the local area and bring about betterment to the existing situation in terms of affordable housing provision and open space.
- 4.8 The supporting statement includes the following draft heads of terms of a S106 agreement:
- Affordable Housing

New Developer Contributions Guidance, adopted in June 2013 requires that schemes of 15 or more dwellings or sites of 0.5ha should have 40% affordable housing. This amounts to 12 units, which will be fully integrated into the scheme in small clusters. It is also part of the Council's affordable housing strategy to require 5% 1 & 2 bed bungalows across all sites and tenure. Two bungalows are proposed, and would be part of the affordable housing provision.
 - Education

A financial contribution will be considered towards off-site education provision resulting from the needs of the proposed development.
 - Public Open Space

The provision of on-site public open space will be made and transferred to the local planning authority (or other such body). It is acknowledged that the maintenance of this land will also need to be addressed in any section 106 agreement.
 - Transport

It is acknowledged that transport contributions may be required as confirmed in correspondence from UDC and attached at appendix 1.

5.0 RELEVANT SITE HISTORY

5.1 UTT/13/3235/OP - Withdrawn.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- Policy S7: The Countryside
- Policy H10: Housing Mix
- Policy GEN3: Flood Protection
- Policy H9: Affordable Housing
- Policy ENV7: County Wildlife Site
- Policy GEN1: Access
- Policy GEN2: Design
- Policy GEN6: Infrastructure Provision
- Policy GEN7: Nature Conservation
- Policy GEN8: Vehicle Parking Standards
- SPD: Energy Efficiency and Renewable Energy
- SPD: Accessible Homes and Playspace
- SPD Parking Standards: Design and Good Practice Guide
- Stebbing Conservation Appraisal Approved March 2010

6.3 Uttlesford Draft Local 2014

- Stebbing Policy 1- Land to east of Parkside and Garden Fields

7.0 PARISH COUNCIL COMMENTS

Objects on the following grounds

7.1. Access

- The access to the development in this application was already refused in a previous application in the early 1960s as inappropriate because of safety on what was considered a dangerous village road then, when there was less density of traffic
- The road was altered in the 1970s to make it less dangerous, creating Virom Island and changing the High Street to end in a cul-de-sac
- This cul-de-sac is where the proposed new road from the development will access the site. This cul-de-sac road is narrow in width, especially at the top end just about opposite the access, which will make it more dangerous /difficult for all vehicles, especially emergency vehicles, to access the development
- It should be noted that the width of the road at the top of the cul-de-sac was considered so dangerously narrow in the 1970s that the road was straightened, although still on a bend, to create a safer road.
- Stebbing Parish Council considers that parents with children in the new development and those from Garden Fields will be discouraged from walking to school because of

the roadside parking and vehicle movements at peak school and Montessori Nursery times.

- Traffic flow to the development is not restricted where the footpath crosses the road.
- The proposal gives priority to the traffic going to the new development at the junction with The Downs with nothing to slow the vehicles as they approach the tactile crossing.
- Stebbing Parish Council is already concerned about the roadside parking at the beginning, middle, and end of the school day and has contacted the Parking Partnership about its concerns.

The Parking Partnership has already identified the area around the school, the extension of the High Street into the cul-de-sac and the bend round to the Downs, as dangerous. Therefore, adding yet more vehicle movements created by the 30 properties will exacerbate the situation drastically. Also the creation of the access road will in itself remove a number of parking places.

- The planning authority has already given outline planning permission for one more property on Virom Island using the present entrance. This is again, very close to the access road to the planned development. This will bring yet more cars, and vehicle movements will increase around this access road.
- Driving from one end of the village to the other, past the school at the beginning or end of the day, or when there are functions, is a difficult and potentially dangerous procedure, as vehicles are forced into the middle of the road, by parking on the roadside and up into the high street extension
- Stebbing Parish Council considers the comparison with the villages of Halton and Five Ash Down irrelevant as they are not comparable sites to Stebbing and the access to this proposed development
- Comparison with both villages is superfluous as for example the Halton Traffic survey was done on the High Road which is a straight road through the village whereas the access to this proposed development comes out onto a narrowing cul-de-sac
- Using the A26 a trunk road in Five Ash Down village really do not compare to Stebbing Emergency and refuse vehicles will find it more than difficult to access the site, especially in reaching the properties at the end of the development, behind Garden Fields and Parkside.
- Land in front of 4 Hillcroft Cottages is included in the access road (Hillcroft Cottages are incorrectly labelled as being the building on Virom Island, but is property No.4 on the plan). This Prohibits access for the occupants of 4 & 3 Hillcroft Cottages and the residents of Pigeon Point will have to cross the tactile pedestrian crossing to access their property. We doubt the access as stated meets the design guide because the access to neighbouring properties on the apex of the curve are ignored.
- Stebbing Parish Council considers that the multicoloured road surfaces are not in keeping with a village environment.

7.2. Transport

- Frequently, buses and other large vehicles are stopped/blocked from getting through the High Street because of parking on the roadside by parents at the school. This will be exacerbated by the extra traffic coming from the new development as it has been by the recently opened Village Stores.
- The access roads to Stebbing from Stebbing Green, Throes Corner and the B1057 at Bran End are over-weighted with traffic, particularly during commuting, school and general work hours
- The bus service in this village is not good and a car is essential to live here. There is only one regular service to Chelmsford 4 times a day; there is no daily service to Great Dunmow, not even for Market Day, where the majority of local services are provided.
- The bus services at present are under review by ECC and are under threat of reduction or withdrawal

- The developer states that the bus service is good which if timetables are looked at carefully they are obviously not – A car is a necessity when living in Stebbing

7.3 Social

- As there is no regular daily bus service to Dunmow where the Doctors, Pharmacies, Health Visitors, low-cost pre-school and supermarkets are, the people in the social housing would need to have a car, or else be very isolated, especially with young children.

7.4 The Site

- This application is outside of the current Planning Development Boundary
- Stebbing Parish Council does not oppose the original suggestion in the proposed LDP to develop the land East of Garden Fields and Parkside with 10 properties
- Stebbing Parish Council considers the gateway at the rear of the proposed development, described for maintenance use, implies preparation for future and further development
- A development of this size would have a great impact on the intrinsic character of the countryside in this part of the village. Stebbing is described in the draft Uttlesford Local Plan as a Rural Settlement type A where small scale developments are proposed. We would not consider 30 houses to be a small scale development.

7.5 Conservation

- The proposed access fronts the recently extended Special Roadside Verge. This is managed for the nationally scarce and vulnerable plant; Lesser Calamint (*Clinopodium calamintha*). The proposed access remains at threat to this verge and it would require protection during construction should planning permission be granted and subsequently, to prevent tyre damage from parking and large vehicles negotiating the narrow access.. The width of the access road also causes real concern, as does the inevitable on road parking that would occur in the development increasing the risk of damage.
- These comments are supported by UDC Natural Science Officer and chair of Uttlesford Essex Wildlife Trust
- The roadside verge mentioned above and all the grass area, including that in front of the access road to the proposed development and past it, is 'Registered Common Land', registered as CL205, as can be seen on the Natural England Conclusive map (CROW Section 4 – Area 8 East).
- SPC believes any access crossing Common Land requires a separate application to undertake restricted works e.g. new solid surface roads on Common Land. Stebbing Parish Council would not support this application

7.6 Design and Access Statement

- This contains a number of inaccuracies. The School adjoining the proposed development is currently oversubscribed and unable to take an increased roll. The Football and Cricket Clubs have no junior teams or training for this age group.
- Sustainability. The first statement is completely inaccurate; this site is in a rural area not urban as stated. The transport links are only good if residents have a car to access rail, air and motorway links.

7.7 Uttlesford Local Plan

- This is currently at the pre-Submission stage in April 2014. Stebbing Parish Council reiterates that Stebbing is identified as a Type A Rural Settlement. The strategy is to preserve these settlements, their historic character and the visually important open

spaces and trees. It also states that they have limited services, limited employment opportunities and transport links are poor. The plan is for small scale developments in these settlements, 10 houses being identified for Stebbing.

The Local Plan also indicates that taking into account the sites for building proposed in the plan, there is an adequate five year supply. There is no necessity for Stebbing to have any increase on the 10 houses allocated to meet this supply. While Stebbing Parish Council would not object to limited development of the site identified in the Local Plan, (0.7 hectares east of Parkside and Garden Fields). In the light of recent outline planning permission being granted for 5 houses on another site in the Village, 1 on Virom Island directly opposite the site and permission for 1 house already on the periphery of the approved site, less than 10 houses in fact 3 would, rather than the 30 proposed in this planning application, ensure Uttlesford meet their projected housing need and could be absorbed into the Village infrastructure.

- 7.8 In conclusion Stebbing Parish Council object to the proposed development of 30 houses as detailed above.

8.0 CONSULTATIONS

Education & Highways (Education)

- 8.1 Requests a financial contribution of £188,865 index linked to April 2013 costs using the PUBSEC index for primary and secondary provision.
This development falls in the priority admissions area of Stebbing Primary School which has permanent capacity for 90 pupils. The most recent forecasts due to be published shortly show that there is currently a deficit of places at Stebbing Primary School and that by the academic year 2017-18 there is likely to be a deficit of 90 places at the school. Further, across the Dunmow/Thaxted forecast Planning Group current published forecasts show a deficit of over 200 places.
- 8.2 With regard to secondary provision the priority admissions area school for this development would be The Helena Romanes School and sixth Form Centre (HRS) which has a net capacity of 1,563 pupils. forecasts show that by 2017 -18 7 pupils will be in excess of the school's Planned Admissions Number of 270 pupils and that this continues in succeeding years with the school's overall capacity exceeded in the school year 2019 -20. With rising cohort sizes in other parts of Uttlesford, there will be pressure on net exporters such as HRS, with children pushed back to their priority admissions area school.
- 8.3 In view of the above I request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on education. The formula for calculating education contributions is outlined in our Developers Guide to Infrastructure Contributions, 2010 Edition. Our standard s106 agreement clauses that give effect to this formula are stated in our Education Contribution Guidelines Supplement, published in July 2010. For information purposes only, should the final development result in 30 houses with two or more bedrooms, the primary school contribution sum would be £93,834 and the secondary school contribution would be £95,034.

Natural England

- 8.4 No objections. Based upon the information provided, Natural England advises that the proposal is unlikely to affect any statutorily protected sites or landscapes.

UDC Internal Housing (Dwelling) - Housing Strategy

- 8.5 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. The affordable housing provision on this site will attract the 40% policy requirement as the site is for 30 (net) units. This amounts to 12 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.
- 8.6 It is also the Councils' policy to require all units delivered to the Lifetimes Home Standard with 5% being wheelchair accessible as well as 5% of all units to be bungalows delivered as 1 and 2 bedroom units.
- 8.7 I note from the Design and Access statement that this policy requirement has been taken on board. The affordable bungalow is currently stated as a 1X1bed bungalow. I would suggest 1X2 bed bungalow to meet the needs of the local community.

Anglian Water Services Ltd

- 8.8 Please note we have no comment to make on this planning application.

Environment Agency

- 8.9 The proposed development will only be acceptable if the surface water drainage scheme as detailed in the Flood Risk Assessment (FRA) undertaken by WSP Ref: 70000555 dated 17/10/2013; submitted with this application is implemented and secured by way of a planning condition on any planning permission. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- 1) The scheme will fully investigate the feasibility of infiltration SUDS as a preference.
 - 2) A drainage plan for the site including the proposed location/size of any infiltration/attenuation device.
 - 3) The discharge rate to any watercourse will be at the Qbar Greenfield runoff rate
 - 4) Attenuation storage shall be provided to cater for the 1 in 100 year critical storm plus allowance for climate change.
 - 5) Calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change
 - 6) Details of any exceedance and conveyance routes
 - 7) Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.
 - 8) Confirm that the receiving watercourse is in a condition to accept and pass on the flows from the discharge proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Essex County Council Sustainable Drainage

8.10 The Environment Agency remains the statutory consultee on surface water.

SuDS Standards

We would ideally look for SuDS to comply with the following:

The CIRIA SuDS Manual (C697);

Defra's draft SuDS National Standards; and

Essex County Council's (ECC's) emerging Sustainable Drainage Design and Adoption Guide.

This would keep open the possibility of Essex County Council as the future SAB being able to adopt them, but would be subject to any future Voluntary Adoption Policy developed and full and clear evidence that SuDS meet the relevant criteria would be expected to be provided.

Having reviewed the Flood Risk Assessment which accompanies the application, our comments on the surface water drainage strategy are as follows:

Before a drainage strategy which relies on infiltration drainage is approved, the applicant should carry out winter groundwater level monitoring to confirm that the water table will be at least 1m below the base of any infiltration feature.

We support the approach to attenuate all volumes generated up to and including the 1 in 100 year event plus climate change. The critical duration event should be used to ensure the event that generates the largest volume of surface water is used for sizing of drainage features.

This section states that the ECC SuDS Guide says Highways will not adopt permeable paving within public adopted highway. This is incorrect as

Figure 5.1 of the Guide says the SAB will not adopt permeable paving on adoptable highway (as anything adopted by Highways is exempt) so the possible alternative adopter would be Essex Highways, who would need to be contacted regarding whether they would adopt or not. This approach may be preferred over soakaway drainage as it offers shallow depths compared to soakaways and spreads the infiltration rather than having a point discharge to the ground, making it more reliable.

Paragraph 6.1.10 states that highways will drain to soakaways within POS. As another alternative, we would strongly prefer the use of above-ground SuDS features which can form part of the public open space, making understanding and acceptability, as well as inspection and maintenance of the surface water drainage system, much easier.

Further to the above point we would encourage the use of features such as filter strips and swales in order to comply with the number of treatment stages recommended for different sources of runoff (2 stages for highways/parking areas) in the CIRIA SuDS Manual (C697) and ECC SuDS Guide and forthcoming National Standards. This would ensure compliance with the Water Framework Directive which requires the improvement of water quality in many of England's rivers and streams.

Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood and Water Management Act and SABs being established, and which could be enclosed as an informative along with your response issued at this time

Essex County Council will become a SuDS Approval Body (SAB) by the enactment of Schedule 3 of the Flood and Water Management Act 2010, which is likely to be from April 2014. This means that all new development which has surface water drainage implications will potentially require SAB approval and need to conform to National and Local Standards. Defra have carried out an initial consultation on the process for

gaining SuDS approval and applicants for planning permission should be made aware that:

- i. The National Standards should be followed wherever possible when designing SuDS to increase the likelihood that the SAB can adopt them in the future.
- ii. Essex County Council is developing Local Standards through its SuDS Design and Adoption Guide due out for public consultation in summer 2012 which should be followed wherever possible when designing SuDS to increase the likelihood that the SAB can adopt them in the future.
- iii. Developments with existing planning permission, with one or more reserved matters or where a valid planning application exists before enactment of Schedule 3 (likely April 2014) will not require SuDS approval during the first 12 months (up to April 2015) but following this date must obtain SuDS approval prior to commencement of development.

County Planner - Archaeology Section (ECC)

8.11 No assessment of the historic environment impact has been made within the application. The Essex Historic Environment Record shows that the proposed development lies in relatively close proximity to the scheduled monument of the Motte and Bailey medieval Castle (SM 20658) located on the western side of The High Street. The area around the Motte would have formed the focus for settlement and it is possible that this would have extended into the development area. Roman pottery has also been recovered from the western side of the road (EHER 1276). Recommends an archaeological Programme of Trial Trenching followed by Open Area Excavation

1. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

2. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of the above trial trenching work. 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 signed off by the local planning authority through its historic environment advisors.

3. The applicant will 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.

Education & Highways Essex County Council - Highways

8.12 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance

with acceptable specification sufficient to ensure future maintenance as a public highway.

The Highway Authority would not wish to raise an objection to the above application subject to the following conditions:

1. Prior to commencement on site, the provision of an access into the site as shown in principle on Drawing No. TPC/Stebbing/002 Rev a to include but not limited to minimum 4.8 metre carriageway width with 2 x 2 metre wide footways to tie in with the existing footways. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development. The approved scheme of works shall then be implemented in its entirety prior to commencement on site. Reason: In the interests of highway safety and providing adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.
2. Prior to commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times. Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.
3. Prior to commencement of any development, the provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site. Details to be submitted to and agreed in writing with the Planning Authority. Reason: In the interests of highway safety and efficiency.
4. Prior to commencement of the development details of the estate roads and footways to accord with the Essex Design Guide (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and agreed in writing by the Local Planning Authority. Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility.
5. Prior to occupation of any dwelling, the Developer shall be responsible for the provision and implementation of a Residential Travel Plan including provision of a Travel Plan co-ordinator to give advice and to pay a £3,000 monitoring fee to ECC. The plan is to be monitored annually, with all measures reviewed to ensure targets are met. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.
6. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack for sustainable transport approved by Essex County Council to include six one day travel vouchers for use with the relevant local transport operator. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's

Development Management Policies, adopted as County Council Supplementary Guidance in February 2011.

7. The public's rights and ease of passage over public footpath 14, Stebbing shall be maintained free and unobstructed at all times. Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1. Informatives

(i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.

(ii) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

(iii) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

(iv) The parking provision for cars, cycles and powered two wheelers should be in accordance with the Parking Standards Design and Good Practice September 2009 and Uttlesford Local Residential Parking Standards February 2013.

(v) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

(vi) The applicant should be aware that there are features of the access design, in particular the use of coloured surfacing, which will not meet with the approval of Essex County Council as it would be a long term maintenance issue.

Further response in respect of Stebbing Parish Councils comments:

The existing issues i.e parking related to the school are not issues for the applicant to mitigate against and any obstructive or dangerous parking would be an enforcement issue. The school now has Keep Clear markings on both sides of the carriageway outside the school which will inevitably push the parking further away from the school. The carriageway width of The downs at the point of the proposed access is in excess of 6m and is therefore adequate to serve the proposed development and should present no difficulty for emergency vehicles. The width of the footway along the downs is again more than adequate and is continuous from the site access to the school. The Parish Council has commented on the sites used for the trip generation for the proposal. The TRICS database is the national industry standard software for trip generation analysis which was founded and is owned by 6 County Councils and it is a collection of data from sites which cover the whole of the UK and Ireland. The highway authority has examined and accepted the trip generations calculations within the Transport Statement and although slightly lower than we would expect, they are

expected to be low and the effect on the highway network would therefore be negligible.

There are features of the access design which may not meet with highway authority approval, i.e. coloured surfacing and bollards. These issues will be explored more fully at detailed design stage should consent be granted and the access design will also be submitted at a safety audit.

Essex County Council Ecology

8.13 Objection subject to further information

The majority of the 1.7 hectare site proposed for development is currently composed of semi-improved grassland with some ruderal vegetation and a number of hedgerows, some of which are old. They have been assessed as not being important ecologically under the Hedgerow Regulations 1997. H1 is an old hedgerow and this wildlife corridor would be dissected by the road. All of the semi-improved grassland would be lost as a result of the development.

The Downs Special Roadside Verge is situated just to the west of the entrance of the proposed site.

The majority of the habitat on site will be destroyed to create this development. There is insufficient detail as to how the retained habitats will be maintained/ enhanced. Furthermore, there is insufficient detail regarding how bats – a European Protected Species- could be impacted upon and limited information about the proposed compensation areas. I therefore advise that further information is still required before planning permission could be granted.

8.14 There has been no assessed regarding Section 41 Species of Principal Importance under the Natural Environment and Rural Communities Act 2006.

It is unclear whether the public open space will provide new habitats. Additional details should be provided if these areas are to contribute.

8.15 The Design and Access Statement states that all areas of public open space would be well lit (for crime prevention purposes). This would therefore deter bats. Therefore, there is a potential conflict between the aspirations of the two documents. Furthermore, the hedgerow would be dissected by the proposed road.

It appears that the majority of hedgerows would be in private gardens and therefore there would be no ability to ensure their continued management- or even existence- in the long term, or to control lighting levels once these properties are occupied.

A bat activity survey should therefore be undertaken prior to determination of this planning application in order to clarify the likely level of bat activity on the site and thus the level of mitigation likely to be required.

8.16 I consider that the 'enhancements' referred to are actually mitigation or compensation for the adverse impact upon the habitats and species affected by the proposals. The development would involve the destruction of the majority of the existing habitat on site and currently the information provided with this application does not provide sufficient information to ascertain the level of effect on biodiversity.

The proposed new grassland would go some way towards mitigating the grassland lost and for grass snakes, but no area figures are provided and so the level of impact vs mitigation proposed cannot be assessed. A calculation of the impact of the proposal using the Defra Offsetting Metric would demonstrate whether there will be a net loss or net gain in habitat. The Metric is a standalone tool; its use does not require Offsetting to be used.

The reptile receptor area is not within the red line area of the planning application and it is not clear how this area would be secured in the long term.

In principle, I welcome the further creation of semi-improved grassland with Lesser Calamint and wildflower grassland. However, details about its potential size and precise location should be supplied as part of this application. Furthermore, as above, it would not be within the red line area of the development.

8.17 The mitigation/ compensation areas should be secured within a Section 106 agreement and managed in the long term. Details of the long term management could be agreed as part of reserved matters.

8.18 I support the Special Verge representative's proposals (Sarah Kenyon) made in her response dated 24th April 2014 in order to protect the Special Verge during construction and for the life of the development.
Details should be integrated into construction plans.

The Special Verge should be surveyed prior to, during and after the construction works and any adverse impacts taken into account. Monitoring methodology should be provided as part of reserved matters.

I welcome a local source of lesser Calamint being established within the reptile receptor area. This receptor area is not within the red line area of the planning application and it is not clear how this area would be secured in the long term. Details of how this will be secured, managed and monitored should be provided.

8.19 Supplementary information provided:

Objection withdrawn

The Supplement - survey for bat and biodiversity offsetting calculations, dated July 2014 combined with that in the previous ecological reports- is sufficient for this outline stage.

The recommendations within the ecological reports should be adhered to and additional details relating to mitigation and long term management can be provided at the reserved matters stage, should the local planning authority decide to grant planning permission. Management should be secured through a Section 106 agreement. Details of mitigation and enhancement design should be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Environment Management Plan and an Ecological Management Plan. These shall include those mitigation and enhancement measures for habitats and protected species as set out in the Ecological reports prepared by Catherine Bickmore Associates, submitted in support of the planning application.

Aerodrome Safeguarding

8.20 No objections

UDC Special Verges

8.21 This application relates to a previous application UTT/13/3235/OP which was withdrawn after I objected in my role as Special Roadside Verges project coordinator for Uttlesford and there were objections from various other parties. The original proposal would have resulted in the destruction of a special roadside verge and population of lesser calamint plants, *Clinopodium calamintha*, which are frequent in distribution on the site from ecological surveys conducted between 2012-2005.

I am pleased to see that in the new application UTT/14/1069/OP that the Special Roadside Verge UTT29 and LoWS Ufd270 The Downs, Stebbing TL659245-TL660244 has been excluded from the development proposal. Uttlesford District Council Policy ENV7 requires that the development should have no adverse effect on the verge site. So if planning permission is granted I request that conditions are applied as follows:

1. During construction a temporary barrier is to be placed on the road next to the special verge to protect it from being eroded by large construction vehicles driving on the verge. This should be paid for by the developer. The large plastic interlinked blocks used as road barriers would be suitable to protect the site.
2. When the development is complete 'no parking' signs are to be erected to stop parking on the special verge by residents and other people visiting the development. I attach a scan of the special verge site indicating where signs could be placed. The section of special verge on The Downs road is marked at each end by wooden posts that bear white marker plaques and two of the no parking signs could be erected in front of the posts, or attached to them. A third sign could be placed in the middle of the verge at the back of the grassland. The signs should be paid for by the developer.

NATS Safeguarding

- 8.22 The propose development does not conflict with our safeguarding criteria.

Essex County Council – Minerals and Waste

- 8.23 No comments

Internal Building Control

- 8.24 Having looking at the information submitted and correspondence relating to the surface water disposal at the above site, I would support the use of the condition suggested by the Environment Agency in their letter dated 12th June 2014 Ref AE/2014/117535/02-L01

Access and Equalities Officer

- 8.25 Review of the Design and Access Statement confirms that dwellings will be built to Lifetime Home Standards as set out in the SPD Accessible Homes and Playspace. This will require ramped access to principal entrances instead of steps and a requirement for two dwellings to meet the requirements of Appendix 2 Standards for Wheelchair Accessible Housing as set out in the SPD. Plots will be required to be nominated.

Internal Housing Enabling Officer

- 8.26 I confirm that the mix meets the Council's policy of small clustering and integration. Ideally one of the bungalows should be under the affordable banner. There is a hedge in front of the LAP; I consider it would be better to have the play space more open to enable natural surveillance.

9.0 REPRESENTATIONS

- 9.1 This application has been advertised and 31 letters of representation have been received. Notification period expired 15th May 2014.
A summary of the issues raised:

- Highway safety

- Traffic congestion, the roads are narrow and already carry significant traffic. No infrastructure to cope with a new influx.
- Stebbing primary school is oversubscribed
- More traffic as parents will have to drive to neighbouring villages and towns to take their children to school
- Unreliable bus service
- Facilities in village are limited- no doctors, dentist and only very small community run village shop with short opening hours
- Transport links to Stebbing are appalling
- Adding to this village population will only increase car use and traffic
- Access inadequate
- There is now vehicular access to the front of 4 Hillcroft Cottages, which makes the idea of putting bollards across the pavement there redundant.
- The parents to the new development would all drive out past Stebbing Primary School at a peak time contributing to further traffic chaos.
- What financial or other contributions will the applicant make available to Stebbing primary school?
- Our local area has seen a similar problem at Fritch Green where the housing was built before the school, so that it became harder to forge a community when every child was shipped out of the estate every day.
- Village is too small to absorb and sustain this development
- Stebbing is a quiet residential village with virtually no commercial activity.
- The High Street and Bran End are often congested with parked cars
- Pollution
- Outside development limits
- Water pressure issues
- Sewage problems
- Application provides nothing in the way of amenities for those that would come there and adds nothing to the quality of life for those already there.
- Drainage problems
- Ecology

10.0 APPRAISAL

The main issues are whether

- A The development of this site for residential purposes is appropriate (NPPF, ULP Policies S7, GEN2, GEN3, H9, H10);
 - B The access to the site would be appropriate (ULP Policy GEN1);
 - C There would be a detrimental impact on protected species (ULP Policy GEN7);
 - D Other material planning considerations.
- A The development of this site for residential purposes is appropriate (NPPF & ULP Policies S7, GEN2, GEN3, H9, H10);**

10.1. The site is located outside the development limits of Stebbing. The site is therefore located within the countryside where Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.

Additionally the draft local plan contains policy C2: Protection of Landscape Character. This states:

“Development will be permitted provided that:-

- a. Cross-valley views in the river valleys are maintained with development on valley sides respecting the historic settlement pattern, form and building materials of the locality;*
- b. Panoramic views of the plateau and uplands are maintained especially open views to historic buildings and landmarks such as churches;*
- c. No material harm is caused to the historic settlement pattern, especially scale and density, and that it uses materials and colours that complement the landscape setting and landscape character. Such development should be well integrated with the surrounding landscape;*
- d. No material harm is caused to the landscape pattern and structure of woodland areas and hedgerows and individual trees and does not diminish the role they play in views across the landscape;*
- e. No material harm is caused to the historic landscape character of field patterns and field size; greens; commons and verges;*
- f. No material harm is caused to the special interest of Historic Parklands, Parks and Gardens such as their principal building, formal and informal open spaces, ornamental gardens, kitchen gardens, plantations and water features; and*
- g. No material harm is caused to the form and alignment of protected historic lanes.”*

10.2 Stebbing Policy 1- Land to east of Parkside and Gren Fields of the Draft Local Plan allocates an area of land for residential development which is part of the application site. It is acknowledged that the Draft Local Plan has not yet been examined by a planning inspector; however some weight should be given to its policies.

10.3 A review of the Council's adopted policies and their compatibility with the NPPF. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.

10.4 The NPPF sets a presumption in favour of sustainable development which means approving development which accords with the development plan; and where the relevant policies in the development plan are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the NPPF indicate development should be restricted.

10.5 In June 2014 The Council published its Housing Trajectory and 5 year land supply statement. The Council is able to demonstrate a 5 year + 5% land supply. This statement evidences that the Council can demonstrate a housing supply in excess of the five year supply. In June this stood at 6.2 years supply. As such there is no onus to approve planning permissions for this site in light of paragraph 49 of the NPPF; however the Council will still give favourable consideration to sustainable proposals. Windfall sites are still needed to make a contribution to the housing supply.

- 10.6 Paragraphs 7 and 14 of the NPPF set out that there is a presumption in favour of sustainable development. The core principles of the NPPF set out the three strands of sustainable development. These are the economic role, social role and environmental role. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.7 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. This proposal would result in the erection of up to thirty additional dwellings which would boost the Councils housing supply. The occupiers of the housing would contribute to the local economy in the long term. The proposal would provide employment during the course of construction, although this would not be a long term benefit. Local trades and suppliers would benefit from the construction project. The proposal would help to serve an economic role.
- 10.8 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed for the district. As already stated, Stebbing has a limited range of facilities. It has access to bus services to other nearby towns and centres of employment. In terms of creating a high quality built environment, appearance, scale and landscaping are to be reserved matters. The proposal would introduce a significant element of built form within the open countryside, which would have an adverse impact on the character of the area. This impact would need to be weighed against the benefits
 This proposal would help to deliver a social role in the form of the provision of twelve affordable housing units and a further 18 residential units for market housing. This is a sustainable site in terms of its proximity to shops, schools and services. It has access to bus services to other nearby towns and centres of employment. The proposal would also have a negative impact by putting more strain on the local infrastructure and demand for school places. Stebbing also does not have any doctors or dentists within the village.
 This however, should be weighed against the requirement of a financial contribution in respect of education. Should the development result in 30 houses the primary school contributions would be approximately £93,834 and the secondary contribution would be approximately £95,034 (These sums would be index linked to April 2013 costs using the PUBSEC index)
- 10.9 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. The introduction of built form in this location would result in some harm to the openness of the rural area. In view of the boundary screening it is considered that the visual impact would be reduced and that the development would not be significantly detrimental to the openness of the countryside. The site has existing residential properties to the western boundary. The development of this site for residential purposes would not be unduly out of character with the area.
- 10.10 Paragraph 55 of the NPPF states that housing should be “... *located where it will enhance or maintain the vitality of rural communities.*”

The local primary school is within easy walking distance of the site and there are bus stops in the locality with access to bus routes to Great Dunmow, Chelmsford, Braintree and Wethersfield.

- 10.11 There is a pub, village shop, church and village hall within walking distance from the site.
- 10.12 The proposal would have impact on ecology in respect of bats, snakes and wildlife corridors. A hedgerow would be dissected by the proposed road. The development would involve the destruction of the majority of the existing habitat on site where there are known grass snakes. Although not within the site, The Downs Special Roadside Verge is situated just to the west of the entrance of the proposed site where there is lesser calamint. A biodiversity offsetting report has been submitted and an ecology report which shows a biodiversity gain. A receptor site for the snakes has been identified and the existing hedgerows would be enhanced/extended to provide moderate semi-improved grassland, including the lesser calamint, in place of the existing poor semi-improved grassland. Long term management and maintenance of the receptor site and mitigation area, including the hedgerows would be ensured through the inclusion in a section 106 agreement if the application were to be approved.
- 10.13 It is not considered that this development would cause significant harm to warrant a refusal. On balance it is considered that this site is a sustainable location for development.
- 10.14 This application is an outline application with all matters, except access, reserved. Therefore there are no specific details in relation to dwelling types. Policy H10 has a requirement for sites of 0.1 hectares and above to include a significant proportion of market housing comprising small properties. The indicative drawing shows a mix of semi-detached and detached dwellings ranging from 1 to 5 bedroom properties. The proposals, in principle, comply with the requirements of Policy H10. It is not considered that the proposal would result in any material detrimental impact to neighbours amenity.
- 10.15 Policy H9 seeks the provision of 40% affordable housing on windfall sites. The scheme includes such provision with the mix and tenure to be agreed. The Council's Affordable Housing Policy currently outlines that 30% should be of intermediate tenure, with 70% being rented. This translates to 3 intermediate units and 7 rented units. The indicative plans indicate that there would be a mix of 1, 2, 3 and 4 bedroom properties, including two bungalows. The proposals, in principle, comply with the requirements of Policy H9.
- 10.16 The application has been submitted with a Flood Risk Assessment and this indicates that the site can be developed in such a manner that flooding would not result. The Environment Agency is satisfied with the contents of the Flood Risk Assessment subject to conditions being imposed if the application is granted. Therefore the proposals comply with the requirements of Policy GEN3. Internal Building Control officers are also satisfied that the surface water drainage issues can be dealt with under the condition suggested by the Environment Agency..

B The access to the site would be appropriate (ULP Policy GEN1)

- 10.17 The application site is served by an existing access point and is at a lower level than most of the site. In support of the application the applicant submitted a Transport Statement. Essex County Council has raised no objections to the proposal subject to conditions. There are existing highway issues and several representations have been

received in respect of highway issues and as a result further consultation with Essex County Council Highways was carried out. ECC Highways raise no objections to the proposals subject to conditions.

- 10.18 The existing issues i.e parking related to the school are not issues for the applicant to mitigate against and any obstructive or dangerous parking would be an enforcement issue. It is not considered reasonable to request the developer to contribute a financial contribution to solve an existing problem. The school now has 'keep clear' markings on both sides of the carriageway outside the school which will inevitably push the parking further away from the school. The carriageway width of The Downs at the point of the proposed access is in excess of 6m and is therefore adequate to serve the proposed development and should present no difficulty for emergency vehicles. The width of the footway along the downs is again more than adequate and is continuous from the site access to the school.
- 10.19 The Parish Council has commented on the sites used for the trip generation for the proposal. The TRICS database is the national industry standard software for trip generation analysis which was founded and is owned by 6 County Councils and it is a collection of data from sites which cover the whole of the UK and Ireland. The highway authority has examined and accepted the trip generations calculations within the Transport Statement and although slightly lower than we would expect, they are expected to be low and the effect on the highway network would therefore be negligible.
- 10.20 Adequate off road parking provision has been demonstrated within the illustrated plans. Concerns have been raised in respect of the bollards and materials at the access; however the agent has agreed that these can be withdrawn from the scheme if necessary. The highway Officer also has concern regarding this element of the access proposal. The applicant has agreed to omit this element of the proposal. The detailed consideration of this matter will be at the S38 adoption stage.

C There would be a detrimental impact on protected species (ULP Policy GEN7);

- 10.21 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.
- 10.22 In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. Recent case law has established that local planning authorities have a requirement to consider whether the development proposals would be likely to offend Article 12(1), by say causing the disturbance of a species with which that Article is concerned, it must consider the likelihood of a licence being granted.
- 10.23 The tests for granting a licence are required to apply the 3 tests set out in Regulation 53 of the Habitats Regulations 2010. These tests are:

- The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
- There must be "no satisfactory alternative"; and
- The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

10.24 The applicant has submitted an ecology survey and biodiversity offsetting calculations. The Council's ecologist initially raised objections to this proposal due to loss of habitat, lack of bat survey, and lack of information on how the retained hedgerows would be maintained/enhanced.

20.25 Following further submissions of a bat survey and biodiversity offsetting calculations the objection was withdrawn. A suitable relocation site has been identified for the grass snakes on site and the application using DEFRA matrix calculations show on balance a gain of 0.85 biodiversity units for area of grassland created/improved and a gain of 1500 biodiversity units for hedgerow creation/enhancement. To ensure ongoing management/maintenance of the hedgerows H1, H3 and the eastern part of H4 they have been included within the receptor areas which would be subject to a S106 agreement.

10.26 Whilst the proposals would result in harm to protected species and habitat it is considered that the mitigation/enhancement measures are acceptable and can be secured by a S106 agreement. The proposals are therefore in accordance with policy GEN7 and the NPPF

20.27 Concerns have been raised in relation to the rare Lesser Calamint which is situated within the special roadside verges opposite the access and conditions have been suggested to protect it and the verges during construction. This site is outside the control of the applicant and as such an informative has been added.

D Other material planning considerations.

10.28 Essex County Council as the education authority has raised no objections to this proposal. They have indicated that there is a deficit of primary places at Stebbing School and that the overall capacity at Helena Romanas' school and sixth form centre is predicted to be exceeded in the school year 219-20. As such they have indicated that a financial contribution of £93,834 for primary school provision and £93,834 for secondary school provision is required. This will be secured through a Section 106.

10.29 Appearance, landscaping, layout and scale are all matters to be reserved should outline planning permission be granted. The indicative drawings indicate a range and scale of dwellings and enhanced landscaping which would appear to be appropriate in this location.

11 CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The site, on balance is considered to be sustainable. Part of the site is an allocated site within the draft Local Plan. The proposal is considered to be acceptable in this location

- B Access to the site is acceptable. Adequate parking provision would be provided as part of the residential development on the site. Essex County Council has no objections
- C The presence of protested species does not present any overriding constraints to development and subject to appropriate mitigation measures; the proposed development would not adversely affect the ecological interests of the site.
- D The applicant has agreed to the provision of affordable housing and to financial contributions in respect of Education and agreed to enter into a legal agreement in this respect.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO A S106 LEGAL AGREEMENT

- (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 24th September 2014 the freehold owner enters into a binding obligation 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 obligation to secure the following:**
 - (i) **Payment of contributions towards Education provision**
 - (ii) **Provision of 40% Affordable Housing**
 - (iii) **Creation of Open Space including Local Area for Play (Play Equipment) and appropriate management**
 - (iv) **Creation and long term delivery of mitigation and enhancement measures for relocation of Reptiles**
 - (v) **Pay Councils reasonable costs**
 - (vi) **Pay monitoring costs**
- (II) **In the event of such an obligation 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 obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:**
 - (i) **No contributions towards Education provision**
 - (ii) **No affordable housing provision**
 - (iii) **No provision of open space**
 - (iv) **Failure to provide adequate mitigation and enhancement for protected species**

RECOMMENDATION – CONDITIONAL APPROVAL

1. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as 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.

2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

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.

3. The development hereby permitted shall be begun not later than the expiration of 2 years 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.

4. The development hereby permitted shall be implemented in accordance with the ecological scheme of mitigation/enhancement submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan adopted 2005.

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

REASON: In view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

6. 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 signed off by the local planning authority through its historic environment advisors.

REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with Uttlesford District Council Local Plan Policy ENV4

7. The applicant will 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 view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

8. No development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and

hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- 1). The scheme will fully investigate the feasibility of infiltration SuDS as a preference.
- 2). A drainage plan for the site including the proposed location/size of any infiltration/attenuation device.
- 3). The discharge rate to any watercourse will be at the Qbar Greenfield runoff rate
- 4). Attenuation storage shall be provided to cater for the 1 in 100 year critical storm plus allowance for climate change.
- 5). Calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change
- 6). Details of any exceedance and conveyance routes
- 7). Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.
- 8). Confirm that the receiving watercourse is in a condition to accept and pass on the flows from the discharge proposed.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON: The proposed development will only be acceptable if the surface water drainage scheme as detailed in the Flood Risk Assessment undertaken by WSP Ref: 750000555 dated 17/10/2013 submitted with this application is implemented. To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. In accordance with Policies GEN2 and GEN3 of Uttlesford Local Plan adopted 2005

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance In accordance with Policies GEN7 of Uttlesford Local Plan adopted 2005

10. The parking provision for cars, cycles and powered two wheelers shall be in accordance with the Parking Standards Design and Good Practice September 2009 and Uttlesford Local Residential Parking Standards February 2013.

REASON: To ensure that there would be adequate on-site parking provision in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

11. Prior to commencement on site, the provision of an access into the site as shown in principle on Drawing No. TPC/Stebbing/002 Rev a to include but not limited to minimum 4.8 metre carriageway width with 2 x 2 metre wide footways to tie in with the existing footways. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development. The approved scheme of works shall then be implemented in its entirety prior to commencement on site. Reason: In the interests of highway safety and providing adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.

REASON: In the interest of Highway safety in accordance with policy GEN1 of Uttlesford Local Plan adopted 2005.

12. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Planning Authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

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. In accordance with Policies GEN7 of Uttlesford Local Plan adopted 2005

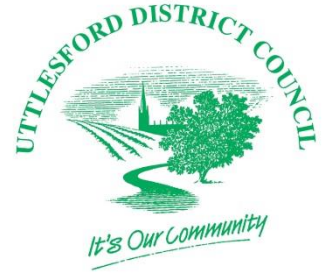
Informatives:

Uttlesford District Council Policy ENV7 requires that the development should have no adverse effect on the verge site. There is a special verge outside the development site.

1. During construction a temporary barrier is to be placed on the road next to the special verge to protect it from being eroded by large construction vehicles driving on the verge. This should be paid for by the developer. The large plastic interlinked blocks used as road barriers would be suitable to protect the site.
2. When the development is complete 'no parking' signs are to be erected to stop parking on the special verge by residents and other people visiting the development. I attach a scan of the special verge site indicating where signs could be placed. The section of special verge on The Downs road is marked at each end by wooden posts that bear white marker plaques and two of the no parking signs could be erected in front of the posts, or attached to them. A third sign could be placed in the middle of the verge at the back of the grassland. The signs should be paid for by the developer.

Application No. : UTT/14/1069/OP

Address: Land To The North Of Stebbing
Primary School And Rear Of Garden
Fields And Parkside Stebbing



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1108/FUL (SAFFRON WALDEN)

Deferred by Planning Committee on 20th August 2014 due to lack of Highway Authority comment/advice and for a marketing report.

PROPOSAL: Change of use from Class A1 (retail) to Class A5 (hot food take-away), installation of 1 no. compressor unit, 1 no. extract grill and 1 no. fresh air intake grill.

LOCATION: 1 – 2 Market Walk Saffron Walden, Essex, CB10 1JZ

APPLICANT: DPGS Ltd

AGENT: Pegasus Planning Group Ltd

EXPIRY DATE: 12 June 2014

CASE OFFICER: Emmanuel Allanah

1. NOTATION

1.1 Within Development Limits, Conservation Area and Saffron Walden Town Centre.

2. DESCRIPTION OF SITE

2.1 The application site relate to the ground floor unit of a two storey building which is located between Market Row and Hill Street with the western boundary forming an alleyway onto Market Walk. As a result of the frontages, there is a shop front which fronts both on the Hill Street and Market Walk.

3. PROPOSAL

3.1 Change of use from retail to hot food take-away, installation of one extract grille in the elevation fronting Hill Street and one fresh air intake fronting Hill Street and alterations to existing shop front.

4. APPLICANT'S CASE

4.1 Applicant submitted Planning, Heritage and Design and Access Statement in addition with Land use survey of Saffron Walden Town Centre dated 14th July 2014 to support the proposed application.

4.1 The land use survey is to enable the applicant to demonstrate that the proposed change of use would not adversely reduce the number of retail outlets within this part of Saffron Walden Centre.

5. RELEVANT SITE HISTORY

5.1 UTT/13/0410/FUL-Change of use from Class A1 (retail) to Class A3 (hot food take-away). Withdrawn.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN1 – Access
- GEN2-Design
- GEN4-Good Neighbours
- ENVI-Design of development within Conservation Area
- ENV11-Noise generators
- RES2-Town and Local Centres
- SW1-Town Centre

6.3 Uttlesford District Local Plan – Pre-Submission Consultation, April 2014

- RET1- Town and Local Centres and Shopping Frontages

7. TOWN COUNCIL COMMENTS

7.1 The Committee objected to Planning Applications UTT/14/1108/FUL - 1-2 Market Walk for the following reasons, as stipulated in the UDC Adopted Local Plan 2005: The application contravened Policy Gen 1 (Access) as the traffic congestion generated by this development will severely impact the transport network on George Street and Hill Street. It is a takeaway establishment and by its nature will encourage people to park on that road while they collect their meal. This will be very dangerous. The application contravened Policy Gen 2 (Design) in that it is incompatible with the layout and appearance of the surrounding buildings in that area and it will severely reduce the visual impact there. The application contravened Policy Gen 2 (Design) in that it will exacerbate the production of waste in an already much criticised area, already very difficult to keep clean and healthy. There is real concern that it will contravene Policy Gen 4 (Good neighbourliness) in that the business will increase the noise levels, smells, and exposure to other pollutants and thus create an environmental hazard.

7.2 Further comments following consultation on amended and additional information will be verbally reported.

8. CONSULTATIONS

Conservation Officer

8.1 Object to the initial proposed plan for the following reasons:

8.2 Number 1-2 Market Walk is a retail unit located within modern development in the heart of Saffron Walden Conservation Area. The buildings in question are of traditional design in terms of their architectural concept.

- 8.3 The proposal subject of this application is for change of use from retail to hot food takeaway facility which would require number of alterations to the fabric of the unit. The obvious planning problems relating to the loss of retail outlet and the new use now proposed is a planning issue, I am concern however with the suggested external alterations to the building and resulting impact on the character of the conservation area.
- 8.4 The above retail premises present to the public view a selection of shop windows which add interest to the street scene and entice the passer-by to stop and browse. The proposed alterations would aim at blocking some of the windows internally, removal of one shop front completely and insertion of louvered timber doors. In addition the existing facias would also be removed and air extraction grills introduced. I consider that blocked up shop fronts and substantial timber doors would give the unit blind and vacant appearance destroying the established rhythm of void to solid and the concept of thriving shopping area. The introduction of extraction grills would represent a messy elements unrelated to the architectural elevation treatment. And finally I predict that the loss of shop facias would call for introduction of signage which frequently in case of takeaway premises can be crass and visually jarring with the historic setting.

Conservation Officer's comments on revised proposed scheme:

- 8.5 The applicant revised the the proposed elevation and floor plan of the ground floor unit by opening the bay window along market walk. The revised scheme has been considered by the Conservation Officer who commented that final decision should be based on planning assessment.

UDC Environmental Health Officer

- 8.6 The development has the potential to cause loss of amenity to occupiers of residential and business premises in the vicinity due to cooking odour and noise.

Cooking fume extraction

- 8.7 Information has been provided with the application on the proposed extract ventilation system from the cooking area, including odor control in the form of carbon filters which if installed as specified will reduce odors to an acceptable level, however no system is capable of eliminating 100% of odors. The details include measures to reduce vibration from the system which may otherwise impact on the offices above. No details have been submitted on the expected sound power level of the extract fan.
- 8.8 The following condition is therefore recommended:
- “Notwithstanding the information submitted with the application, a scheme for the installation of equipment to control the emission of fumes and odours from the premises, to include noise rating of the equipment, shall be submitted to and approved in writing by the local planning authority. The system shall be installed, operated and maintained in accordance with the submitted scheme, and any changes shall be submitted to and approved by the local planning authority prior to installation.
- 8.9 If the approved equipment becomes inadequate because of changes in the cooking operations on the premises details of new or modified equipment shall be submitted to and approved in writing by the local planning authority”

Noise

- 8.10 There is the potential for additional noise in the adjacent streets from customers and delivery drivers accessing the premises. A condition is recommended to restrict opening hours to 11.00 to 23.00, and to prevent deliveries of goods to the premises outside of these hours.

Air Quality

- 8.11 The site is within the Saffron Walden air quality management area, and the lack of parking space outside the premises may lead to inappropriate parking in Hill Street which has the potential to worsen congestion, notably during the evening peak period.

ECC Highways

- 8.12 The Highway Authority advised that the application site fronts both Hill Street and Market Walk and has no parking allocation. The floor space of the application site is 66 sq metres which is considerably less than the threshold of 250 sq metres whereby a Transport Statement would be required to support the application. Hill Street is a One Way Street with parking restrictions outside the application site associated with the pedestrian crossing. South west of the pedestrian crossing are Keep Clear markings both sides of the carriageway protecting the entrance to the fire station and these extend to Cross Street. North east of the application site are parking restrictions which allow parking in the evening only. Market Row also allows parking for short periods only. Infringement of the parking restrictions would result in penalty notices being issued to any drivers of unlawfully parked vehicles. It is unlikely therefore that the above proposal will lead to inappropriate parking along Hill Street as this would result in parking fines being issued. There are 2 public car parks situated close to the application site, one located off Hill Street to the rear of Waitrose and the second adjacent to The Common.

9. REPRESENTATIONS

- 9.1 Eight objection letters received from neighbouring properties raising the following issues:
- Object to change of use to A5 because it is inappropriate and will increase the number of food outlets to an unviable level.
 - The parking of customers does not exist at all in Hill Street and has non topping or parking restriction as the fire station is less than 50 metres from the location.
 - It lead to obstruction of emergency vehicles
 - It would generate illegal parking
 - It would affect other pedestrians
 - It would attract infestation of feral pigeons through the increase of inevitable food waste and risk of health.
 - Increased of late activity which would disrupt residents.
 - It would generate traffic to double yellow lines
 - Proposed alterations to the shop front would ruin the beauty of the town
 - Lead to loss of another retail outlets
 - It would generate anti-social behaviour and litter
 - The proposed alterations to the unit will destroy the character of the building, replacing an attractive frontage with an ugly, generis fascia.
 - The proposal contravened Policies GEN1 (Access), GEN2 (Design) and GEN4 (Good neighbouring).

10. APPRAISAL

The issues to consider in the determination of the application are:

- A The principle of the policy context of the proposal.
- B Whether the principle of change of use from retail (Class A1) to hot food-take-away (Class A5) within this part of Saffron Walden Town Centre is acceptable.
- C The impact on residential amenities in terms of generation of cooking odour and noise.
- D Impact on the appearance and character of the Conservation Area.
- E And the traffic impact.

A The principle of the policy context of the proposal.

10.1 *National Planning Policy Framework(NPPF) states in paragraph 7 focuses on the following objectives:*

- Paragraph 7 confirms there are three dimensions to achieving sustainable development namely, economic, social and environmental. The Economic role of this proposal is to bring back a vacant retail shop to a beneficial use to support local economic development.
- The proposal in the social context would provide services to diverse communities;
- The environmental role in terms of the proposed change of use; it is seen as locating such proposal in an area that would not rely too much on the use of private cars and there by encouraging low carbon economy within the town centre.

10.2 *Policy RET1 affirms that “along primary shopping frontages ...change of use of the ground floor to non A1 uses will only be permitted if the applicant is able to demonstrate that the units is not viable as A1 shop use..”*

The applicant site has been vacant for more than 10 months and the applicant has marketed it ever since and there is no interest from a new retail occupier and applicant. A land use survey for the proposed application site in July 2014 has been undertaken and submitted for consideration. It has been evidently demonstrated that the proposed site is not viable as a retail shop and the only opportunity to bring such vacant shop to beneficial use would be through the current amended proposed change of use to non retail use. In view of this evidence, the proposal therefore is in accordance with Policy RET1. The land use survey shows the proposal would not adversely reduce the percentage of retail outlets within this part of Saffron Walden Town Centre because if this proposal is allowed there would be 60.2% of other occupied retail outlets. Hence, with the support of the above land use survey evidence, the principle of the proposed change use can be considered acceptable subject to the evaluation of other planning issues that has been identified within this Report.

B Whether the proposed change of use would adversely reduce the commercial units (for example retail units Class A1) within Saffron Walden Town Centre.

10.3 *Policy SW1 states that the town centre is defined on the proposals map inset. Change of use of the ground floor of existing shops, restaurants, public houses and hot food take-away to residential uses will not be permitted, unless both the following criteria are met:*

- (a) *the existing use is surplus to current and foreseen future requirements and;*
- (b) *the property has been widely advertised for at least six months on terms reflecting its use... and;*

Given that Policy RS2 can be applied to town centre; it is therefore worth considering this proposal in light of Policy RS2; which states that retail, commercial and community uses or mixed –use development including a residential element will be permitted in the centres of Saffron Waldenif it meets all the following criteria:

- *it maintains or enhances their role as retail and service centres;*
- *it does not harm their historic and architectural character;*
- *it contributes to the diversity of retail and other commercial activity;*
- *it does not result in significant loss of houses or flats in the centres;*
- *it does not prejudice the effective use of upper floors as living or business accommodation.*

10.4 The proposed application is not relating to change of use from a shop to residential use instead it is a change of use from retail to hot food take away. In policy terms an element of the policy criteria that would be useful in assessing this proposal is whether the existing use is surplus to current and foreseen future requirement so that the current proposal can be considered acceptable. The acid test to such criteria can be determined through an evidence base of the survey of the area although which the above policy did not suggest directly. The applicant therefore needs to demonstrate with evidence why such proposal would not lead to loss of vital retail outlet within this part of the Town Centre. Hence, in policy terms the applicant failed to demonstrate with evidence how the site has been advertised and marketed with no interest to a new retailer coming forward. Such evidence would help the applicant to claim surplus of such types of retail outlets within this part of the Town Centre.

10.5 In order to demonstrate with evidence that the proposed change of use would not adversely reduce retail outlets within this part of Saffron Walden Town Centre; a land use survey of commercial units within the Town Centre was undertaken. And on 18th July 2014, a detailed land use survey of Saffron Walden Town Centre was submitted based upon the land use survey of the commercial units in the area 10th July 2014 as shown below.

Use Class	No. of Units	Percentage of total units
Class 1	140	60.6%
Class A2	15	6.5%
Class A3	18	7.8%
Class A4	5	2.2%
Class A5	6	2.6%
Other (including B1, D1 and D2)	47	20.3%
Total	231	100%

10.6 It is therefore evidently clear that having assessed and evaluated the land use survey of the existing commercial units the proposed change of use would lead to loss of one Class A1 retail unit. This equates to 60.2% of the commercial units within Town Centre remaining in Class A1 use, which would only lead to 0.4% reduction. It is therefore acceptable because the proposed change of use from retail to hot food take- away would not adversely reduce the number of commercial units or retail outlets. Hence, the proposal is not in conflict with Policies SW1 and RS2 of the adopted Local Plan (2005) and Policy RET1 of the Uttlesford Local Plan-Pre-Submission Consultation, April 2014.

C. The impact of the proposal on residential amenities in terms of generation of noise and cooking odour.

10.7 *Policy GEN4 affirms that development and uses; whether they involve the installation of plant or machinery or not, will not be permitted where;*

- *noise or vibration generated or*
- *smell, dust, light, fumes, electromagnetic radiation, exposure to other pollutants;*
- *would cause material disturbance or nuisance to occupiers of surrounding properties.*

10.8 The application site area is characterised by different land use activities such commercial, office, retail, Public House and residential properties. The proposed change of use is only at the ground floor level while the upper floor would remain in office use. The Environmental Health Officer raised some concerns that the initial details of proposed ventilation and extraction equipment did not adequately demonstrate that the proposal would not harm the living condition of the adjoining occupiers in terms of generation of noise and odour. As a result the applicant appointed Philip Acoustics Ltd to carry out the impact assessment of the proposed ventilation and extraction equipment in order to verify whether such ventilation scheme would be able to achieve the required noise levels particularly to the nearest sensitive receptors, including the upper floor of 1-2 Market Walk. A copy of the assessment was sent to the Council on 15th July 2014.

10.9 Following re-consultation with Environment Health Officer they have recommended a planning condition in order to protect and safeguard the amenities of the adjoining occupiers due to the likely potential of noise generation as a result a condition restricting the opening hours to 11:00 to 23:00 and to prevent deliveries of goods to the premises outside of these hours. Having considered the representations from adjoining occupiers; it is considered to restrict the opening hours as follows, should planning permission be granted;

Monday to Friday from 11:00am to 10:30pm

Saturday and Sunday from 11am to 10:00pm including Bank Holidays.

D. The impact on the character and appearance of the Conservation Area.

10.10 *Policy ENV1 states that “development will be permitted where it preserves or enhance the character and appearance of the essential features of a Conservation Area....” And Policy GEN2 affirms that development will not be permitted unless its design is compatible with the character and appearance of the area... minimises the environmental impact on neighbouring properties... “*

10.11 The initial proposed elevation and location of the proposed ventilation scheme to the application site or building was not considered appropriate because it would not preserve or hence the character and appearance of the Conservation Area as advised by the Conservation Officer. As a result the applicant has revised proposed elevation and floor plans to overcome the issues and objection raised by the Conservation Officer. It can therefore be concluded that the revised proposed elevation and plan in design terms do not conflict with Policy ENV1.

E. Traffic impact

- 10.12 Part of the application site fronts onto Hill Street which lies within a restrictive parking zone area.
- 10.13 As this proposed planning application was deferred by Planning Committee on 20 August 2014 due to lack of highway Authority advice; and it can be confirmed that the views of the Highway Authority has been sought and their advice is stated below for Planning Committee consideration in of the traffic implication of the proposed change of use.
- 10.14 The Highway Authority advised that the application site fronts both Hill Street and Market Walk and has no parking allocation. The floor space of the application site is 66sq metres which is considerably less than the threshold of 250sq metres whereby a Transport Statement would be required to support the application.
- 10.15 Hill Street is a One Way Street with parking restrictions outside the application site associated with the pedestrian crossing. South west of the pedestrian crossing are Keep Clear markings both sides of the carriageway protecting the entrance to the fire station and these extend to Cross Street. North east of the application site are parking restrictions which allow parking in the evening only. Market Row also allows parking for short periods only. Infringement of the parking restrictions would result in penalty notices being issued to any drivers of unlawfully parked vehicles. It is unlikely therefore that the above proposal will lead to inappropriate parking along Hill Street as this would result in parking fines being issued. There are 2 public car parks situated close to the application site, one located off Hill Street to the rear of Waitrose and the second adjacent to The Common.

F. Other matters

- 10.16 At the time of updating this committee report, it can be confirmed the applicant information regarding the marketing evidence of the proposed application site is not available and such information and evidence would be reported verbally or included in the update addendum.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The principle of the proposal is acceptable as it would enable a vacant retail shop which is not currently viable to contribute to the local economy and services to the local community and to visitors by providing another type of hot food take-away within the Town Centre. And as the site is easily accessible through local bus services and easily reached by those that chose to walk it is therefore considered sustainable.
- B It is considered through revised proposed plans that the proposal would not adversely harm the living condition of the adjoining occupiers in terms of noise and odour generation by securing extraction equipment details. In addition, by restricting the opening hours of the premises in order to protect and safeguard the amenities of the adjoining occupiers. And with the revised plan in place the proposal would also not harm the character and appearance of the conservation area.
- C Given that the site is located within a restrictive parking zone area within the town centre, on balance it is unlikely that the proposal would generate adverse traffic to the area, and as town centre location it would be highly visited by those visiting the Town Centre and those within the walking distance. The proposal therefore is sustainable.

Overall, the proposal is recommended for approval subject to the recommended planning conditions.

RECOMMENDATION – APPROVE WITH CONDITION.

Conditions/Reasons

1. The development hereby permitted shall be begun before the expiration of years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the information submitted with the application, a scheme for the installation of equipment to control the emission of fumes and odours from the premises, to include noise rating of the equipment, shall be submitted to and approved in writing by the local planning authority. The system shall be installed, operated and maintained in accordance with the submitted scheme, and any changes shall be submitted to and approved by the local planning authority prior to installation.

If the approved equipment becomes inadequate because of changes in the cooking operations on the premises details of new or modified equipment shall be submitted to and approved in writing by the local planning authority"

The hereby permitted change of use shall be implemented in accordance with the approved plans.

REASON: In order to protect and safeguard the amenities of the adjoining occupiers in terms of generation of noise and cooking odour associated with the approved use of the premises in accordance with Policies GEN2 and ENV11 of the adopted Local Plan and Policies EN1 and EN5 of the Uttlesford Local Plan- Pre-Submission Consultation, April 2014.

3. The use hereby permitted shall not open outside the following hours: Monday to Friday: 11:00am until 10:30pm; Saturday and Sunday: 11:00am until 10:00pm including Bank holidays.

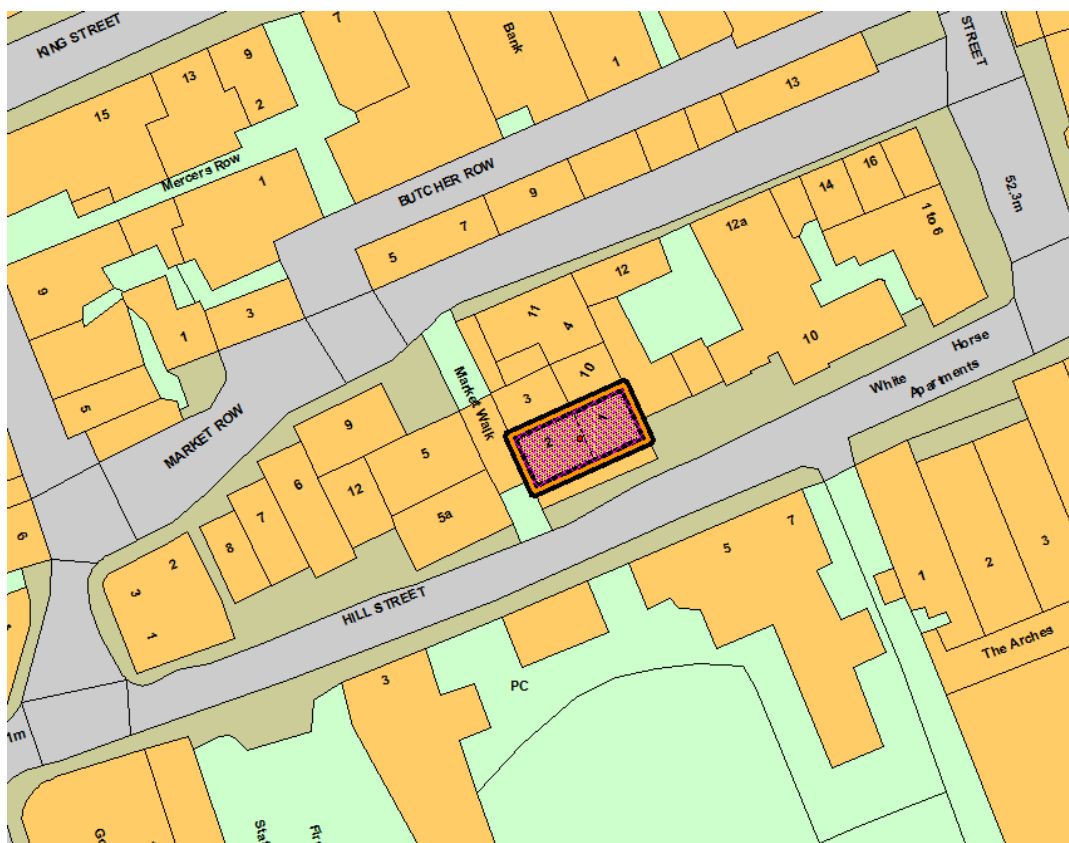
REASON: In order to protect and safeguard the amenities of the adjoining properties from generation of nuisance, cooking odour and noise in accordance with Policies GEN2, ENV11 of the adopted Local Plan (2005) and Policies EN1 and EN5 of the Uttlesford Local Plan - Pre-Submission Consultation, April 2014.

4. The development shall be carried out in accordance with the submitted details for equipment specification, construction and other noise mitigation measures contained in report 14131-002 by Philip Acoustics Ltd dated July 2014. The scheme shall be maintained thereafter in accordance with the submitted details.

REASON: In order to protect and safeguard the amenities of the adjoining occupiers in terms of noise generation in accordance with Paragraph 123 of the National Planning Policy Framework and Policy ENV11 of the adopted Local Plan (2005).

Application no.: UTT/14/1108/FUL

Address: 1 – 2 Market Walk Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/0425/OP – Great Chesterford

Major application

PROPOSAL: Outline Planning with all matters reserved for residential development of up to 14 dwellings

LOCATION: Land North Of Bartholomew Close, Great Chesterford

APPLICANT: Mr Hamilton

AGENT: Cheffins

EXPIRY DATE: 30 September 2014

CASE OFFICER: Ann Howells

1. NOTATION

1.1 Outside Development Limits; small corner of site is in Conservation Area

2. DESCRIPTION OF SITE

2.1 The application site is located towards the edge of the village of Great Chesterford between a parcel of land currently being developed for 50 dwellings and an established estate. The site comprises undeveloped scrubland.

2.2 There are various trees and mature hedging along the boundaries of the site along with an entrance gate edge directly from Rookery Close.

2.3 The site levels rises gently from the entrance from Rookery Close towards the site to the north.

3. PROPOSAL

3.1 The application outline planning permission for the erection of up to 14 dwellings with all matters reserved.

4. APPLICANT'S CASE

4.1 The application proposes outline consent for the residential development of the site. All matters are reserved as it is recognised that the site has the potential to offer a significant level of benefits that are open for discussion and negotiation. The reserved matters can be agreed as a later date in conjunction with LPA and adjoining land owners.

4.2 The site comprises 0.45ha and at a density of 30dph equated to approximately 14 dwellings. The application looks to consider only the principle of residential development on the land with all matters reserved. Whilst layout and design are to be considered at the reserved matters stage the potential development of the site may be guided by the density of the neighbouring land, of which there is flexibility in the number of units up to 14 in total.

4.3 The plans submitted with this proposal show the application site only, include the detailed topographical survey and inform the relationship with the immediate adjoining land and the potential site capacity.

4.4 Whilst this submission has not undergone any public consultation process the site has been earmarked for development for a considerable length of time and the general consensus from the documents found, is that this site has been consistently promoted positively.

5. RELEVANT SITE HISTORY

5.1 UTT/0909/77/CA

5.2 SWR/0355/69

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S7 The Countryside
- Policy H10 Housing Mix
- Policy GEN1 Access
- Policy GEN2 Design
- Policy GEN6 Infrastructure Provision
- Policy GEN7 Nature Conservation
- Policy GEN8 Vehicle Parking Standards
- Policy ENV1 Conservation Area
- Policy ENV3 Open Spaces and Trees
- Policy ENV7 The Protection of the Natural Environment – Designated Sites
- Policy ENV8 Other Landscape Elements of Importance for Nature Conservation
- SPD Energy Efficiency and Renewable Energy
- SPD Accessible Homes and Playspace
- Parking Standards – Design and Good Practise
- Essex Design Guide
- Essex County Council Highways – Development Management Policies

6.3 Uttlesford District DRAFT Local Plan

- Policy SP1 Presumption in Favour of Sustainable Development
- Policy SP2 Development within Development Limits
- Policy SP6 Meeting Housing Need
- Policy SP7 Housing Strategy
- Policy SP11 Protecting the Natural Environment
- Policy SP12 Accessible Development
- Policy SP14 Infrastructure
- Policy SP15 Deliver and Monitoring
- Policy Great Chesterford Policy 2 – Land South of Stanley Road
- Policy HO1 Housing Density
- Policy HO2 Housing Mix
- Policy HO5 Affordable Housing

- Policy HO6 Housing Mix
- Policy HO7 Affordable Housing
- Policy EN1 Sustainable Energy
- Policy EN2 Environmental and Resource Management
- Policy EN7 Surface Water Flooding
- Policy EN5 Pollutants
- Policy EN6 Minimising Flood Risk
- Policy EN10 Sustainable Energy and Energy Efficiency
- Policy DES1 Design
- Policy HE3 Scheduled Monuments and Sites of Archaeological Importance
- Policy HE4 Protecting the Natural Environment
- Policy HE5 Traditional Open Spaces and Trees
- Policy TA1 Parking
- Policy INF1 Protection and Provision of Open Space, Sports Facilities and Playing Pitches

7. PARISH COUNCIL COMMENTS

- 7.1 With reference to this application, Great Chesterford Parish Council would like formally to request that one of the affordable properties, preferably a bungalow, is allocated for local need.
- 7.2 Great Chesterford Parish Council objects to this Application due to the insufficient detail available. The principal issue with the application is that of access:

- The site is constrained in terms of access and there are 4 principal considerations:

i) A suggested option is access only by Rookery Close: this is an unacceptable option as the feeder roads to this entrance are already beyond their design capacity due to parked cars and excessive residential traffic on the feeder road all the way to Jacksons Lane. The road at the access gate is not appropriate for construction traffic, and the Rookery Close to Spencer Road route is not suitable for construction traffic.

ii) A second suggested option is access only by the adjoining development. This is an unacceptable option due to the increased volume of construction and eventual traffic flow on Stanley Road. The adjoining development has however made provision for access to this site at the request of the Parish Council which has been accepted but the timing of delivery of this is uncertain. The purpose of this access is to integrate both developments to the centre of the village, to provide for road access between the two sites and to provide the cycle link which is a planning requirement.

iii) There is the possibility of access by both entrances. This is the preferred option of the Parish Council and would relieve the over-use of Rookery Close and Spencer Road by offering alternative routes out to Jacksons Lane. It would be detrimental to the quality of life for existing residents near the Rookery Close entrance to the site and also the residents of Stanley Road should access only be via one or the other. It would be beneficial to existing traffic flow issues encountered along the rest of Rookery Close and Spencer Road if a twin-entrance option were proposed. This would also support the idea to connect both sites to the centre of the village.

iv) The adjoining development and this development are to be connected to the centre of the village. For that to happen a minimum of a foot or cycle path needs to be in place to connect to either the road or footpath starting at The Rookery Close entrance and this needs to be identified in any application.

- 7.3 The Parish Council cannot support an outline application for up to 14 dwellings on this site with access as a reserved matter as the above principles/issues need to be able to be addressed adequately before development of this site can be said to be acceptable in planning terms.

In addition, the Parish Council has concerns about development on this site for the following reasons:

- 7.4 (i) Housing type/design
The village has a preference for bungalows. High Street residents are very concerned at the topography as the land on this development is higher than the land upon which houses are situated on the High Street that back onto this development. This leads to a legitimate concern of overlooking from this development. Height restriction preference on the site is therefore 1 to 1.5 with a maximum of 2 storeys for a limited amount of dwellings depending on location. It is also a concern that the design and orientation of these dwellings is sympathetic to both the existing houses on Rookery Close and to the new development to the north of the site.
- 7.5 (ii) Housing volume
There is some confusion as to the volume of dwellings proposed. Preference is for less than 14 houses due to traffic implications on all feeder road options.
- (iii) Landscaping
This development and the adjoining development directly back onto the conservation area. The natural habitat that currently bounds the site and supports the conservation area must be retained including a line of fir trees are shown in the outline plan at the specific request of neighbouring residents.
- (iv) Construction traffic
There is no capacity to accommodate workers cars vans or trucks on any of the feeder routes to the site. A construction traffic management plan is therefore essential and until basic details have been seen by the Parish Council and residents this will remain a serious concern regarding development of this site. Any application including an outline application needs to address this issue to the satisfaction of the village.
- 7.6 Following re validation of the application – Object as there is still insufficient detail to allow proper consideration.

8. CONSULTATIONS

Highways Agency

- 8.1 As the proposed development will not affect the safety or operation of the M11 trunk road the Highways Agency wishes to offer no objection.

ECC Archaeology

- 8.2 A programme of Trial Trenching followed by Open Area Excavation.

ECC Education

- 8.3 Request s106 to include financial contributions towards education.

ECC Highways

8.4 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

8.5 Following a submission of a Transport Capacity Study – Highways made the following comments:

The document examines whether the access options to the site have sufficient capacity to cater for the proposed development of 14 dwellings. There are 2 possible means of access, either from Bartholomew Close or from the recently consented site to the north, 50 dwellings, which exits through Stanley Road exiting on to Jackson's Lane. The document adds up the number of dwellings served off both Stanley Road and Spencer Road and then describes the varying road widths to the site access. These are then assessed against the requirements as set out in the Essex Design Guide. The conclusions drawn are that the proposal of 14 dwellings can easily be served off either the gated site access in Bartholomew Close or from the site for 50 dwellings currently under construction which takes access from Stanley Road. The document then considers the visibility at the junctions of Stanley Road and Spencer Road with Jacksons Lane and concluded that the available visibility is good and both junctions could easily accommodate additional traffic.

8.6 I consider the document to be accurate and agree with the conclusion that either access option would provide adequate highway capacity to serve the site and would not give rise to any highway safety issues.

8.7 The Highway Authority has no objections to this proposal as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

8.8 Informative:

- (i) All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority.
- (ii) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (iii) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (iv) The parking provision for cars, cycles and powered tow wheelers should be in accordance with the Parking Standards Design and Good Practise September 2013 and Uttlesford Local Residential Parking Standards February 2013.

8.9 Following submission of a Transport Capacity Study – Highways

ECC SuDS

8.10 Unfortunately as the site area is less than 1 hectare, we are unable to comment.

UDC Housing

8.11 The delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units; 20% on schemes 5-14 units and a commuted sum on schemes of 1-4 units.

8.12 The affordable housing provision on this site will attract the 20% policy requirement as the site is for 14 (net) units. This amounts to 3 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

8.13 The mix and tenure split of the properties are given below; this mix should be indistinguishable from the market housing, with good integration within the scheme and be predominately houses with parking spaces.

Land North of Bartholomew Close. Great Chesterford. UTT/14/0425/OP

S106 Figures					
Tenure mix	1 bed	2 bed	3 bed	4 bed	
affordable Rent non bungalows	0	2	0	0	2
affordable Rent bungalows	0	0	0		0
SUB TOTAL A/R	0	2	0	0	2
shared ownership non bungalows	0	1	0	0	1
shared ownership bungalows	0	0	0		0
SUB TOTALS/O	0	1	0	0	1
GRAND TOTAL AFFORDABLE UNITS	0	3	0	0	3
MARKET BUNGALOWS		1			

8.14 It is also the Councils' policy to require all units delivered to the Lifetimes Home Standard with 5% being wheelchair accessible as well as 5% of all units to be bungalows delivered as 1 and 2 bedroom units. This would amount to 1 bungalow across the site for open market.

8.15 Following reconsultation – the preference would be for the wheelchair property to be for the affordable housing as Gt Chesterford is such a sustainable location.

Sport England

8.16 Do not wish to comment on this particular application.

Natural England

8.17 Statutory nature conservation sites

No objection

8.18 Protected species

Have not assessed the application and associated documents for impacts on protected species.

8.19 Biodiversity offsetting

The proposed development is within the Essex biodiversity offsetting pilot area. The pilot is testing a new, voluntary approach to offsetting the impacts of development on biodiversity through the planning system.

9. REPRESENTATIONS

9.1 19 representations have been received.

9.2 Below is a summary of response:

- The planning statement says that there are two feasible access routes to the site. One is via Rookery Close but the other is not specified.
- The route via Spencer Road and Rookery Close is already congested by cars parked, often on the pavement. The bends in the roads mean there are poor sight lines and cars have to drive round blind bends on the wrong side of the road. To avoid a collision vehicles often mount the pavement creating danger to pedestrians. If a site visit is made to assess the situation it should take place outside office hours.
- People push children in pushchairs on the road because vehicles were parked on the pavement.
- It is only about fifty metres from Rookery Close/Pilgrim Close junction to the entrance to the proposed site. The road along this stretch has three bends in it and narrows to 4.8m width even where there are no parked cars. Two other roads, Bartholomew Close and Wakefield Close, as well as driveways from houses join Rookery Close along this section of road.
- The extra traffic generated by fourteen additional dwellings at the end of Rookery Close would make the current dangerous traffic conditions from Jackson's Lane to the site intolerable and a recipe for disaster.
- Policy GEN1 states inter alia that 'development will only be permitted if access to the main road network is capable of carrying the traffic generated safely; the surrounding network has sufficient capacity...' For the reasons given I do not believe that the proposed development for up to fourteen dwellings complies with GEN1 if access is via Rookery Close.
- Do not object to the proposed housing concerned re access.
- Access from Rookery Close to the access is not wide enough for two cars to travel in opposite directions, let alone larger vehicles.
- The suggestion that people should use modes of transport other than the car is not always feasible due to the lack of buses serving the village.
- Due to the limited information accompanying this application it is difficult to comment specifically on the suitability of the proposed development.

- Would like assurance that the trees along the south west boundary, allowing some degree of privacy and natural habitat for wildlife, be retained should the development proceed.
- UDC Planners need to be aware that there is a ransom strip running the full length of the western side of this site. As there is a requirement in the draft LDF for Policy Area 2 for a cycle path to run through the whole policy area (both separate sites) into Rookery Close, the wording in the legal document needs to be free from any ambiguity with regards to 'site' boundaries as no access information has been provided with this application.
- Although the Government have changed the regulations and this application meets the legal requirements for determination of an Outline application it is impossible to assess the impact this development may have without access information.
- The development of Little Field will remove a much needed green field barrier between the Bellway and Rookery/Pilgrim Close estates. Without the field there will be one large densely packed housing estate of approximately 200 houses. I believe that this is undesirable and not in keeping with the character of this village.
- The Draft Local Plan for the land to the south of Stanley Road asked for certain criteria to be met. One of these reads as follows 'it provides for pedestrian and cycleway links from Stanley Road through the development to Bartholomew Close to the south. Vehicle access was not mentioned.
- Residents of Rookery Close have already commented on the limited access available to the proposed site. With the knowledge that the Parish Council were in favour of any future development on this land being linked to the Stanley Road build and Rookery Close, we are now concerned that this could possible mean that the Stanley Road residents face not only traffic from 50 new homes, another 14 from the new build and if also linked to Rookery Close, who knows how many more vehicles.
- If there is insufficient access from Rookery Close, can we please ask for access only from the Stanley Road new build and have just a footpath through Rookery Close. This would ensure that the traffic disturbance would only increase by 14 homes.
- All housing developments within Gt Chesterford are cul de sacs.
- Concern over the state of roads in Great Chesterford; no village shop and that the school is at capacity.
- Disappointment that the Council feels the need to expand Great Chesterford.
- The existing levels of pavement and street parking throughout Rookery Close.
- The existing width of the road throughout Rookery Close.
- The inevitable increase in the volume of traffic travelling through Rookery Close.
- Impact on wildlife
- Village 'feel' requires a very delicate balance.
- Not enough detail submitted
- No requirement to build more houses in Great Chesterford
- Extra building work would be detrimental to the surrounding area, local residents and wildlife.
- Rookery Close is very narrow.
- Loss of green space – the field separates the housing at Rookery Close and Four Acres, as a picturesque village this area of green space provides local residents with a feeling of countryside.
- This green space does provide an area for wildlife.
- Lack of trees would greatly reduce privacy to houses and leave the vicinity just concrete and bricks.
- The existing levels of pavement and street parking throughout Rookery Close

- The existing width of the road throughout Rookery Close
- The inevitable increase in the volume of traffic travelling through Rookery Close.
- Many commercial vehicles already mount the pavements (to the side of 1 Bartholomew Close or to the front of 15/17 Rookery Close) in order to manoeuvre and/or turn round.
- Given pavement parking, curvature of the opposite pavement, together with the remaining width of road it is unlikely that any other commercial or delivery vehicle etc will be able to pass without mounting the pavement.
- The existing trees and shrubs are an integral and invaluable part of the existing, natural landscape.
- Highways in need of repair, the drainage system needs addressing and there is now village shop.
- School unlikely to cope with numbers.
- Additional traffic through Stanley Road.
- Urbanisation and density will prevail.
- With building work on adjacent site it would appear unfair for the extremely unpleasant conditions to continue even longer with the building of yet another estate.
- The proposed development will not benefit the village but will only add to its problems.
- Strongly support the Parish Council that dual vehicle access is required for this site.
- A through access would help relieve the congestion around Rookery Close and create a natural flow between the existing houses and this new development.
- Concern regarding potential overlooking due to the varying levels in and around the site.

10. APPRAISAL

The issues to consider in the determination of the application are:

- A Whether development of the land for housing is acceptable in principle having regard to policy seeking protection of the character and appearance of the countryside and Government advice which seeks delivery of new homes (National Planning Policy Framework (NPPF); Uttlesford Local Plan (ULP) 2005 Policy S7).
 - B Whether the proposed housing would be acceptable in detail having regard to highway safety, the character and appearance of the area, amenity of neighbouring properties and affordable housing provision (NPPF; ULP Policies GEN1, GEN2, GEN6, GEN8, SPD Accessible Homes and Playspace, Essex County Council Highways – Development Management Policies).
 - C Whether there would be any harm to the residential amenity of neighbouring properties as a result of overlooking, overshadowing or overbearing impact, noise or disturbance (ULP Policies GEN2 and GEN4).
 - D Whether there would be harm to wildlife and protected species (NPPF and ULP Policy GEN7).
 - E Any other material consideration.
- A Whether development of the land for housing is acceptable in principle having regard to policy seeking protection of the character and appearance of the countryside and Government advice which seeks delivery of new homes**

(National Planning Policy Framework (NPPF); Uttlesford Local Plan (ULP) 2005 Policy S7).

- 10.1 The land is outside development limits for the purposes of Uttlesford Local Plan (ULP) adopted 2005. The principle of the development needs to be judged against saved policy S7 – the Countryside of the ULP S7. However the site is an allocated site within the Draft Local Plan. The Draft Local Plan has been submitted to the Planning Inspectorate and holds greater weight as it travels through the process.
- 10.2 ULP Policy S7 states that ‘the countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. New dwellings outside of development limits do not normally meet the exceptions of ULP S7 and would fail to protect the character and appearance of the countryside.
- 10.3 The site, whilst on the edge of the development boundaries for Great Chesterford, is currently surrounded by residential development of all ages, with the site to the north east just having secured planning permission for 50 dwellings.
- 10.4 The National Planning Policy Framework establishes that a 5 year supply of housing land should be maintained. The Uttlesford Council Housing Trajectory and 5-year land supply shows past and future housing performance. The Council can demonstrate the five year land supply can be met. Therefore in this instance this proposal is considered against different criteria.
- 10.5 Given the location of the site with residential development surrounding the site and the location close to transportation links, education etc the proposed development would meet the requirement of the NPPF as it is a sustainable site.
- 10.6 As such it is considered that the principle of development for housing would be in accordance with the NPPF. Furthermore, Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development.

B Whether the proposed housing would be acceptable in detail having regard to highway safety, the character and appearance of the area, amenity of neighbouring properties and affordable housing provision (NPPF; ULP Policies GEN1, GEN2, GEN6, GEN8, SPD Accessible Homes and Playspace, Essex County Council Highways – Development Management Policies).

- 10.7 The detail applicable to a housing scheme is not for consideration as all matters are reserved for future consideration save the principle of development. Notwithstanding, it is necessary to consider whether the application site is likely to accommodate such housing.
- 10.8 Access is a reserved matter and not for approval. Highways do not wish to raise an objection.
- 10.9 Significant concern has been raised by local residents regarding highway safety – both vehicular and pedestrian.
- 10.10 The application indicates that there is the potential of two access points on to the site – 1 via Bartholomew Close and 2 via Stanley Road and the new development currently

under construction. Concerns have been raised by direct neighbours that the access via Rookery Close would not be acceptable given the narrowness of the road leading to the site – not always 4.8metres in width as described. This may cause large vehicles to mount the footpath which may cause harm to pedestrians/other highway users.

- 10.11 Highways conclude either access option would provide adequate highway capacity to serve the site and would not give rise to any highway safety issues.
- 10.12 Policy H10 requires this site provide a significant proportion of housing of housing as 'small properties'. Small properties are defined as two and three bed homes. Details of types of dwellings have not been included and therefore a condition can control provision of an appropriate mix.
- 10.13 In accordance with the Council's SPD new housing development of between 10 and 20 units the council will require that at least one dwelling is built to wheelchair accessible standards and therefore a condition can control provision of a wheelchair accessible dwelling.
- 10.14 ULP Policy GEN6 relates to developments needing to ensure adequate infrastructure provision, in some instances required by payment of appropriate costs to the relevant statutory authority. There would be a requirement for the provision of additional school places. Essex County Council has assessed the application and according to their forecasts predicts a need for additional primary and secondary school places as well as secondary transport. This can be secured by legal obligation as can affordable housing and an area of open space.
- 10.15 No indicative plans have been submitted to show that parking provision would meet the current requirements of the minimum sizes recommended within the Supplementary Planning Document Essex County Council Parking Standards (adopted 2009). However, the application is for outline with all matters reserved and therefore any reserved matters application would need to demonstrate that the site would be able to accommodate adequate parking provision for the number of houses proposed.
- 10.16 In June 2013 The Council adopted a guidance document in respect of developer contributions. The Council has adopted a Housing Strategy (2012) which sets out the Council's approach to housing provision over the next three years. The Council commissioned a Strategic Housing Market Area Assessment which identified the need for affordable housing market type and tenure across the district.
- 10.17 In March 2014 The Council adopted an amended/updated guidance document in respect of developer contributions. The Strategic Market Area Assessment indicates that a development of between 5 and 14 dwellings would require 20% affordable housing provision (rounded up) and this can be secured by way of a legal agreement.

C Whether there would be any harm to the residential amenity of neighbouring properties as a result of overlooking, overshadowing or overbearing impact, noise or disturbance (ULP Policies GEN2 and GEN4).

- 10.18 The scheme is for residential dwellings. Given the nature of the development and the amount of proposed dwellings, the proposal would have no long-term adverse impact in terms of causing undue noise or disturbance on the surrounding residential dwellings in accordance with Policy GEN4 of the Local Plan.
- 10.19 There may be a potential for some initial disturbance due to the development of the site but this would be limited to the length of time of the construction of the development.

- 10.20 There are controls outside of planning which would deal with any noise disturbance if this was to become an issue.
- 10.21 The application is outline with all matters reserved and following change in Government legislation in 30 June 2013 removes the requirement to submit indicative layout and min/max heights.
- 10.22 The Planning Statement indicates that although the access is not being considered at this time there is scope to access the site via one of several different access points. These are either via the neighbouring site which has been approved for residential development or via existing gated access from Rookery/Bartholomew Close. Therefore at this time the impact from vehicles cannot be assessed.
- 10.23 A mix of comments from neighbouring owners and Parish with regard the vehicular access. Residents both in Rookery/Bartholomew Close and Stanley Road are concerned that a through road would bring a lot more traffic through their roads. As previously stated without the details of the access at this time the impact cannot be assessed. If the application is approved then a detailed application would need to be submitted and this would be considered at this stage.
- 10.24 The properties could be designed so as not to result in any detrimental impact to neighbours amenity by way of overlooking, overshadowing or overbearing detrimental impact to neighbours amenity. The site has some mature planting along boundaries and where possible this should be retained in particular near the boundary with 17 Rookery Close and 4 and 5 The Willows to ensure that any potential overlooking/overbearing impact is minimised.
- 10.25 The reserved matters application would need to show how the dwellings as proposed would be able to be accommodated satisfactorily on the site to an appropriate level of design without causing any adverse effects on the amenity of residents of adjacent properties. The development along this piece of road is linear in nature and the majority of dwellings are detached/ semi-detached, set back from the road/open on to the road, with large gardens and off road parking. The design and layout of the site would need to be considered at detailed application submission if this proposal is acceptable.

D Whether there would be harm to wildlife and protected species (NPPF and ULP Policy GEN7).

- 10.26 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.
- 10.27 In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. Recent case law has established that local planning authorities have a requirement to consider whether the development proposals would be likely to offend

Article 12(1), by say causing the disturbance of a species with which that Article is concerned, it must consider the likelihood of a licence being granted.

- 10.28 The tests for granting a licence are required to apply the 3 tests set out in Regulation 53 of the Habitats Regulations 2010. These tests are:
- The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
 - There must be "no satisfactory alternative"; and
 - The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

10.29 A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site. The questionnaire allows the council to assess whether further information is required in respect of protected species and their habitats. The biodiversity questionnaire answered no to most question apart from the removal of trees. With regards to this application, the area of land is mainly closely cut grass with trees and shrubs. An ecological survey was undertaken as part of the application and the details noted.

10.30 However, due to the nature of the application with all matters reserved it is difficult to assess any potential impact on Ecology and Bio-diversity. Any application for reserved matters would need to ensure that up to date surveys were undertaken and that potential harm is addressed and any impact would need to be assessed at the reserved matters stage.

E Any other material consideration.

10.31 The Draft Local plan requires any application for this site to provide at the very least a cycle/pedestrian access through to the new development currently under construction.

This can be recognised as a provision within any legal obligation.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

1. The proposed development is in a sustainable location and the site has been identified within the Draft Local Plan. Therefore the proposal is considered to meet the requirements of the NPPF.
2. The application has all matters reserved and therefore not all issues can be considered at this time. Highways concerns by local residents have been considered by Essex County Highways and the view is that the proposed development can easily be accommodated via either access indicated in the transport plan. Overlooking/overbearing concerns will need to be considered at reserved matters stage due to the nature of this outline application.
3. There are no immediate concerns relating to Ecology and Bio-diversity but given the nature of the application with all matters reserved this cannot be fully investigated at this time and additional details would need to be submitted with any reserved matters application.

RECOMMENDATION – CONDITIONAL APPROVAL subject to a s106 Legal Agreement

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding obligation 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 obligation to secure the following:
- (i) A provision of at least 5% (rounded up) older persons 1 and 2 bedroom bungalows across tenure.
 - (ii) A provision of at least 5% (rounded up) dwellings which are built to wheelchair accessible standards across tenure.
 - (iii) Financial contribution towards primary and secondary education provision (final values to be set based upon number and mix of dwellings at Reserved Matters Stage).
 - (iv) A provision of 20% affordable housing – rounded up
 - (v) The Cycle Way shall start and finish at a boundary of the land and the owners shall not after the dwelling adjacent to the Cycle Way have been occupied cause there to be any barrier to impede passage by pedestrians and cyclists along the Cycle Way wither at the boundaries of the Land or at any point on the Land to enable future development to be linked to the Cycle Way without further permissions or payment.
 - (vi) Pay the Council's reasonable costs
 - (vii) Pay monitoring costs.
- (II) In the event of such an obligation 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 obligation by 26 September 2014 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reasons:
- (i) A provision of at least 5% (rounded up) older persons 1 and 2 bedroom bungalows across tenure.
 - (ii) A provision of at least 5% (rounded up) dwellings which are built to wheelchair accessible standards across tenure.
 - (iii) Financial contribution towards primary and secondary education provision (final values to be set based upon number and mix of dwellings at Reserved Matters Stage).
 - (iv) A provision of 20% affordable housing – rounded up
 - (v) The Cycle Way shall start and finish at a boundary of the land and the owners shall not after the dwelling adjacent to the Cycle Way have been occupied cause there to be any barrier to impede passage by pedestrians and cyclists along the Cycle Way wither at the boundaries of the Land or at any point on the Land to enable future development to be linked to the Cycle Way without further permissions or payment.

Conditions

1. Approval of the details of the access, layout, scale, landscaping and appearance (hereafter called 'the Reserved Matters') shall be obtained from the Local Planning

Authority in writing before development commences and the development shall be carried out as 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.

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.
(B) The development hereby permitted shall be begun later than the expiration of 2 years 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.

3. No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and prior to submission of reserved matters.

REASON: The application submitted has failed to assess the Historic Environment in any way. The Historic Environment Record shows that the proposed development area lies in a potentially highly sensitive area of Great Chesterford. Although outside of the nationally protected area of the walled Roman town there is high potential for Roman deposits surviving in this area. To the north east lies between two Roman roads (HER 4848 and 4986). Archaeological trial trenching and excavation in the area immediately adjacent to the development area has found quantities of high quality Roman pottery, a road side ditch and well. A single burial was also excavated indicating the potential presence of a cemetery in the area.

The Roman material found on the very boundary of this site suggests a Roman settlement or building in very close proximity to the development area.

The archaeological work would comprise initial trial trenching to establish the nature and extent of archaeological deposits followed by open area excavation where required. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology. Uttlesford Local Plan Adopted Policy ENV4 and Uttlesford Draft Local Plan Policy HE3.

4. 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 signed off by the local planning authority through its historic environment advisors.

REASON: The application submitted has failed to assess the Historic Environment in any way. The Historic Environment Record shows that the proposed development area lies in a potentially highly sensitive area of Great Chesterford. Although outside of the nationally protected area of the walled Roman town there is high potential for Roman deposits surviving in this area. To the north east lies between two Roman roads (HER

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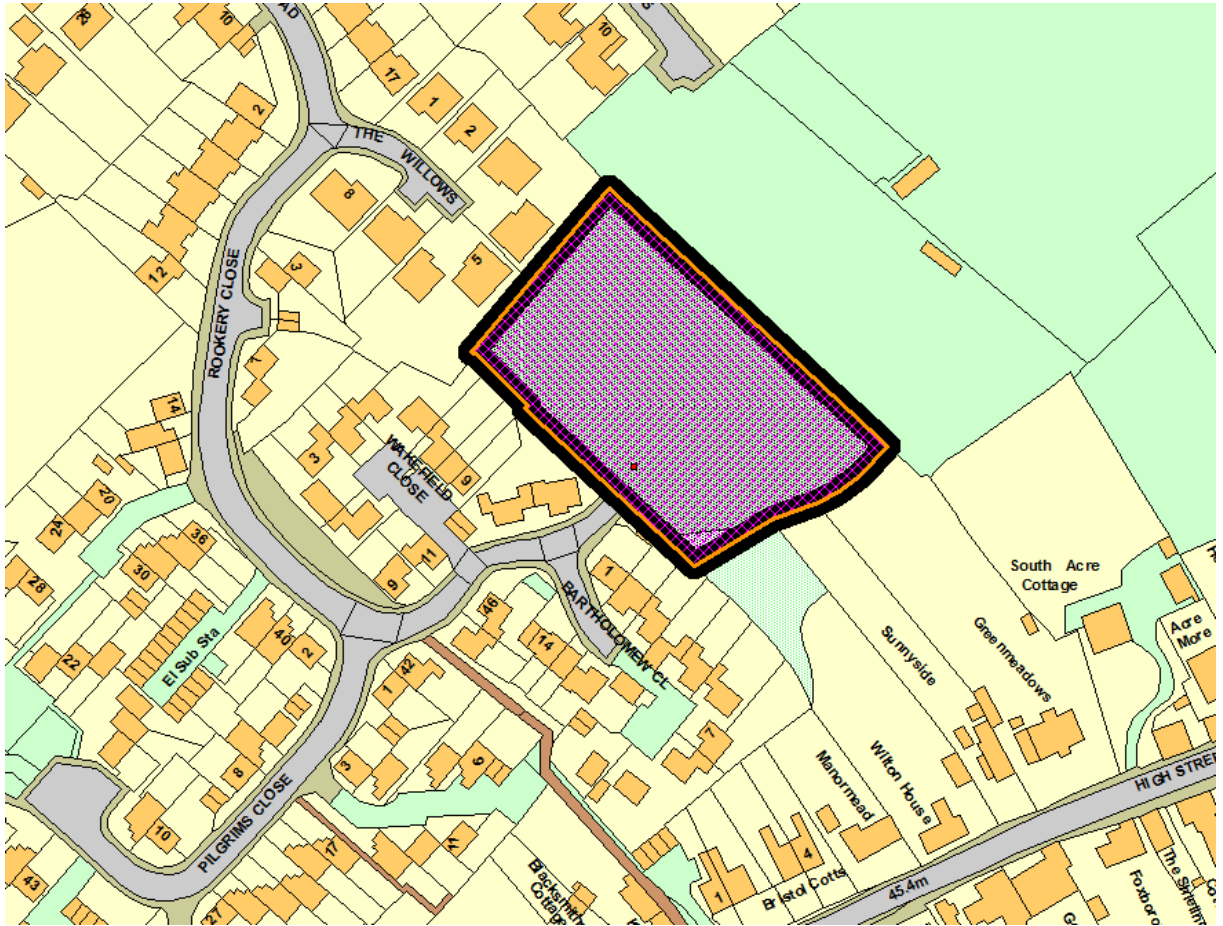
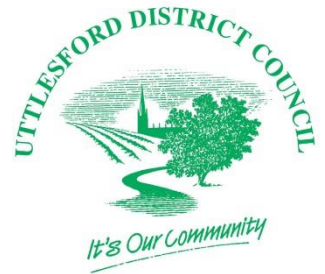
5. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of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

REASON: The application submitted has failed to assess the Historic Environment in any way. The Historic Environment Record shows that the proposed development area lies in a potentially highly sensitive area of Great Chesterford. Although outside of the nationally protected area of the walled Roman town there is high potential for Roman deposits surviving in this area. To the north east lies between two Roman roads (HER 4848 and 4986). Archaeological trial trenching and excavation in the area immediately adjacent to the development area has found quantities of high quality Roman pottery, a road side ditch and well. A single burial was also excavated indicating the potential presence of a cemetery in the area.

The Roman material found on the very boundary of this site suggests a Roman settlement or building in very close proximity to the development area.

The archaeological work would comprise initial trial trenching to establish the nature and extent of archaeological deposits followed by open area excavation where required. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by ECC Archaeology. Uttlesford Local Plan Adopted Policy ENV4 and Uttlesford Draft Local Plan Policy HE3.

Application No. :UTT/14/0425/OP
Address: Land North Of Bartholomew Close
Bartholomew Close
Great Chesterford



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Organisation:	Uttlesford District Council
Department:	Planning
Date:	4 September 2014
SLA Number:	100018688

UTT/14/1999/FUL (STANSTED)

(Deferred by Committee for site visit)

PROPOSAL: **Erection of 1 no. detached dwelling**

LOCATION: **Land at 40 Bentfield Road, Stansted Essex CM24 8HP**

APPLICANT: **Mrs L Luther**

AGENT: **Philip Livings Ltd**

EXPIRY DATE: **3 September 2014**

CASE OFFICER: **Samantha Heath**

1. NOTATION

1.1 Within development limits; TPO in neighbouring adjacent garden.

2. DESCRIPTION OF SITE

2.1 This application relates to an area of existing garden land to the east of No.40 Bentfield Road. The land is currently grassed with a large shed on the southern boundary with the neighbour. The site is bounded by 1.8m close boarded fencing and tall leylandii trees on the eastern boundary, 1.8m close boarded fencing on the southern boundary (there is a TPO beech tree in the neighbouring garden close to the boundary) and 1.8m close boarded fencing with established hedging on the northern boundary. The application site measures approximately 28m along the rear eastern boundary, 23m along the front western boundary, 14.5m along the northern side and 16m along the southern, totalling approximately 410sqm. No.40 is a detached 1½ storey dwelling set at back from the road on the eastern side, it is located within an established residential area, and there is a mix of housing sizes and designs in the near vicinity with two storey dwellings and bungalows.

3. PROPOSAL

3.1 It is proposed to erect one detached dwelling on this site. The detached single storey dwelling would be rectangular shaped, have two bedrooms and have dimensions of 10m in width and 8.7m in depth. It would have an eaves height of 2.3m and a maximum ridge height of 4.5m. The external materials of the building would be brick with concrete tiles and timber fenestration. It would have approximately 120sqm of rear and side gardens. The existing dwelling would have approximately 140sqm of rear garden remaining.

3.2 Access to the site will be from Bentfield Road via a new shared driveway (the existing would be closed) running along the southern side of the plot. Two parking spaces are proposed for the new dwelling and three for the existing dwelling at 2.9 x 5.5m.

3.3 This application follows a previously approved outlined application, UTT/13/3345/OP.

4. APPLICANT'S CASE

4.1 See Design and Access Statement.

5. RELEVANT SITE HISTORY

5.1 UTT/0180/05/FUL Erection of a single storey dwelling. Refused 05.09.05. Dismissed at appeal – harm to neighbouring properties, cramped and out of character, safety hazard to pedestrians and vehicle drivers due to lack of turning space.

5.2 UTT/13/3345/OP Outline application for the erection of 1 no. dwelling with all matters reserved except appearance and landscaping. Approved 17.01.14

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- Policy S1 – Development limits for the Main Urban Areas
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy H3 – New houses within development limits
- UDC Parking Standards
- SPD Accessible Homes and Playspace

7. PARISH COUNCIL COMMENTS

7.1 Concerns remain as to the adequacy of this backland site for housing. Following the application being called in, the site visit should consider the issues surrounding a tree with a TPO, the impact of using the long drive on the amenity and living conditions in neighbouring properties (noise and light pollution), the adequacy of the proposed turning circle, possible flooding concerns and the site lines onto Bentfield Road.
Expired 06.08.14

8. CONSULTATIONS

Thames Water

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

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
Expired 30.07.14.

ECC Highways

- 8.2 The Highway Authority would not wish to raise an objection to the above application as shown in principle on Drawing No. 7114 subject to conditions.
Expired 30.07.14.

Landscape Officer

- 8.3 Proposal is acceptable subject to condition.

9. REPRESENTATIONS

- 9.1 51 Neighbours were notified. Consultation expired 30.07.14.
6 letters of objection received– Roof is higher than previously approved application, TPO tree and hedge not shown on drawings, impact on TPO tree, not in keeping with local area, access to site is limited, turning area too small, may cause flooding to neighbouring gardens, impact on enjoyment of neighbouring garden, measurements not correct on plan, loss of amenity privacy due to noise, vibration from vehicles, light pollution, overlooking, cramped, out of character, highway safety, access does not conform to conditions required by ECC Highways, could be made into three bedroom dwelling, devalue property.

10. APPRAISAL

The issues to consider in the determination of the application are:

- A The principle of development of the site. (NPPF and ULP Policies S1 and H3).
- B Design and visual impact (ULP Policies H3 and GEN2).
- C Impact on residential amenity (ULP Policies H3 and GEN2)
- D Whether parking provision and access is satisfactory (ULP Policies GEN1 and GEN8 and UDC Parking Standards)
- E Impact of the proposal on Protected Species (ULP Policy GEN7)
- F Impact on TPO tree (ULP Policy ENV3)

A The principle of development of the site

- 10.1 The site is located within the development limits for Stansted and as such ULP Policies S1 and H3 apply. These are permissive policies where planning permission will be granted for development that is compatible with the settlements character. The land in question is garden land. Policy H3 of the Local Plan states that infilling with new houses will be permitted if the development would be compatible with the character of the settlement and, depending on the location of the site, its countryside setting. This is considered below.

B Design and visual impact

- 10.1 The character of this area of the village is not uniform; there is a mixture of single and two storey dwellings of differing size, scale and design. There are dwellings either side and to the rear of this plot.
- 10.2 The outlined application indicated a single storey L-shaped dwelling located approximately 1.5m from the eastern boundary of the site; it had a footprint of 10.5m in width and 10m in depth, totaling 87sqm and 4.2m to the ridge. This application remains the same footprint but is 0.3m taller in height, it is rectangular shaped and is 2.5m away from the eastern boundary. The neighbouring properties in the immediate vicinity are two storeys in height and this proposed dwelling is single storey, however there are other bungalows in the near vicinity, it is considered therefore that the building would not be of uncharacteristic scale. The materials proposed are appropriate in relation to the character and appearance of the area and can be controlled by condition if necessary. The erection of this dwelling on this site would be compatible with the settlements character.
- 10.3 The proposed design is relatively small in scale with a footprint of approximately 87m². It is not considered that the proposal would be unduly out of keeping with the character of the existing dwellings in this locality. The existing dwelling on the site has a slightly larger footprint but there are other dwellings in the near vicinity with a similar footprint. However the proposed footprint is considered to be the maximum that could be satisfactorily accommodated on this site and for this reason permitted development rights will be removed to prevent overdevelopment and in the interests of the amenity of the occupiers of adjoining dwellings.
- 10.4 Parking provision for the proposed dwelling is proposed to be to the side of the new dwelling and to the front of the host dwelling, this is not considered to be out of keeping with the local area. Garden sizes are in accordance with recommended 100sqm for three bedroom dwellings (host dwelling) and 50smq for the two bedroomed new dwelling and is in fact in excess of the requirement within the Essex Design Guide. The design of the proposed dwelling is typical of a bungalow of this region and uses traditional materials commonly seen in Essex.
- 10.5 Taking all of the above into account, in this instance, it is not considered that the impact of the proposal on the visual amenities of the locality would be so great that permission could be refused on this basis.

C Impact on residential amenity

- 10.6 With regard to impact on residential amenity, the proposal has been revised from the outlined application and is sited further away (2.5m) from the eastern boundary; the height of the dwelling has increased by 0.3m.
- 10.7 It is considered that the amenity of the neighbouring properties is protected in terms of overbearing and overshadowing impact. Whilst the height of the proposed dwelling has increased from outlined stage (by 0.3m), there would be approximately 15m between the front elevation of the proposed dwelling and the rear of No.40 (1.8m close boarded fencing is proposed on the boundary), approx. 17m between the rear elevation of the new dwelling and those of the properties in Bentfield Gardens and approximately 18m from the rear elevation of 38A Bentfield Road. The plot is wide and deep enough so that the building would not be unduly overbearing or have a significantly detrimental impact regarding overshadowing to neighbouring properties.

- 10.8 At outlined stage the proposed dwelling did not propose any windows in the eastern elevation, this was considered to be acceptable in order to protect the amenity of properties in Bentfield Gardens which back on to the proposal site as any windows in this elevation would overlook the rear gardens. This proposal has two windows on the eastern elevation serving the bedroom and lounge. It is considered that these could give rise to an unacceptable level of overlooking and for this reason a condition will be imposed requiring the removal of these and preventing any windows or rooflights being inserted at a later date. Both the bedroom and lounge have a window remaining in north and south elevations respectively so daylight to these rooms will be sufficient.
- 10.9 The proposal does include windows on the side and front elevations however as these are at ground floor level and any potential overlooking would be mostly at an oblique angle and more than 10m away therefore not significant enough to warrant refusal. It is therefore considered that there will be no significant overlooking impact to immediate neighbours.
- 10.10 In consideration of the above therefore, it is believed that there would be no material significant overlooking, overshadowing or over bearing effect.
- 10.11 The amenity of neighbouring residents is to be considered with regard to traffic movement, associated noise and disturbance. The land is currently garden land and has the normal associated domestic activity and disturbance. The introduction of one new dwelling would result in vehicle movements close to the neighbouring property (38A) however, vehicle movements associated with one dwelling is not considered to be significantly detrimental enough to warrant refusal.
- 10.12 With regard to neighbours' concerns regarding flooding, the site is not located within a flood zone and the issue regarding potential surface water run-off is an issue that is controlled by Building Regulations.

D Whether parking provision and access is satisfactory

- 10.13 A new access is proposed to run along the southern boundary and would be used to serve the existing dwelling and the new dwelling. The access would be approximately 5m wide. Essex County Council Highways Authority has no objection subject to conditions to the proposal as it is not contrary to the relevant transportation policies contained within the Highways Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Local Plan Policy GEN1. The use of the proposed access would not have any harmful impact on highway safety in this location. The submitted details show that there would be adequate space within the site for the parking of three vehicles off road for the existing dwelling and two spaces for the proposed new dwelling. The indicated spaces are of a number and size that complies with current adopted standards.
- 10.14 The site is sustainable with regard to the availability of public transport and services within walking distance. The erection of one dwelling would not generate a volume of traffic that would impact on the surrounding transport network.

E Impact of the proposal on Protected Species

- 10.15 With regard to ecology, the answers to the submitted biodiversity checklist and the Officer's site visit have shown that the proposed development would not have any impact on any protected species. Whilst there are hedges on the boundaries of the site these are not proposed to be removed and a condition regarding proposed landscaping will be imposed.

F Impact of the proposal on TPO tree

10.16 A beech tree with a TPO is situated in the neighbouring garden of No.38A Bentfield Road close to the boundary with the site. The Council's Landscape Officer has been consulted and is satisfied that subject to the imposition of a condition regarding a "no-dig" solution that the health of the tree will be protected.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

The proposal is considered to be in accordance with the relevant Uttlesford Local Plan policies and the application is recommended for approval.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels [earthworks to be carried out]
- b) means of enclosure
- c) hard surfacing, other hard landscape features and materials
- d) existing trees, hedges or other soft features to be retained
- e) planting plans, including specifications of species, sizes, planting centres, number and percentage mix

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy GEN2 of the Uttlesford Local Plan adopted 2005.

3. Before development commences full details of a no dig solution in respect of the driveway and parking areas shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved.

REASON: To ensure that the TPO tree in the adjacent garden shall be protected in accordance with Policy ENV3 of the Uttlesford Local Plan adopted 2005.

4. Prior to occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5 metres, shall be retained at that width for 6 metres within the site and shall be provided with an appropriate dropped kerb vehicular crossing of the footway.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

5. Prior to occupation of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

REASON: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

6. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

7. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway.

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

8. The existing access shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement to full height of the footway and kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use. Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety.

REASON: In the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

9. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be identified clear of the highway. Details to be submitted to and approved in writing by the Local Planning Authority.

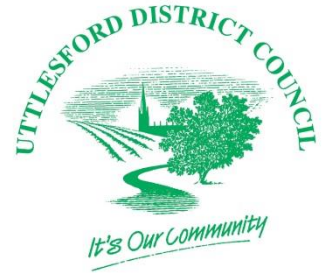
REASON: To ensure that appropriate loading/unloading facilities are available so that the highway is not obstructed during the construction period in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan adopted 2005.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the occupiers of adjoining dwellings/buildings in accordance with the Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

11. The proposed ground floor windows on the eastern rear elevation as shown on submitted drawing 7114 shall be omitted and no further windows [rooflights, or other form of opening] shall be inserted into this elevation without the prior written consent of the local planning authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005)

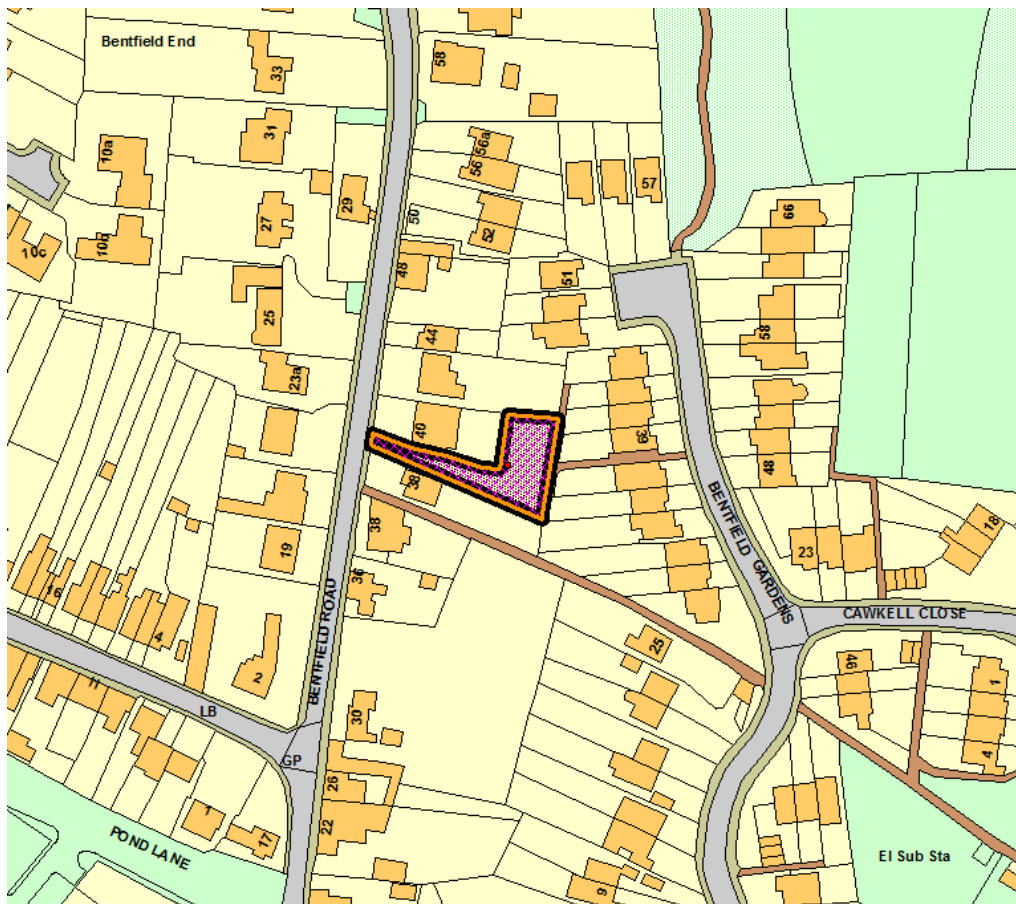


Application no.: UTT/14/1999/FUL

Address: Land At 40 Bentfield Road

Bentfield Road

Stansted



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1819/FUL (Little Canfield)

(Major Application)

PROPOSAL: Demolition of former motel/restaurant, associated outbuildings and No. 2 Hamilton Road. Erection of 13 dwellings with associated access off Dunmow Road.

LOCATION: Stansted Motel and 2 Hamilton Road, Little Canfield

APPLICANT: Bushmead Homes Ltd

AGENT: Cerda Planning Ltd

EXPIRY DATE: 13 October 2014

CASE OFFICER: Ann Howells

1. NOTATION

- 1.1 Takeley Local Plan 3
- 1.2 Takeley Priors Green

2. DESCRIPTION OF SITE

- 2.1 The site is located on the edge of the village of Takeley on the northern side of the Dunmow Road. The site is rectangular in shape, with the longest side adjacent to the main road. The site occupies an area measuring 0.43ha. The existing buildings within the eastern part of the site form the Motel/restaurant and are single storey and flat roofed and are set back from the road to allow parking for some 20 cars. The rest of the site is overgrown with a few single storey shed/greenhouse type buildings and a detached bungalow to the north western corner of the site. There are neighbouring properties to the north, west and south of the site. There is an established landscape boundary of trees and shrubs along the western boundary of trees and shrubs and the majority of the northern boundary.

3. PROPOSAL

- 3.1 The application is for full planning permission for 13 no, dwellings with a mix of 2, 3, 4 and 5 bedrooms – detached and semi-detached.

3.2

Plot	No. of Bedrooms	Garage size if applicable (approx.)	Garden Sizes (Sqm)	Parking Schedule (spaces)	1/1.5/2/2.5 storey
1	4	6.375 x 7.29m	95sqm	2 + double garage	2
2	4	3.15m x 7.2m	110sqm	2 + garage	2
3	4	3.15m x 7.2m	169sqm	2 + garage	2
4	4	3.1m x 7.3m	110sqm	2 + garage	2
5	2		55sqm	2	2
6	3		57sqm	2	2
7	3		63sqm	2	2
8	2		55sqm	2	2
9	4		98sqm	3	2
10	4	3.15m x 7.2m	77sqm	2 + garage	2
11	2		81sqm	2	2
12	5	3.15m x 7.2m	188sqm	2 + garage	2
13	4	3.2m x 7.2m	95sqm	2 + garage	2

3.3 The development includes railings onto Thornton Road/Hamilton Road/Stortford/Dunmow Road with soft landscaping behind providing an area of defensible space which is both green and attractive.

3.4 There is a single vehicular access proposed directly off Stortford Road in accordance with previously approved outline permission.

4. APPLICANT'S CASE

4.1 The development has been designed in such a way that it sensitively contributes to the existing residential neighbourhood and addresses the need for new quality housing. Furthermore it takes into account the previous planning history and planning policy to provide a high quality cohesive scheme that enhances the surrounding environment.

5. RELEVANT SITE HISTORY

5.1 UTT/13/2083/FUL - Variation of condition 2 (Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 12 months from the date of this permission) of planning application UTT/0240/12/OP to extend the time limit to be made not later than 24 months from the date of the outline permission – Approved with conditions 13 September 2014.

5.2 UTT/0240/12/OP - Demolition of motel/restaurant, associated outbuildings and no 2 Hamilton Road. Erection of No. 13 dwellings with associated access – Approved with conditions 03 September 2012.

5.3 UTT/1924/08/OP (Outline application for) Demolition and replacement of existing dwelling and demolition of motel, erection of 13 No. Dwellings and alterations to vehicular access – Refused 26 February 2009 and Dismissed at Appeal 28 April 2009.

5.4 UTT/0930/08/OP (Outline application for) Demolition of existing dwelling and motel, and erection of maximum of 14.No Dwellings with all matters reserved – Refused 24 July 2009.

- 5.5 UTT/0929/08/OP (Outline application for) the demolition of existing dwelling and erection of a maximum 7 No. dwellings with all matters reserved – Refused 24 July 2012.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

Uttlesford District Local Plan 2005

- ULP Policy S2: Development limits/Policy Areas for Oakwood Park, Little Dunmow and Priors Green, Takeley/Little Canfield
- ULP Policy GEN1: Access
- ULP Policy GEN2: Design
- ULP Policy GEN3: Flood Protection
- ULP Policy GEN6: Infrastructure Provision to Support Development
- ULP Policy GEN7: Nature Conservation
- ULP Policy GEN9: Vehicle Parking Standards
- ULP Policy ENV10: Noise Sensitive Development
- ULP Policy ENV14: Contaminated Land
- ULP Policy ENV15: Renewable Energy
- ULP Policy H1: Housing Development
- ULP Policy H9: Affordable Housing
- ULP Policy 10: Housing Mix
- ULP Policy Takeley/Little Canfield Local Policy 3 – Priors Green

6.5 Supplementary Planning Guidance

- SPD2 Accessible Homes and Playspace
- SPD4 Energy Efficiency and Renewable Energy
- Essex Design Guide
- ECC Parking Standard (Design & Good Practice) September 2009
- Uttlesford Local Parking Standards

7. PARISH COUNCIL COMMENTS

- 7.1 No objection

8. CONSULTATIONS

Environment Agency

- 8.1 The site is less than 1ha in Flood Zone 1 and surface water management is therefore a matter for the lead local flood authority. We would advise that if, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

SuDs Approval Body

- 8.2 Unfortunately, at the moment we are only providing comments on sites over 1ha, where SuDs are proposed.

Thames Water

- 8.3 Waste Comments:

Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

- 8.4 Surface Water Drainage:

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

- 8.5 Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the planning application.

Natural England

- 8.6 Statutory nature conservation sites – no objection

- 8.7 Protected Species – we have not assessed this application and associated documents for impacts on protected species.

ECC Highways

- 8.8 The Highway Authority would not wish to raise an objection to the above application as shown in principle on Drawing No. B5806/PL/02/Rev A subject to conditions.

ECC Education

- 8.9 Request that a s106 agreement be entered into including a contribution towards additional education provision.

Affordable Housing

- 8.10 The scheme was agreed prior to the 2012 – 2015 Affordable Housing Strategy and therefore there is no requirement for affordable housing on this scheme.

Lifetime Homes/Accessibility

- 8.11 Plot 3 House type F WC does not meet Lifetime Home requirements. In addition which property will meet Wheelchair Accessible Standard?

- 8.12 Following the above comments being received the applicant submitted a revised drawing which updated the WC on the ground floor to meet Lifetime Home requirements and made the Wheelchair accessible information more pronounced.

ECC Ecology

8.13 No objections subject to informatives regarding bats and nesting birds.

9 NEIGHBOUR REPRESENTATIONS

9.1 Two neighbour responses have been received:

Object – overlooking

Strong temptation for residents and visitors to plots 1 - 3 facing Hamilton Road to park in Hamilton Road for quick access.

10 APPRAISAL

The issues to consider in the determination of the application are:

- A Principle of development (ULP Policy S2) and National Policy in NPPF
- B Highway matters (ULP Policy GEN1 and ECC Parking Standards including Local Adopted Parking Standards)
- C Design and Scale
- D Legal Agreements
- E Biodiversity
- F Other matters –
 - neighbouring amenity;

A Principle of development (ULP Policy S2) and the National Planning Policy Framework

- 10.1 When the extant outline permission for 13 dwellings (UTT/0240/12/OP) was granted September 2012, there was an absence of a five year housing land supply. In such circumstances paragraph 49 of the NPPF would have applied and this contains a presumption in favour of sustainable development which is assessed as objectively meeting the needs of the community unless any adverse impacts significantly and demonstrably outweigh the benefits.
- 10.2 However, notwithstanding the emerging Development Plan this Authority has recently achieved a five year land supply which together with the limited weight that continues to be given to local plan policies, where they remain compatible with the NPPF, is now a material consideration to the determination of this application.
- 10.3 As previously mentioned, the principle of residential development on this site was established by grant of an outline permission UTT/0240/12/OP, approved 3 September 2012, for the *'Demolition of motel/restaurant, associated outbuildings and no 2 Hamilton Road. Erection of No. 13 dwellings with associated access.'* The current application remains remarkably similar in terms of layout and position of the access, landscaping and physical relationship in respect of surroundings to that shown in the indicative layout provided for the approved application UTT/0240/12/OP
- 10.4 Though a five year land supply has now been established the proposal would still need to be considered in terms of paragraph 14 of the NPPF in respect of the presumption in favour of sustainable development. In this vein, paragraphs 54 and 55 of the NPPF in

turn supports the principle of sustainable residential development in rural communities where the development would serve to enhance and maintain the vitality of rural communities by the support of local services.

B Vehicular Access and parking

- 10.5 The development would include the formation of a new access onto Stortford Road. The access would have a visibility splay of 2.4metres x 90metres. A footpath will be provided along the front of the site (within the highway boundary) to enable pedestrian access into the site.
- 10.6 Essex County Highways has not raised any objection to the proposal subject to conditions relating to highway safety. Including a provision of parking restrictions on Stortford Road.
- 10.7 Concerns from a neighbouring property regarding on road parking for easy access to certain plots is noted. To ensure that this is prevented a 1.1metre ball topped metal railings is proposed although the application states that access gates will be available where required. A condition should be included if the proposal is acceptable to ensure there are no gates along Hamilton Road/Thornton Road or Stortford Road which will allow direct access onto the highway.
- 10.8 The proposed parking exceeds that required by the adopted parking Standards. All proposed garages meet the requirements of the adopted standards and the proposal provides a minimum of two spaces per dwelling with an additional four spaces allocated for visitor parking.

C Design and Scale

- 10.9 The site itself is surrounded by residential development. The recent Priors Green development of approx. 720 dwellings and infrastructure is to the west and north of the site, whilst towards the east the site there is a couple of substantial residential plots followed by a public house and then open countryside. The dwellings surrounding this development site are predominantly two storey residential dwellings.
- 10.10 Design of the dwellings themselves have taken into consideration the surrounding development and appear to complement the existing area. External wall finishes would consist of dwellings either being finished in cream/white render or red stock brick wall finish with slate or concrete plain tiles all serving to match and therefore integrate into the local built form.
- 10.11 Provision of rear curtilages provided would be more than sufficient to meet the Essex Design Guide (EDG) on amenity space in respect of the size of dwellings and, sufficient off street parking would be provided again in compliance with the EDG. Overall, the building design, scale and layout would be commensurate with its setting within the village streetscene and comply with the requirements of GEN2 of the Local Plan and, with appropriate conditions with Policy GEN1 with regard the prevention of parking on the existing highways and potentially blocking access.
- 10.12 With regards to Lifetime Home Standards, each dwelling has been designed to include adaptability for wheelchair accessibility – if the need arises and meet the requirement of Lifetime Homes Standard.

D Legal Agreements

10.13 As previously stated the site has an extant permission for 13 dwellings which was prior to the Affordable Housing Strategy 2012 – 2015 and therefore a contribution is not being sought. The applicants could submit an application for details following outline permission and this would not be required.

10.14 In addition the previously signed s106 Legal Agreement attached to UTT/0240/12/OP dated 3 September 2012 will be transferred to any permission by way of a Unilateral Undertaking/s106.

E Biodiversity

10.15 Policy GEN7 of the Local Plan supports the aims of Section 11 of the NPPF (Conserving and Enhancing the Natural Environment) in the avoidance of adverse impacts upon and remediating land where appropriate. Both Government guidance and local policy require, in respect of protected species, that measures to mitigate and/or compensate for the potential impacts of development must be secured.

10.16 The application is supported by a number of surveys and studies into ecology and biodiversity.

10.17 ECC Ecologists have no objection subject to informatives regarding bats and nesting birds.

F Other matters – overlooking;

10.18 A neighbour is concerned that overlooking can occur from two properties. The distances between the new build and the existing dwelling are approximately 35 – 45 metres. Plot 9 is set forward of the neighbouring dwelling whilst Plots 10 and 11 are set back. The neighbouring property has mature planting along the western boundary and at the separation between the dwellings there should not be any material overlooking.

11 CONCLUSION

A The principle has been previously accepted for this site for 13 dwellings and notwithstanding the current achievement of a five year land supply this figure is constantly under review and, as such, there is an ongoing requirement for the Council to continue to identify additional appropriate sites for housing within the district to meet its current and future housing shortfall.

B ECC Highways have raised no objection to the proposal (subject to conditions) and the concern of the neighbouring residents has been noted and a condition can be attached to any permission restricting gates or entrances through the metal railings.

C The design and scale of the surrounding area has been taken into consideration and been included in the proposal. Therefore the proposal is acceptable.

D A Unilateral Undertaking/s106 will ensure that Education contributions are secured for this development.

E Biodiversity – a simple condition can be attached to any permission to set the parameters

F Overlooking – taking into consideration the distance and angle between the proposed development and existing property it is unlikely to create any overlooking issues.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION

(I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freeholder owner enters into a binding obligation 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 obligation to secure the following:

- (i) secure contributions towards education**
- (ii) pay Council reasonable legal costs**
- (iii) pay monitoring costs**

(II) In the event of such an obligation 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 obligation by 10 October 2014 by the Assistant Director of Planning and Building Control shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:

- (i) Lack of contributions towards education**

Conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the approved plans and submitted documents as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

- 3 No development shall take place within the area indicated until the applicant or their agents or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved programme.

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

- 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until the developer has submitted and obtained written approval from the local planning authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters and that development complies with approved details in the interests of protection of Controlled Waters and in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

- 5 Prior to the commencement of the development hereby permitted the developer shall submit details showing the provision of:
- a. adequate turning and off-loading facilities for delivery/construction vehicles within the limits of the site
 - b. an appropriate construction access
 - c. an adequate parking area clear of the highway for those employed in developing the site
 - d. wheel/chassis cleaning facilities

The aforementioned provisions shall be provided at commencement of development and maintained during the period of construction.
The details shall be submitted to and agreed in writing by the Local Planning Authority and subsequently implemented as approved.

REASON: In the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

- 6 The vehicular accesses shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 5.5metres, shall be retained at that width for 10metres within the site and shall be provided with 7.5 metre radius and 2 x 2 metre footways.

REASON: To ensure that vehicles can enter and leave the highway in controlled manner in the interest of highway safety In accordance with ULP Policy GEN1

- 7 Such access to provide visibility splays with dimensions of 2.4 metres by 90 metres to the east and west, as measured from and along the nearside edge of the carriageway. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times, Details to be submitted to and agreed with the Local Planning Authority in consultation with Highway Authority.

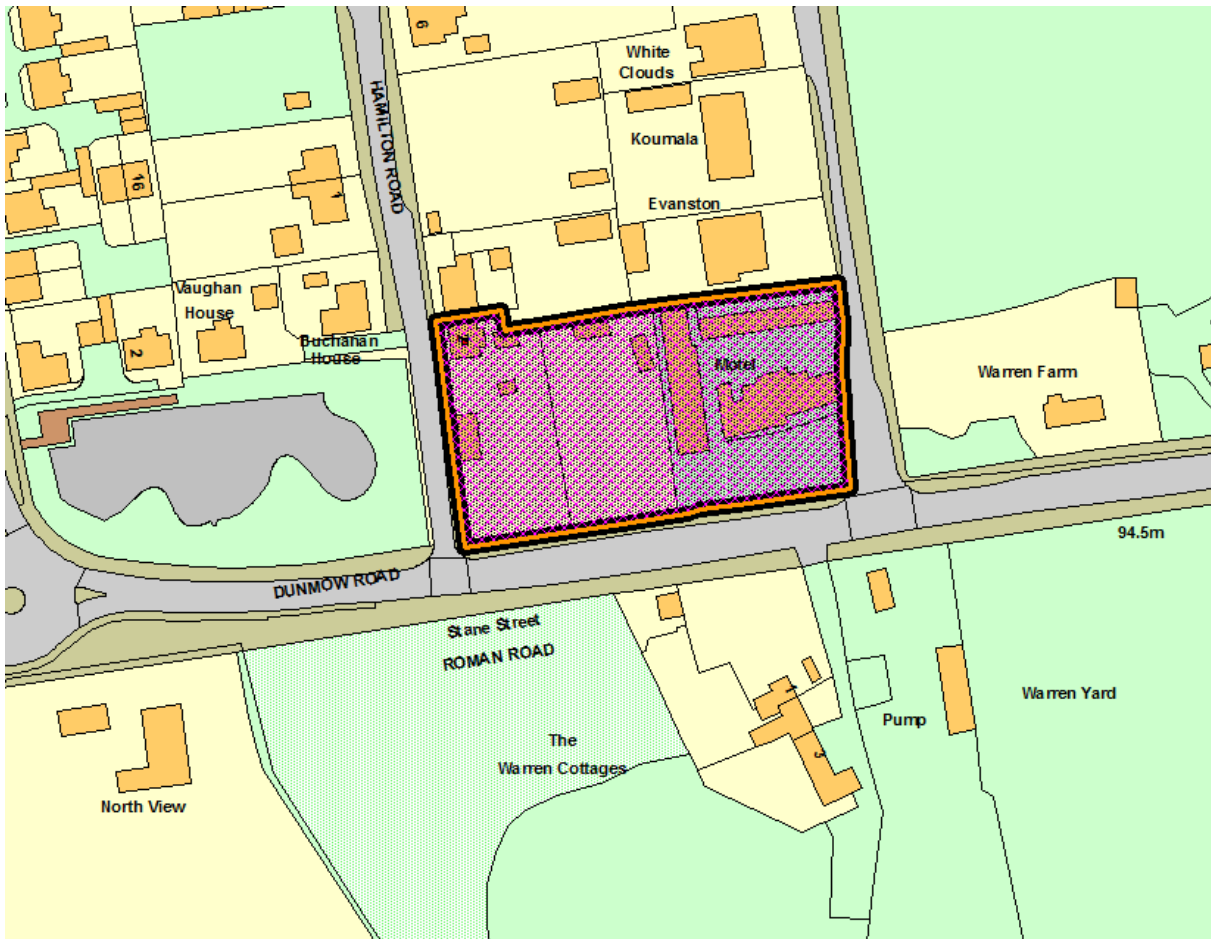
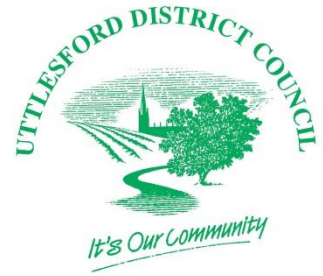
REASON: To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access In accordance with ULP Policy GEN1.

- 8 The metal railings to the front of Plots 1, 2 and 3 fronting Hamilton Road; Plots 10 and 11 fronting Thornton Road and Plots 4, 5, 6, 7, 8 and 9 fronting Stortford Road shall not have access gates which give direct access on to the aforementioned Roads. This is to prevent vehicles being parked on the carriageway near to the houses and potentially creating a safety hazard.

REASON: In the interests of Highway safety In accordance with ULP Policy GEN1.

Application no.: UTT/14/1819/FUL

Address: Stansted Motel And 2 Hamilton Road
Little Canfield
Dunmow



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1887/FUL (STANSTED)

(Referred to Committee by Cllr Rich if recommended for approval – concerns over scale of development / impact on residential amenity/parking)

PROPOSAL: **Proposed two storey extension to existing offices with associated car parking and new vehicular access and minor internal/external changes to the existing listed building.**

LOCATION: **Bentfield Place, Bentfield Road, Stansted.**

APPLICANT: **City & Country Group.**

EXPIRY DATE: **22 August 2014.**

CASE OFFICER: **Clive Theobald**

1. NOTATION

1.1 Outside Development Limits / Within Metropolitan Green Belt (MGB) / within Conservation Area / Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 Bentfield Place lies on the south-west side of Bentfield Road and comprises a large C17 listed two storey farmhouse converted to offices for City & Country Ltd (the applicant) with a two storey 1980s office extension that stands in enclosed landscaped grounds consisting of 0.64ha with staff car park to the front of the site. The listed Bentfield Barns residential barn complex exists onto the site's NW boundary separated by a dividing courtyard, whilst a bungalow (The Garden House) exists onto the site's SW boundary. A garage converted to an office and an adjacent tiled and timber-framed gazebo stand alongside the end of the office extension within the curtilage of the site on its SW side.

3. PROPOSAL

3.1 This revised application relates to the erection of a further office extension to the existing office accommodation at the site for City & Country Limited (applicant), the creation of 13 new staff car parking spaces and provision of new (additional) vehicular access into Bentfield Place from Bentfield Road. The proposal also involves minor alterations to the existing listed building. This revised submission follows the decision by the Council's Planning Committee on 14 May 2014 to refuse planning permission for a similar extension proposal on residential amenity and highway access grounds.

3.2 The new office extension would be two storeys in height and would extend off the end of the existing 1980s extension at right angles to form an internal courtyard. The extension would now have a reduced overall length of 32 metres and a maximum width of 11 metres where the western linking end would have a narrower width of 6 metres. The extension would have a ridge height of 7.5 metres at its linking end and 8 metres at its outer end where the extension would be stepped due to a gradual slope across the site and would have connecting gabled roofs with an extended sloping eaves line along the long south-west facing elevation with The Garden House. The extension would be externally clad in plain tiles, red brick and infill weatherboarding.

- 3.3 Details are also shown of the creation of a new “in-only” second entrance into the site from Bentfield Road for use by City & Country office staff in association with the new office extension and also by commercial vehicles in association with its business interests, which now forms part of the planning description where this was not included for the previously refused application for the office extension scheme.
- 3.4 The proposal also includes minor changes to the rear elevation of the existing 1980’s extension where the existing pitched roofed dormers would be changed to flat lead effect dormers and the existing render to the lower half of the elevation changed from to weatherboarding to match the upper part.

4. APPLICANT'S CASE

4.1 The application is accompanied by a Design & Access Statement (revised June 2014) and Heritage Statement. The D & A Statement sets out the site’s planning history, the commercial justification for the proposed extension and revised design rationale to reflect the previously refused scheme under UTT/14/0243/FUL. The conclusions of the updated D & A Statement are stated as follows:

- The revised proposal has taken the reasons for refusal for the previous application and the Planning Committee’s comments into consideration. This has led to a scheme that:
 - reduces the issues of overbearing on The Garden House through design alterations, including stepping the building back from the boundary, reducing the eaves heights, removing all windows on this elevation and raising the cill height of the roof lights to 1.9m and in the majority of cases to 2.6m;
 - reduces the conflict of commercial and residential vehicles through the creation of a new vehicular entrance, which provides a commercial vehicle one way system.
- City & Country is a prestigious local company with strong community links, which is well established at Bentfield Place;
- The company needs to expand to continue its work, which includes restoring listed buildings across the UK;
- The existing accommodation is well suited to its needs, but the existing floorspace is now fully utilised with the level of growth predicted. We need additional space and our preferred option is to stay in Stansted Mountfitchet and at Bentfield Place;
- This scheme would meet the company’s needs, whilst not harming the aims of the Green Belt;
- The design provides for the enhancement of the setting of the listed building by recreating the partially enclosed rose garden within the historical group of buildings;
- The proposal satisfies Government advice on sustainability and meets its aims for economic growth involving small firms;
- The proposal would be in line with District Council policy making the best use of previously-developed land;
- There are no other suitable sites in the locality which could satisfactorily accommodate the company;
- The proposal would be good for other Stansted businesses as well as providing more local job opportunities;
- Bentfield Place has been an area of significant change over the years;
- City & Country is an employer of 101 people and was included in the 2013 Investec Hot100 Fastest Growing Privately Owned Businesses which covers the whole of the United Kingdom;
- We are not building beyond the perceived development boundary;
- The design sympathetically responds to the Conservation Area Designation, listed

buildings and previous neighbours' concerns.

- 4.2 The application is accompanied by a Transport Statement dated 23 July 2014 submitted by Waterman Transport & Development Ltd which set out details of the new vehicular access arrangements.

5.0 RELEVANT SITE HISTORY

- 5.1 Change of use of Bentfield Place from residential to office use approved in 1986. Two storey office extension approved in 1989. New vehicular access from Bentfield Road to serve Bentfield Place approved in 2001 (UTT/0663/01/FUL). This permission has been implemented by the creation of an associated extension of the staff car park, although a new access for this scheme from Bentfield Road has never been formed.

- 5.2 A two storey extension to Bentfield Place with associated car parking was refused by Members of the Council's Planning Committee on 16 May 2014 contrary to officer recommendation for approval for the following stated reasons as these appear on the Council's issued refusal notice for application UTT/14/0243/FUL:

- 1 The proposed development would lead to an intensification of use of the existing shared vehicular access point onto Bentfield Road where this is likely to give rise to an exacerbation of existing traffic conflict experienced between commercial and residential users of Bentfield Place/Bentfield Barns contrary to ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
- 2 The proposed development by reason of its size, scale and close proximity onto the rear (south-west) boundary with the residential property known as The Garden House would have a significant overbearing effect on this property and as such would have a materially adverse effect on the reasonable occupation and enjoyment of its occupants contrary to ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 5.3 It should be noted that no objections were raised by Members at the meeting regarding the demonstrated commercial need for the office extension or the impact of the proposal on the openness of the Metropolitan Green Belt where these issues were considered in the officer report for that application, although these issues are included again for this report as set out below to reflect this revised scheme.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF).

6.2 Uttlesford District Local Plan 2005

- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN4 – Good Neighbourliness
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards
- ULP Policy ENV1 – Design of development within Conservation Areas
- ULP Policy ENV2 – Development affecting Listed Buildings

6.3 Uttlesford District DRAFT Local Plan (Pre-submission Consultation, April 2014)

- Policy SP1 – Presumption in Favour of Sustainable Development
- Policy SP3 - Employment Strategy
- Policy SP10 - Protecting the Historic Environment
- Policy SP12 - Accessible Development
- Policy EMP1 – Existing and Proposed Employment Areas
- Policy DES1 – Design
- Policy HE1 - Design of Development within Conservation Areas
- Policy HE2 - Development affecting Listed Buildings
- Policy TA1 - Vehicle Parking Standards

6.4 Other material considerations

- Stansted Mountfitchet Parish Plan (2011).
- Stansted Mountfitchet Conservation Area Appraisal and Management Proposals document (2007).

7.0 PARISH COUNCIL COMMENTS

7.1 No comments.

8.0 CONSULTATIONS

Essex County Council Highways

8.1 No objections.

Essex County Council Ecology

8.2 The bat survey found no evidence of bats in any building on the site. Therefore, no further surveys are recommended. No objections subject to informative should any bats or evidence of bats be found on site prior to or during development.

Specialist Advice on Historic Buildings and Conservation

8.3 Bentfield Place is a timber-framed and plastered farmhouse which has been much altered and extended and converted to office use some years ago. The proposal subject of this application is to form an additional two storey range which would in part replace a summerhouse all for further office use. In general, extensions to listed buildings should be in keeping with their architectural character and the level of new build should not have an overpowering effect on the historic parts of the original structure. In this instance, however, the listed building has already been substantially extended in an unremarkable manner. The previous 1980s extension was justified by the possible improvement to the economic well-being of the area. Similar justification is being put forward now.

8.4 I consider that on balance the character of the original listed building would not be impaired in much greater degree by the now proposed development, which has been revised since the previous refusal of permission to reduce its overall bulk and scale in response to concerns expressed by the Planning Committee and local residents. In design terms, I feel that the new range is interesting by successfully uniting traditional architectural forms with imaginative elevational treatment. Also, it is likely to screen the less inspired additions of the past. Its 1½ to 2 storey vertical proportions would unlikely

have an overbearing effect on the converted listed barns as these buildings are of very imposing proportions. The fenestration and external material changes to the existing buildings would represent a visual improvement providing more uniformity.

- 8.5 Whilst this revised proposal now includes a new vehicular access point from Bentfield Road, I consider that the new opening that would be created would not have such a damaging effect on the character and appearance as to warrant refusal of this part of the revised scheme.
- 8.6 In conclusion, and should there be no planning objections, I suggest approval as before subject to the following conditions.
- All new roofs to be hand made plain clay tiles to LA approval
 - The flat roof dormers to be finished in lead or similar to LA approval
 - All new roof lights to be conservation range to LA approval
 - All external joinery to be painted timber
 - All brickwork to be in hand made soft clay bricks laid in Flemish bond to LA approval
 - All weatherboarding to the existing 1980's extension to match existing
 - Any new timber fencing to be screened by hedge planting on the public side of the fence

9.0 REPRESENTATIONS

- 9.1 6 representations received. Neighbour notification expired 24 July 2014. Advertisement expired 31 July 2014. Site notice expired 1 August 2014.

The Hall Barn Residents, Bentfield Road, Stansted, CM24 8JW:

- Although we opposed the previous application (UTT/14/0243/FUL) for an extension at Bentfield Place, since then City and Country have been in negotiations with the residents of The Hall Barns and The Garden House in the aim of resolving the points of objections to the original design. We have now agreed on some points which will help provide some separation and privacy from the business world of Bentfield Place, and with these changes in place we would support this application. By supporting this application City and Country have agreed to carry out the following:-
 - (i) To modify the extension plans and step the building line back from The Garden House boundary;
 - (ii) To maintain the "garage office" as a single storey and reduce any overlooking windows;
 - (ii) To divide the rear "compound" by erecting a dividing fence and segregating the commercial car parking of Bentfield Place from the residents' parking;
 - (iv) The installation of a second entrance to be used as an entrance for all Bentfield Place traffic,(not the residents) and for this traffic to exit out of the original gateway. This original gateway is to remain the entrance and exit for residents only and this is essential and we would very much welcome this alternative arrangement.

3 The Hall Barns, Bentfield Road Stansted, CM24 8JW:

- City and Country have gone some way to alleviate the differences between the Residents of The Hall Barns, although there are still concerns with the intensification of use of shared vehicular access and the impact on my residential amenity;
- The Residents asked for a complete division of commercial and residential by way of a separate entrance (planning permission, now lapsed, was already granted to City and Country for this). The new plan submitted by City and Country has asked for a new entrance, but this will be for commercial vehicle entrance only and the existing entrance will be for commercial exit only. City and Country have assured us that this will not affect the residents, who will still use the new 'exit' (the current shared) entrance for both entrance and exit. Although this is certainly not our preferred option, we would support this plan;
- Should permission be granted on this new plan, we have to insist that there is a condition allowing us to access our own properties through the new 'exit' (the current shared entrance). The Residents cannot be forced to enter our properties via a commercial building and in front of a commercial building.
- City and Country have agreed that in return for our support, they will screen the new exit by way of planting and we would ask that a further condition to this effect be placed on this permission if it were to be granted.
- Should Highways and Uttlesford choose not to agree to this plan, the residents' preferred option would be a complete separation of residential and commercial traffic by way of one entrance/exit for City and Country and one entrance/exit for Residents.

Other representations (mainly re-submitted from UTT/14/0243/FUL):

- The tenants of City & Country should be required to vacate Bentfield Place which in turn would free up floorspace for additional accommodation where existing premises exist in Stansted for them to move into;
- The new entrance proposed into the City & Country car park would require the removal of the existing frontage boundary tree line and construction of 10 metre wide gap within the conservation area which would be detrimental to its character and appearance;
- The residential area around Bentfield Place should not suffer increased commercialisation and traffic. The proposed extension would add to this;
- Existing tenants for C & C still use floorspace at Bentfield Place and should be required to vacate to free up space;
- Nearby commercial premises are still being advertised for rent of more commercial premises are needed;
- Are the additional parking spaces adequate for the additional staff that will be working at this site. Inadequate parking spaces would result in over-spill onto Bentfield Road, which is not a suitable road for long term parking throughout the day. If this were to be the case then Bentfield Road will become an extension to the ad hoc parking problem that already exists on Cambridge Road. Consideration also needs to be provided for the residential element of Bentfield Place;
- Encouraging to see that alternative access arrangements are being explored, although question highway safety along Bentfield Road if the new vehicular access is used for both access and egress;

10.0 APPRAISAL

The issues to consider in the determination of the application (as with the previously submitted and refused planning application) are:

- A Impact of proposed development on the Metropolitan Green Belt (MGB) (NPPF);
- B Whether the proposal represents a sustainable form of development (NPPF);
- C Design / whether the proposal would have a detrimental effect on the character and appearance of the conservation area / setting of a Grade 2 Listed Building (ULP Policies GEN2/ENV1/ENV2);
- D Impact of proposal on residential amenity (ULP Policies GEN2 and GEN4);
- E Whether the indicated vehicular access arrangements would be satisfactory (ULP Policy GEN1);
- F Whether parking arrangements would be satisfactory (ULP Policy GEN8);
- G Other matters: Ecology (ULP Policy GEN7).

A Impact of proposed development on the Metropolitan Green Belt (MGB) (NPPF)

- 10.1 The NPPF replaces previous national guidance on green belts where it states at paragraph 79 that the fundamental aim of green belt policy is to prevent urban sprawl by keeping land permanently open where the essential characteristics of green belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the green belt and should not be approved except in very special circumstances. The NPPF advises that when considering any application for planning permission that LPAs should ensure that substantial weight is given to any harm which may be caused to the green belt. "Very special circumstances" will not exist unless the potential harm to the green belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. An LPA should regard the construction of new buildings as inappropriate in green belts except where exemptions apply. These exceptions include *"the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building"*. The current proposal for a further office extension therefore has to be considered against this assessment as to whether the proposal amounts to inappropriate development.
- 10.2 The existing gross office floorspace of Bentfield Place (original house and the 1980s extension) is stated as being 930sqm and would as a result of the development involve a net additional gross internal office floorspace of 400sqm. Whilst the extension therefore represents a significant building element in terms of the creation of new volume at the site, the revised scheme as submitted is now 40sqm less than the previously refused scheme and the extension would "square off" the site to form an attractive courtyard setting. Bentfield Place, Bentfield Barns and other dwellings/barn conversions around them together form a building grouping on the south-western side of Bentfield Road where the settlement boundary for Stansted runs to the north of the site along the southern edge of Bentfield Road. The site itself is enclosed to all site boundaries where long views into the site from the south are limited and where the imposing adjacent barns form a physical barrier on the north side. The impact of the development on the openness of the MGB at this edge of village location is therefore reduced compared to if say the site was situated within a more exposed location beyond the village perimeter.
- 10.3 It is therefore considered that the proposed extension by reason of the site's location on the edge of the green belt boundary, its massing and scale and the site's sustainable location (see below) would not amount to an inappropriate form of development when assessed against green belt criteria where it is further considered

that very special circumstances have been put forward by the applicant. No objections are therefore raised to the proposal on this basis.

B Whether the proposal represents a sustainable form of development (NPPF).

10.4 The National Planning Policy Framework (NPPF) has a presumption in favour of sustainable development, which comprises three strands, an *economic* role, a *social* role and an *environmental* role. The applicant states that it contributes to the local economy in terms of its core business interests and also provides staff patronage to local lunchtime traders etc. The building of the extension would also in some way likely to benefit some local construction firms. The site is physically located within a sustainable position within the village immediately outside development limits some 200 metres from Cambridge Road on its western side. Whilst it is the case that some employees working for City & Country at Bentfield Place commute over a distance to work at the site rather than living more locally, the applicant has stated that two thirds of staff live within a 15 mile radius and that several live in Stansted itself and so walk or cycle to work. In terms of the environmental strand, the site is relatively enclosed as previously mentioned in consideration of potential harm caused by the development to the green belt at this location. In consideration of these three strands taken together, the proposal is considered to represent a form of sustainable development at this location in compliance with the NPPF.

C Design / whether the proposal would have a detrimental effect on the character and appearance of the conservation area / setting of a Grade 2 Listed Building (ULP Policies (ULP Policies GEN2/ENV1/ENV2)

10.5 The main design changes to the revised scheme as submitted compared to the previously refused scheme under UTT/14/0243/FUL are as follows:

- The reduction in bulk and scale of the extension onto the rear boundary with The Garden House (west elevation) where the extension would now be set back further from this boundary and would incorporate a lower eaves line onto this boundary;
- The removal of the long rear dormer to the rear elevation and its replacement with rooflights at higher roof level and inclusion of additional rooflights at lower roof level;
- The removal of the section of extension element nearest to Bentfield Barns where the existing garage office would be retained resulting in a reduction of overall extension volume from 440sqm as previously proposed to 400sqm;
- Fenestration changes to the east (courtyard elevation)
- External material changes to the existing office block through the introduction of flat roofed dormers and new weatherboarding to lower sections

An appreciation of the design changes compared to the previous extension scheme in terms of footprint and scale can be seen on drawing S289-14.

10.6 The proposed extension would as before have a two storey scale at split level ridge heights using a mixture of external materials, namely, tile/slate, brick, render and weatherboarding. The design principle of the extension remains broadly the same as the refused scheme where the mass of the extension would be broken up by this variation in ridge height levels and contrasting use of materials and is considered to represent a subservient and appropriate office extension design where it would have more architectural merit than the rather uninspiring 1980's extension previously granted. It is also considered that the revised roof design for the west elevation of the

extension where this now incorporates a low eaves line represents a design improvement on the previous submission in terms of built form.

- 10.7 As stated in the officer report for the previous application, the proposed office extension takes a local vernacular in approach and use of materials where it would form a courtyard to Bentfield Place and would not materially harm either the character or appearance of the conservation area or the setting of the host Grade II listed building or adjacent listed buildings where the Council's Conservation Officer has not raised any specialist objections in her detailed assessment to this revised design proposal. The proposal would therefore comply with ULP Policies GEN2, ENV1 and ENV2.

D Impact of proposal on residential amenity (ULP Policy GEN2)

- 10.8 The second reason for refusal for UTT/14/0243/FUL was the significant overbearing effect that the extension was considered to have on the residential amenities of The Garden House situated to the immediate south-west by reason of its size, scale and close positioning onto the boundary with that property. Members will recall that this property was pointed out to them by officers at the Members site visit for that application.
- 10.9 It is considered that the design changes made by the applicant in this revised application to address the previous amenity reason for refusal has sufficiently overcome these impact concerns in terms of the overbearing effect of the extension on The Garden House to the extent that the proposal is now considered acceptable where the set-back from the boundary would vary from between 0.5 of a metre to 2.75 metres and where the main part of the building to the front of The Garden House has now been set back the most with a minimum of 1metre distance from the boundary. The slab level for the extension would remain the same and the ridge would be no higher and be now lower in parts, whilst the scale of the lower section nearest to Bentfield has been lowered by just under a metre. Furthermore, the rooflights on this side would be set at a minimum cill height level of 1.9 metres from internal floor level and where many would be set at 2.6 metres. Additional measures have been included to further reduce the amenity impact of the proposal on this property, including suitable landscaping screening measures.
- 10.10 An overall appreciation of the differences in the set-back positioning of the new extension between the revised scheme as submitted and the previous scheme can be seen on Images 3, 4 and 5 of the applicant's revised Design & Access Statement.
- 10.11 The revised proposal has now removed the extension element closest to Bentfield Barns where concerns had also previously been raised by the nearest occupier at No.5 The Barns. The removal of this extension element and retention of the garage now means that consideration of this amenity issue no longer requires to be considered. It is therefore considered that the proposal now complies with ULP Policy GEN2 in terms of amenity harm to neighbours.

E Whether parking arrangements would be satisfactory (ULP Policy GEN8);

- 10.12 The proposed scheme would provide an extra 17 No. parking spaces at the rear of the existing staff parking area for Bentfield House as previously indicated where this would take the form of additional rows of parking into the lawned area of the site. However, three of these would be lost as a result of the new vehicular access proposed into the existing car park at the top of the site (see below) and through another loss of a space between the two car parking areas. This would result in a net increase of 13 spaces over and above the existing parking provision at the site where this increase would still

meet and exceed the car parking standards for B1 business use when existing parking allocation at the site is taken into account and where parking for a B1 use is a maximum and not a minimum standard.

- 10.13 As highlighted in the previously refused application, car parking has historically been a problem at the adjacent Bentfield Barns where vehicles belonging to staff of City & Country and sub-contractors for the company have been parked on areas around the barns, including along Pond Lane and to the rear of the barns within a parking compound area. The Council has previously investigated alleged unauthorised parking within these areas, although enforcement action has not been formally taken to date against the applicant in relation to this parking as it has been considered by the Council that the alleged activities have not been sufficiently within the public interest for it to be expedient to take enforcement action. This remains the case, although it is considered that the reduction in additional parking spaces from 17 to 13 would still alleviate some of the pressure at this site location. No objections are therefore raised under Policy GEN8.

F Whether the indicated vehicular access arrangements would be satisfactory (ULP Policy GEN1).

- 10.14 Members will recall from the previous application scheme that local residents were concerned about the impact that the additional staff movements associated with the proposed office extension would have on the use of the existing shared vehicular entrance at the corner of Bentfield Road used by both residents and City & Country where this could possibly lead to traffic conflict. This concern was reflected in the first reason for refusal of the Council's decision notice for UTT/14/0243/FUL.
- 10.15 In an attempt to alleviate these highlighted concerns and to overcome the reason for refusal, the applicant has provided details on a revised site layout drawing showing a second point of vehicular access into the existing City & Country car park from Bentfield Road 20 metres east of the existing shared access point where further details of the access, included estimated vehicle trips, are provided within an accompanying transport statement and on a swept path analysis showing how vehicles would be able to be safely manoeuvred into the new access from Bentfield Road. It is proposed that the new access point would be used as an "in" access only by office staff of City & Country and for commercial vehicles and not used as an exit point where the existing shared access would be used for egress by City & Country and as an "in-out" access by Bentfield Barn residents as is the case now.
- 10.16 The new access would break through into the existing car park at the point where the applicant has maintained that it is lawfully entitled by way of an extant permission granted under UTT/0663/01/FUL to create a new vehicular access in connection with the construction of the new car park and reserves this right as a fall-back position. Whilst this may be the case, the Council has requested the applicant to provide the access details on the current application so that its impact can be properly considered. ECC Highways have considered this new element of the proposal and have not raised any objections on highway grounds where visibility along Bentfield Road in both directions to the corner is considered to be good and where traffic speeds are expected to be low at this point.
- 10.17 It is noted that the residents of Bentfield Barns, who would be most affected by the change have welcomed this change, albeit that they still have some reservations as to how this would work in practice and would have preferred total traffic separation between them and City & Country where Members also discussed this possibility in consideration of UTT/14/0243/FUL. However, the applicant has advised that complete

separation of the mixed uses would mean that this would limit access for emergency vehicles, refuse lorries and delivery vehicles and a compromise situation has therefore been adopted by the applicant.

10.18 Given the fact that ECC Highways have not objected to the new access point and that the applicant has sought to negotiate a workable solution with local residents to the issue of traffic conflict regarding the new extension, it is considered that the applicant has gone as far as reasonably practical to overcome this issue and no objections are therefore raised to this new access provision under ULP Policy GEN1. The entrance removal of a section of frontage hedgerow to facilitate the new access point would not in the opinion of officers have a detrimental effect on the character and appearance of the conservation area at this location under ULP Policy ENV1.

F Other matters: Ecology (ULP Policy GEN7)

10.19 The proposal would involve the demolition of the existing 1920's summer house "gazebo". The applicant has submitted a bat survey report which has confirmed that no bats are present in either building and that there is no evidence to suggest that bats use the buildings as a roosting place. ECC Ecology has been consulted on the proposal and has not objected on this basis. As such, it is considered that the proposal would not be harmful to protected species and would not be contrary to ULP Policy GEN7.

11 CONCLUSION

11.1 It is considered that the inclusion of an additional vehicular access point into the site for commercial traffic for the applicant to divide this traffic from existing residential traffic overcomes the highway reason for refusal as reflected in refusal reason 1 for UTT/14/0243/FUL, whilst the cumulative design changes made to the office extension now overcome amenity reason 2 for this application to the extent that the proposal is now considered acceptable in both respects.

The following is a summary of the main reasons for the recommendation:

- A The proposal would not amount to inappropriate development within the Metropolitan Green Belt (MGB) (NPPF)
- B The proposal would amount to a sustainable form of development in terms of the site's location (NPPF)
- C The proposal is now acceptable in terms of design and would not have a detrimental effect on the character and appearance of the conservation area or the setting of Bentfield House and adjacent barns (ULP Policies GEN2, ENV1 and ENV2)
- D The proposal would not have a significant impact on residential amenity (ULP Policy GEN2)
- E The proposal would comply with car parking standards (ULP Policy GEN8)
- F The proposal would not have a harmful effect on ecology (ULP Policy GEN7)

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Samples of materials to be used in the external surfaces of the extension hereby permitted shall be submitted to and approved in writing by the LPA prior to commencement and shall thereafter be used in the construction of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-
 - i. proposed finished levels or contours;
 - ii. means of enclosure;
 - iii. car parking layouts;
 - iv. other vehicle and pedestrian access and circulation areas;
 - v. hard surfacing materials;
 - vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
 - vii. proposed and existing functional services above and below ground (e.g. drainage power,
 - viii. communications cables, pipelines etc. indicating lines, manholes, supports.);
 - ix. retained historic landscape features and proposals for restoration, where relevant.Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. The approved parking area as shown on drawing CC289-16 shall be properly laid out prior to first occupation of the extension hereby permitted and shall not thereafter be

used for any purpose other than the parking of staff and visitor vehicles associated with the B1 use of the site.

REASON: To ensure that sufficient parking is provided at the site in connection with the development hereby permitted and in the interests of adjacent residential amenity in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

6. The new vehicular access into the site from Bentfield Road as shown on drawings CC289-16 and CC S289-17 shall be constructed and completed prior to first occupation of the extension hereby permitted and shall be used solely as an "entrance only" access by staff and visitors to Bentfield Place and by commercial vehicles used in association with the existing B1 use of the site and not for any exit purposes.

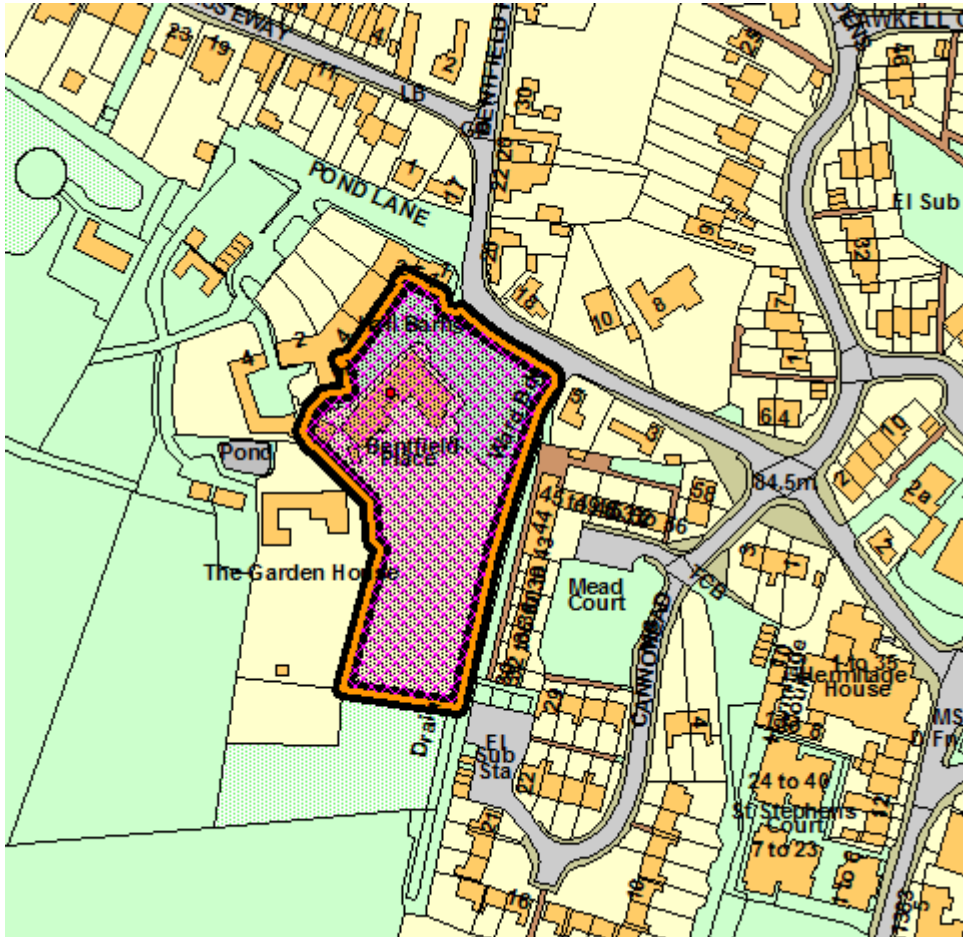
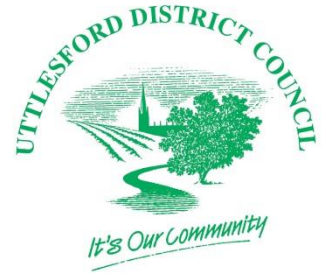
REASON: To ensure that traffic conflict does not arise between the B1 use of the site and the adjacent residential use of Bentfield Barns as a result of the development hereby permitted in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. No further windows shall be inserted into the west elevation of the development hereby permitted without the prior written approval of the local planning authority.

REASON: In the interests of the protection of residential amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application No. : UTT/14/1887/FUL

Address: Bentfield Place
Bentfield Road
Stansted



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1888/LB (STANSTED)

PROPOSAL: Proposed two storey extension to existing offices and minor external changes to existing listed building.

LOCATION: Bentfield Place, Bentfield Road, Stansted.

APPLICANT: City & Country Group.

EXPIRY DATE: 22 August 2014

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 Bentfield Place lies on the south-west side of Bentfield Road and comprises a large C17 listed two storey farmhouse converted to offices for City & Country Ltd (the applicant) with a two storey 1980s office extension that stands in enclosed landscaped grounds consisting of 0.64ha with staff car park to the front of the site. The listed Bentfield Barns residential barn complex exists onto the site's NW boundary separated by a dividing courtyard, whilst a bungalow (The Garden House) exists onto the site's SW boundary. A garage converted to an office and an adjacent tiled and timber-framed gazebo stand alongside the end of the office extension within the curtilage of the site on its SW side.

3. PROPOSAL

3.1 This revised listed building application relates to the erection of a further office extension to the existing office accommodation at the site for City & Country Limited (applicant) and minor external alterations to the existing listed building. This revised submission follows the decision by Members of the Planning Committee on 14 May 2014 to refuse planning permission for a similar proposal on residential amenity and highway access grounds where a listed building accompanied that application.

3.2 The new office extension would be two storeys in height and would extend off the end of the existing 1980s extension at right angles to form an internal courtyard. The new extension would now have a reduced overall length of 32 metres and a maximum width of 11 metres where the western linking end would have a narrower width of 6 metres. The extension would have a ridge height of 7.5 metres at its linking end and 8 metres at its outer end where the extension would be stepped due to a gradual slope across the site and would have connecting gabled roofs with an extended sloping eaves line along the long south-western facing elevation with The Garden House. The extension would be externally clad in plain tiles, red brick and infill weatherboarding.

3.3 The proposal also includes minor changes to the rear elevation of the existing 1980's extension where the existing pitched roofed dormers would be changed to flat lead effect dormers and the existing render to the lower half of the elevation changed from to weatherboarding to match the upper part.

4. APPLICANT'S CASE

4.1 The application is accompanied by a Design & Access Statement (revised June 2014) and Heritage Statement. The D & A Statement sets out amongst other matters the revised design rationale to reflect the previously refused scheme under UTT/14/0243/FUL. The conclusions of the updated D & A Statement are stated as follows (listed building):

- The design provides for the enhancement of the setting of the listed building by recreating the partially enclosed rose garden within the historical group of buildings;
- The design sympathetically responds to listed building concerns raised.

5.0 RELEVANT SITE HISTORY

5.1 Change of use of Bentfield Place from residential to office use approved in 1986. Two storey office extension approved in 1989. New vehicular access from Bentfield Road to serve Bentfield Place approved in 2001 (UTT/0663/01/FUL). Two storey extension to Bentfield Place with associated car parking refused on 16 May 2014 (UTT/14/0243/FUL & UTT/14/0244/LB).

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF).

6.2 Uttlesford District Local Plan 2005

- ULP Policy ENV2 – Development affecting Listed Buildings

6.3 Uttlesford District DRAFT Local Plan (Pre-submission Consultation, April 2014)

- Policy HE2 - Development affecting Listed Buildings

6.4 Other material considerations

- Stansted Mountfitchet Parish Plan (2011).
- Stansted Mountfitchet Conservation Area Appraisal and Management Proposals document (2007).

7.0 PARISH COUNCIL COMMENTS

7.1 No comments.

8.0 CONSULTATIONS

Specialist Advice on Historic Buildings and Conservation

8.1 Bentfield Place is a timber-framed and plastered farmhouse which has been much altered and extended and converted to office use some years ago. The proposal subject of this application is to form an additional two storey range which would in part replace a summerhouse all for further office use. In general, extensions to listed buildings should be in keeping with their architectural character and the level of new build should not have an overpowering effect on the historic parts of the original

structure. In this instance, however, the listed building has already been substantially extended in an unremarkable manner. The previous 1980s extension was justified by the possible improvement to the economic well-being of the area. Similar justification is being put forward now.

8.2 I consider that on balance the character of the original listed building would not be impaired in much greater degree by the now proposed development, which has been revised since the previous refusal of permission to reduce its overall bulk and scale in response to concerns expressed by the Planning Committee and local residents. In design terms, I feel that the new range is interesting by successfully uniting traditional architectural forms with imaginative elevational treatment. Also, it is likely to screen the less inspired additions of the past. Its 1½ to 2 storey vertical proportions would unlikely have an overbearing effect on the converted listed barns as these buildings are of very imposing proportions. The fenestration and external material changes to the existing buildings would represent a visual improvement providing more uniformity.

8.3 In conclusion, and should there be no planning objections, I suggest approval as before subject to the following conditions.

- All new roofs to be hand made plain clay tiles to LA approval
- The flat roof dormers to be finished in lead or similar to LA approval
- All new roof lights to be conservation range to LA approval
- All external joinery to be painted timber
- All brickwork to be in hand made soft clay bricks laid in Flemish bond to LA approval
- All weatherboarding to the existing 1980's extension to match existing
- Any new timber fencing to be screened by hedge planting on the public side of the fence

9.0 REPRESENTATIONS

9.1 6 representations received. Neighbour notification expired 24 July 2014. Advertisement expired 31 July 2014. Site notice expired 1 August 2014.

Representations received relate primarily to the accompanying planning application.

10.0 APPRAISAL

The issues to consider in the determination of the application (as with the previously submitted and refused planning application) are:

A Whether the proposal would have a detrimental effect on the character and setting of a Grade 2 Listed Building (ULP Policy ENV2).

A Whether the proposal would have a detrimental effect on the character and setting of a Grade 2 Listed Building (ULP Policy ENV2).

10.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall have special regard to the desirability of preserving a listed building or its setting..." and LPA's are required to apply this statutory advice when determining listed building applications.

10.2 The proposed extension would as before have a two storey scale at split level ridge heights using a mixture of external materials, namely, tile/slate, brick, render and weatherboarding and would incorporate both dormer windows and skylights as additional window openings. The design principle of the extension therefore remains similar to the previous scheme where the mass of the extension would therefore be broken up by this variation in ridge height levels and contrasting use of materials and is considered to represent a subservient and appropriate office extension design where it would have more architectural merit than the rather uninspiring 1980's extension previously granted.

10.3 As highlighted in the accompanying full planning application, the main changes to the revised scheme as submitted compared to the previous scheme refused by Members under UTT/14/0243/FUL are as follows:

- The reduction in bulk and scale of the extension where the extension would now incorporate a lower eaves line onto this boundary and the setting back of the extension from this boundary;
- The removal of the long rear dormer and introduction of skylights to the rear elevation
- The removal of the continuation of the extension element nearest to Bentfield Barns
- Fenestration changes to the existing 1980's office block.

10.4 The Council's Conservation Officer has commented that she does not have any listed building objections to the design changes made to the extension proposal or to the fenestration changes to the existing extension block and no objections are therefore raised under ULP Policy ENV2.

11. CONCLUSION

11.1 The design changes would be acceptable from a listed building perspective.

The following is a summary of the main reasons for the recommendation:

- A The proposal would be acceptable in terms of design and would not have a detrimental effect on the character or setting of Bentfield House (ULP Policy ENV2).

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All new roofs to the development hereby permitted shall be clad with handmade clay plain tiles in accordance with details that have been submitted to and approved in writing by the local planning authority before development commences. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

3. The flat roofed dormers shall be finished in lead or similar in accordance with details that have been submitted to and approved in writing by the local planning authority before development commences. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

4. All new rooflights shall be of a conservation range and details of all the new roof lights shall be submitted to and approved in writing by the local planning authority before development commences and installed in accordance with those details.

REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

5. All external joinery to the development hereby permitted shall be of painted timber. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

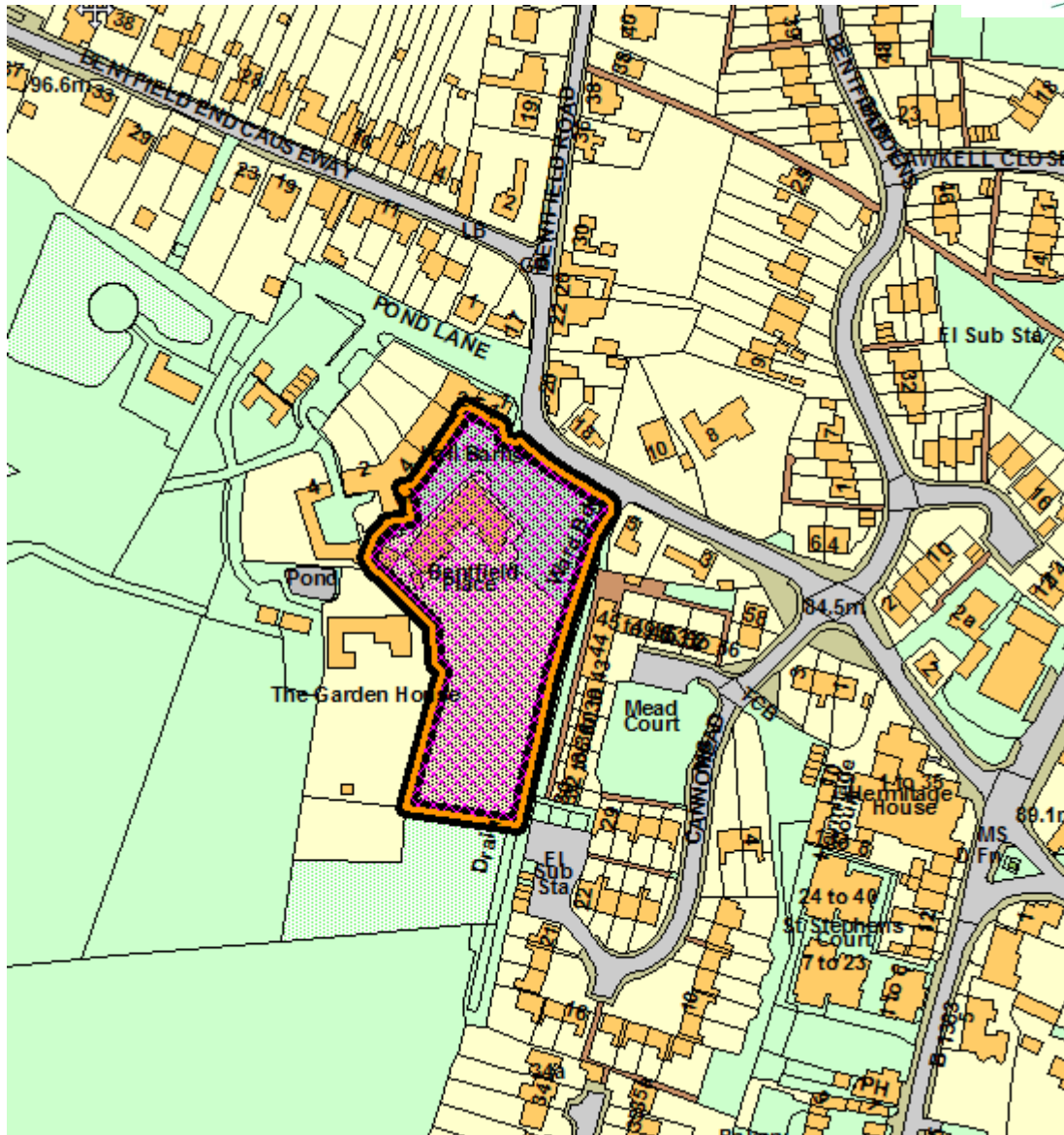
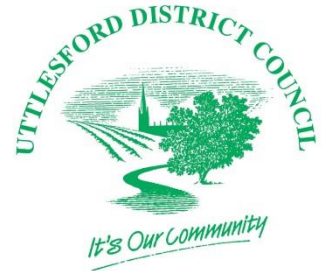
REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

6. All brickwork shall be laid in handmade soft clay bricks laid in Flemish bond in accordance with details that have been submitted to and approved in writing by the local planning authority before development commences. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

Application No. : UTT/14/1888/LB

Address: Bentfield Place
Bentfield Road
Stansted



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/2223/FUL – GREAT EASTON

(Applicant is a District Councillor)

PROPOSAL: Change of use of land from paddock to residential. Demolition of outbuildings and erection of single storey bungalow

LOCATION: Homefield, Mill End, Great Easton

APPLICANT: Miss M Felton

EXPIRY DATE: 11 September 2014

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The application site is located in a backland position and currently forms part of a yard and paddock area to the rear of a property known as Homefield. It is accessed via an existing access point for Homeland and then through a gate into the yard area. Within this area is a small stable block, a large stable block and some outbuildings.

3. PROPOSAL

3.1 The proposal relates to the demolition of a range of small, poor quality buildings and the large stable block and the erection of a specially designed bungalow. This would be a horseshoe shape and would have 4 bedrooms and an integral double garage. The bungalow would have an eaves height of 2.5m and a ridge height of 5.9m. It would have an overall span of 24.2m and a depth of 28.5m on one wing and 20.7m on the other.

4. APPLICANT'S CASE

4.1 A Planning Statement has been submitted including statements from an Occupational Therapist from the Children with Disabilities team in Harlow, and 2 letters from a Consultant Paediatrician at West Essex Community Paediatrics Service describing the medical and housing needs of the applicant's children.

5. RELEVANT SITE HISTORY

5.1 None

6. POLICIES

6.1 National Policies

- NPPF

6.2 Uttlesford District Local Plan 2005

- Policy S7: The Countryside
- Policy GEN2: Design
- Policy GEN1: Access
- Policy GEN8: Vehicle Parking Standards
- Policy GEN7: Nature Conservation

7. PARISH COUNCIL COMMENTS

7.1 None received.

8. CONSULTATIONS

ECC Highways

8.1 No objections subject to conditions.

9. REPRESENTATIONS

9.1 This application has been advertised and 1 letter of representation has been received. Notification period expired 26 August 2014.

9.2 I have no objection to possible development at Homefield. If permission is agreed I will be annoyed as I was told I couldn't have development near my bungalow.

10. APPRAISAL

The issues to consider in the determination of the application are whether:

- A residential development is acceptable in this location (ULP Policy S7, NPPF),
- B any amenity issues would arise (ULP Policy GEN2),
- C access and parking are sufficient (ULP Policies GEN1 and GEN8), and
- D whether the proposals would affect protected species (ULP Policy GEN7, NPPF)

A Residential development is acceptable in this location (ULP Policy S7, NPPF)

10.1 The application site is located outside the development limits, well away from any settlement with facilities. In such locations there is a policy restraint against development other than development which is appropriate or that needs to take place there. Paragraph 55 of the NPPF states, "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities." It goes on to state that isolated rural dwellings should be avoided unless it meets one of the listed exceptions of a dwelling for an agricultural worker, viable use of a heritage asset, re-use of a redundant building, or is of exceptional quality or innovative nature of design. In this instance none of the exceptions apply and as such the proposal is contrary to adopted Policy S7 and paragraph 55 of the NPPF. The site is not considered to be a sustainable location in accordance with the criteria set out in paragraph 7 of the NPPF and the development therefore would not comply with paragraph 14.

10.2 In this instance the applicant needs a specially designed house to accommodate her children, in close proximity to her family. The design features required include bedrooms of a certain size to accommodate special beds, no accessible power cables in the children's rooms, a kitchen which is inaccessible to the children, specially designed bathrooms with controls recessed into rooms, special doors and windows with

blinds incorporated into them, rounded corners and under floor heating which cannot be accessed by the children. The family has the support of the medical profession and the Council's Environmental Health officer who is providing assistance in relation to a Disabled Facilities Grant. In normal circumstances the personal circumstances of an applicant are not usually sufficient to overcome a policy objection to development, particularly one which fails on several levels like this one. However, in this instance the design requirements are so very specific and could not be created by adapting an existing dwelling. Therefore, due to the very special circumstances of the applicant it is considered that a policy exception should be made in this instance.

B Any amenity issues would arise (ULP Policy GEN2)

10.3 The bungalow would be located approximately 55m from Homefield, the nearest residential unit. Due to the scale, location and orientation of the property no loss of residential amenity would arise from the proposals and they would comply with Policy GEN2.

C Access and parking are sufficient (ULP Policies GEN1 and GEN8)

10.4 The proposals would involve the use of an existing access serving Homefield. ECC Highways Department has no objections to the proposals. There would be sufficient parking provision to serve the existing and proposed dwellings. The proposals would therefore comply with Policies GEN1 and GEN8.

D Whether the proposals would affect protected species (ULP Policy GEN7, NPPF)

10.5 The proposals involve the demolition of existing buildings and the clearance of the yard area of the site. As such the proposals have the potential to impact on protected species. A Phase 1 Habitat Survey has been undertaken and this considered the potential impacts and concluded that "the proposals can proceed without detriment to any legally protected species provided the guidance within this report is fully adhered to." The guidance relates to the retention of trees, maintaining existing grassland management regime, avoid clearance works in bird breeding season and incorporate biodiversity enhancements within the development. The proposals therefore comply with Policy GEN7 and the NPPF.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The proposal is contrary to Policy S7, is not considered to be a sustainable development and does not meet the exceptions set out in paragraph 55 of the NPPF. However, given the very special circumstances of the applicant it is considered appropriate in this instance to make an exception to policy.
- B There would be no loss of amenity arising from the proposals.
- C Access and parking provision are satisfactory.
- D There would be no adverse impacts on protected species.

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

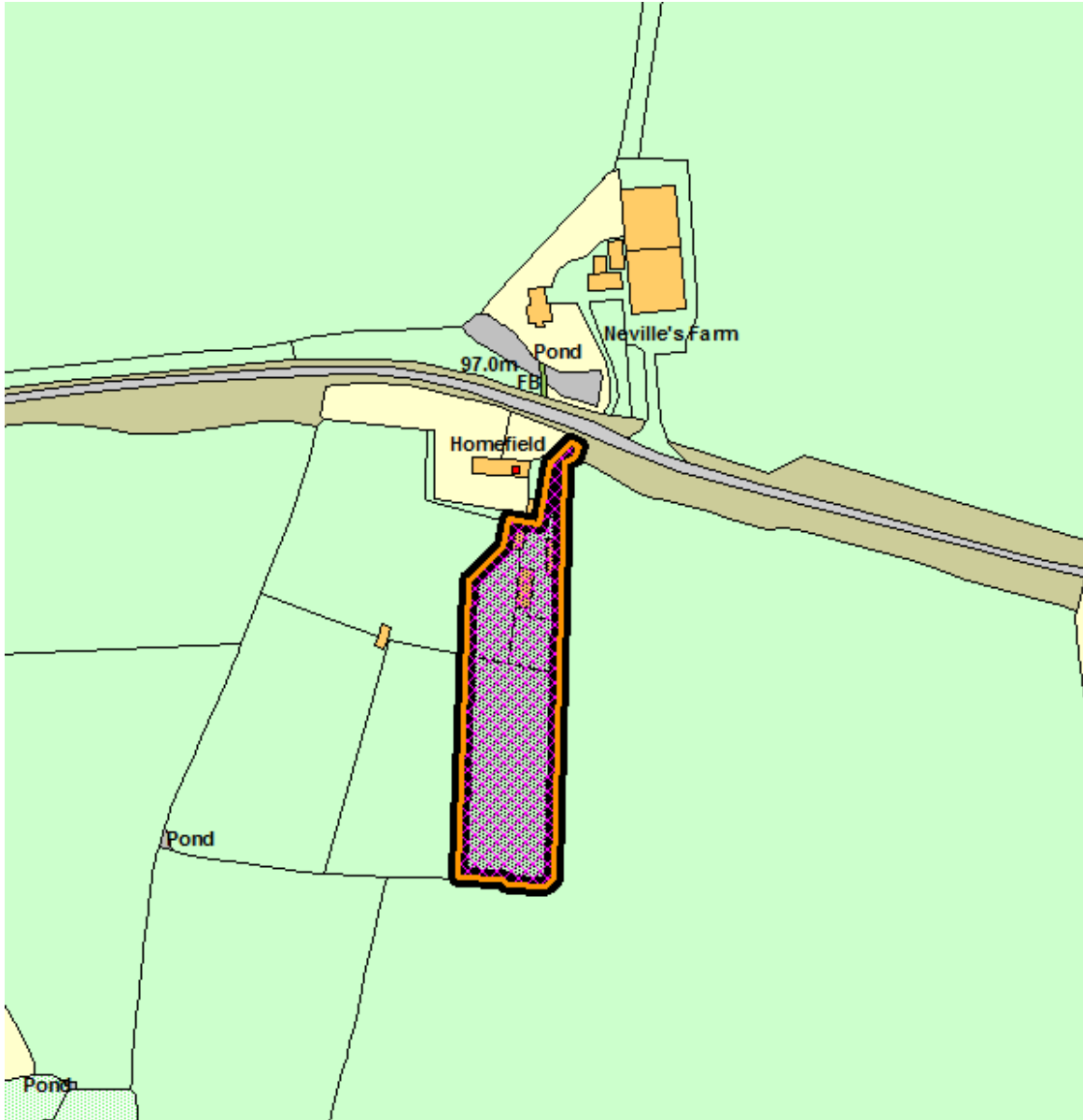
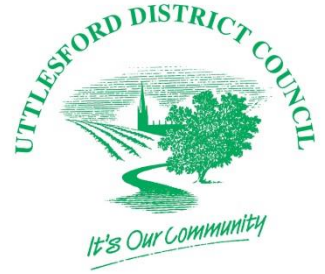
REASON: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 (as amended).

2. Prior to the erection of the development hereby approved (not including footings and foundations) samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/2223/FUL

Address: Homefield
Mill End Green
Mill End Green Road
Great Easton



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1902/HHF (BIRCHANGER)

(Referred to Committee by Cllr Godwin. Reason: Overdevelopment; Unsafe access; Overlooking; Overbearing; Harm to street scene; Harm to listed buildings)

PROPOSAL: Removal and infilling of 2 no. windows to side elevations and 2 no. new windows to the rear elevation

LOCATION: Green Farm Cottage, 275 Birchanger Lane, Birchanger

APPLICANT: Mrs A Farr

AGENT: Ian Abrams Architect Ltd

EXPIRY DATE: 27 August 2014

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Within Development Limit.

2. DESCRIPTION OF SITE

2.1 The application site is located off Birchanger Lane in Birchanger. It accommodates Green Farm Cottage, a Grade II listed building, and its curtilage.

3. PROPOSAL

3.1 The application is for planning permission to move two windows from the side elevation to the rear elevation.

4. APPLICANT'S CASE

4.1 The submitted 'Design, Access & Heritage Statement' concludes that the proposal would preserve the setting of the adjacent listed building and the character of the street scene.

5. RELEVANT SITE HISTORY

5.1 No recent, relevant history.

6. POLICIES

6.1 Uttlesford District Local Plan 2005

- Policy S3 – Other Settlement Boundaries
- Policy GEN2 – Design
- Policy ENV2 – Development affecting Listed Buildings

7. PARISH COUNCIL COMMENTS

7.1 Objection.

8. CONSULTATIONS

Conservation Officer

8.1 Verbal comments: No objection.

9. REPRESENTATIONS

9.1 Neighbours were notified of the application by letter and a notice was displayed near the site. Representations have been received, which raise concerns over the effect of the proposal on the character of the listed building.

9.2 The concerns raised in the representations are addressed in the below appraisal.

10. APPRAISAL

The issues to consider in the determination of the application are:

- A Character of settlement (ULP Policy S3)
- B Compatibility with surrounding buildings (ULP Policy GEN2)
- C Character of listed building (ULP Policy ENV2)

A Character of settlement

10.1 It is considered that the nature, and modest scale, of the proposal ensures that there would be no material impact on the character of the village. There is no conflict with Policy S3, which seeks to protect the rural character of villages such as Birchanger.

B Compatibility with surrounding buildings

10.2 The street scene has a varied appearance, including pre- and post-20th century houses of different styles. It is considered that the proposal would cause no material impact on the appearance of the street scene. There is no conflict with Policy GEN2, which seeks designs that are compatible with surrounding buildings.

C Character of listed building

10.3 The proposal includes the removal of two existing windows and the blocking up of the openings with a matching painted brick finish. New timber windows would be inserted into the rear elevation of the building. It is considered that the proposed alteration, which affects a later addition to the building, would not affect the special characteristics of the listed building.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A There is no conflict with any relevant planning policies or guidance.

RECOMMENDATION – CONDITIONAL APPROVAL

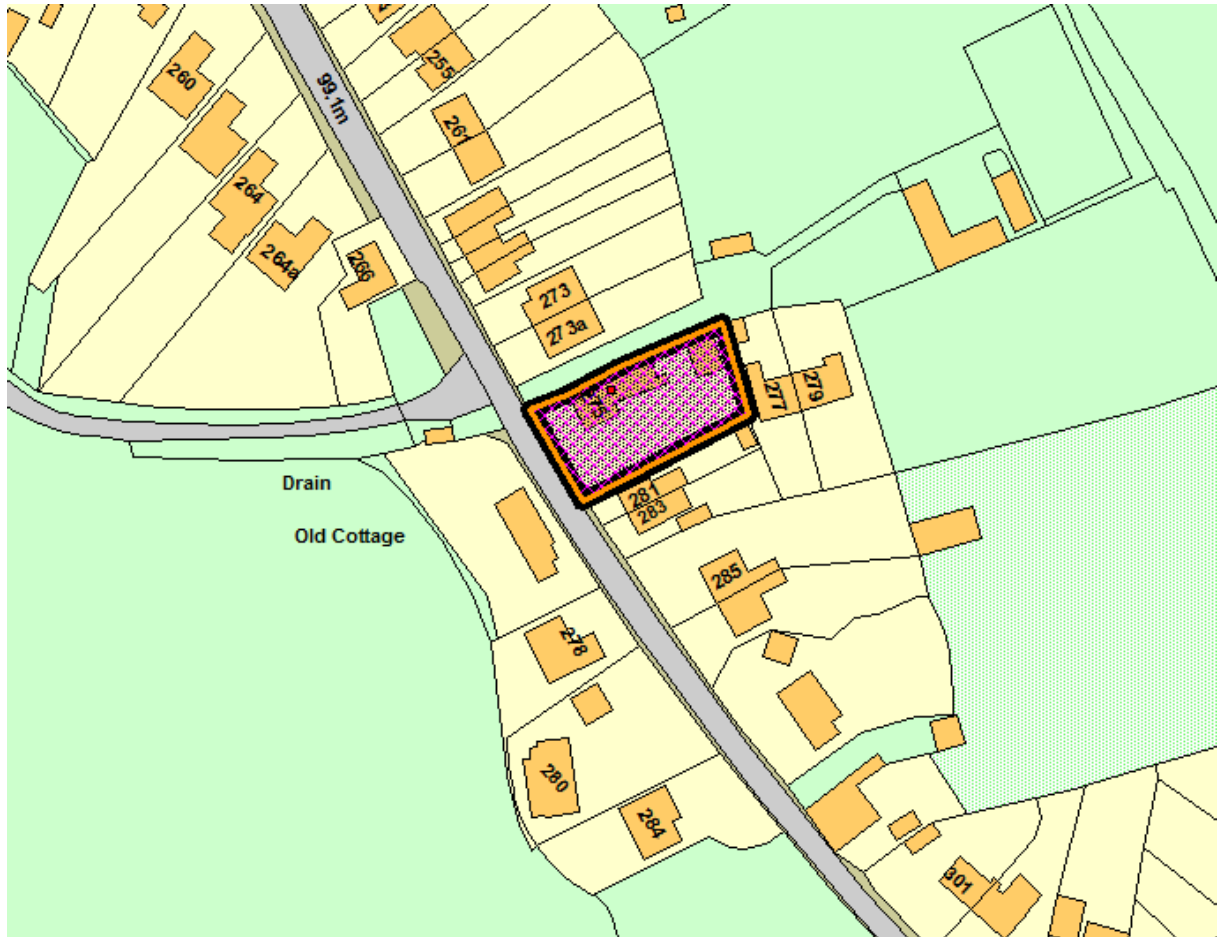
Conditions/reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Application no.: UTT/14/1902/HHF

Address: Green Farm Cottage
275 Birchanger Lane
Birchanger



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1903/LB (BIRCHANGER)

(Referred to Committee by Cllr Godwin. Reason: Overdevelopment; Unsafe access; Overlooking; Overbearing; Harm to street scene; Harm to listed buildings)

PROPOSAL: Removal and infilling of 2 no. windows to side elevations and 2 no. new windows to the rear elevation

LOCATION: Green Farm Cottage, 275 Birchanger Lane, Birchanger

APPLICANT: Mrs A Farr

AGENT: Ian Abrams Architect Ltd

EXPIRY DATE: 27 August 2014

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Grade II listed building.

2. DESCRIPTION OF SITE

2.1 The application site is located off Birchanger Lane in Birchanger. It accommodates Green Farm Cottage, a Grade II listed building, and its curtilage.

3. PROPOSAL

3.1 The application is for listed building consent to move two windows from the side elevation to the rear elevation.

4. APPLICANT'S CASE

4.1 The submitted 'Design, Access & Heritage Statement' concludes that the proposal would preserve the setting of the adjacent listed building and the character of the street scene.

5. RELEVANT SITE HISTORY

5.1 No recent, relevant history.

6. POLICIES

6.1 Uttlesford District Local Plan 2005

- Policy ENV2 – Development affecting Listed Buildings

7. PARISH COUNCIL COMMENTS

7.1 Objection.

8. CONSULTATIONS

Conservation Officer

8.1 Verbal comments: No objection.

9. REPRESENTATIONS

9.1 Neighbours were notified of the application by letter and a notice was displayed near the site. Representations have been received, which raise concerns over the effect of the proposal on the character of the listed building.

9.2 The concerns raised in the representations are addressed in the below appraisal.

10. APPRAISAL

The issues to consider in the determination of the application are:

A Character of listed building (ULP Policy ENV2)

A Character of listed building (ULP Policy ENV2)

10.1 The proposal includes the removal of two existing windows and the blocking up of the openings with a matching painted brick finish. New timber windows would be inserted into the rear elevation of the building. It is considered that the proposed alteration, which affects a later addition to the building, would not affect the special characteristics of the listed building.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

A There would be no harm to the special characteristics of the listed building.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

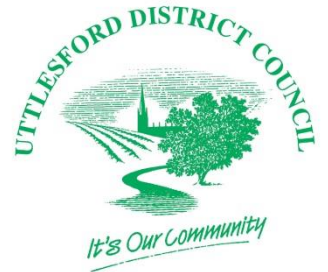
REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the schedule of materials on the application form.

REASON: To protect the special characteristics of the listed building, in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/1903/LB

Address: Green Farm Cottage
275 Birchanger Lane
Birchanger



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/1898/FUL (BIRCHANGER)

(Referred to Committee by Cllr Godwin. Reason: Overdevelopment; Unsafe access; Overlooking; Overbearing; Harm to street scene; Harm to listed buildings)

PROPOSAL: **Erection of 1 no. dwelling**

LOCATION: **Land at Green Farm Cottage, 275 Birchanger Lane, Birchanger**

APPLICANT: **Mrs A Farr**

AGENT: **Ian Abrams Architect Ltd**

EXPIRY DATE: **27 August 2014**

CASE OFFICER: **Luke Mills**

1. NOTATION

1.1 Within Development Limit.

2. DESCRIPTION OF SITE

2.1 The application site is located off Birchanger Lane in Birchanger. It accommodates Green Farm Cottage, a Grade II listed building, and its curtilage.

3. PROPOSAL

3.1 The application is for planning permission to erect a detached dwelling to the southern side of Green Farm Cottage, with associated vehicle access and parking to the front.

4. APPLICANT'S CASE

4.1 The submitted 'Design, Access & Heritage Statement' concludes that the proposal would preserve the setting of the adjacent listed building and the character of the street scene.

5. RELEVANT SITE HISTORY

5.1 No recent, relevant history.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework 2012

6.2 Uttlesford District Local Plan 2005

- Policy S3 – Other Settlement Boundaries
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards

- Policy ENV2 – Development affecting Listed Buildings

6.3 Guidance

- SPD – Accessible Homes and Playspace
- The Essex Design Guide
- Parking Standards: Design and Good Practice

7. PARISH COUNCIL COMMENTS

7.1 Objection, for reasons relating to:

- Harm to the setting of adjacent listed buildings
- Harm to the street scene
- Overshadowing of adjacent private footpath
- Overlooking of Nos. 274, 277 and 281
- Insufficient parking provision
- Unsustainable transport options
- Highway safety

8. CONSULTATIONS

ECC Highways

8.1 No objection subject to conditions relating to:

- Surface water runoff
- Access construction
- Visibility splays
- Surface treatment

ECC Ecology

8.2 No objection.

Conservation Officer

8.3 Verbal comments: No objection. The surrounding area is developed with a number of detached and semi-detached houses, and the proposed dwelling would not cause significant harm to the setting of Green Farm Cottage. The design of the house is in keeping with the local vernacular.

Access and Equalities Officer

8.4 The design meets the requirements of the SPD entitled 'Accessible Homes and Playspace'.

Thames Water

8.5 No objection.

9. REPRESENTATIONS

9.1 Neighbours were notified of the application by letter and a notice was displayed near the site. Representations have been received, which raise the following concerns:

1. Loss of daylight to No. 281 and Old Cottage
2. Overlooking of No. 277, 281 and Old Cottage
3. Harm to street scene
4. Highway safety
5. Overdevelopment of the site
6. Harm to the setting of the adjacent listed buildings, Green Farm Cottage and Old Cottage
7. Insufficient parking provision
8. Overshadowing of private access path
9. Noise nuisance from vehicle movements
10. Light disturbance from vehicle movements
11. Damage to old pipework under the site

9.2 Points 1 to 10 are considered in the below appraisal. Point 11 is not a material planning consideration.

12. APPRAISAL

The issues to consider in the determination of the application are:

- A Character of settlement (ULP Policy S3)
- B Compatibility with surrounding buildings (ULP Policy GEN2)
- C Setting of listed buildings (ULP Policy ENV2)
- D Nature conservation (ULP Policy GEN7)
- E Sustainable transport modes (NPPF)
- F Highway safety (ULP Policy GEN1 and GEN8; Parking Standards: Design and Good Practice)
- G Crime (ULP Policy GEN2)
- H Accessibility (ULP Policy GEN2; SPD Accessible Homes and Playspace)
- I Private amenity space (ULP Policy GEN2; The Essex Design Guide)
- J Living conditions of neighbours (ULP Policy GEN2; The Essex Design Guide)
- K Use of local services and facilities
- L Construction jobs

A Character of settlement

10.1 It is considered that a detached dwelling on the site would be compatible with the pattern of development in this part of the village. It would fill a gap in a long row of residential properties lining Birchanger Lane. There is no conflict with Policy S3, which seeks to protect the rural character of villages such as Birchanger.

B Compatibility with surrounding buildings

10.2 The street scene has a varied appearance, including pre- and post-20th century houses of different styles. The proposed design would have a number of similarities with Green Farm Cottage, and it is considered that the house would appear compatible with the existing street scene. There is no conflict with Policy GEN2, which seeks compatibility with surrounding buildings.

C Setting of listed buildings

10.3 Green Farm Cottage is a Grade II listed building. It is acknowledged that the loss of space to the side of the cottage would affect views of the building. However, none of its special characteristics would be affected, and it is considered that the proposal is in keeping with the pattern of development in the area so there would be no significant harm to the setting of the cottage. Similarly, it is considered that the setting of the opposite Grade II listed building, Old Cottage, would not be harmed. There is no conflict with Policy ENV2, which seeks to protect listed buildings and their settings.

D Nature conservation

10.4 While vegetation would need to be cleared to facilitate the proposed development, it is acknowledged that the Ecological Consultant has raised no objection to the proposal. It is therefore considered that harm to protected and priority species is unlikely. There is no conflict with Policy GEN7, which seeks to protect wildlife.

E Sustainable transport modes

10.5 Prospective residents would be able to access a limited number of services and facilities within the village, including a primary school, recreation ground, social club and public house. Buses run to nearby Bishop's Stortford. It is therefore considered that residents would not necessarily rely on using the private car to access employment, services and facilities. There is no conflict with paragraph 34 of the NPPF, which seeks to minimise the need to travel and maximise the use of sustainable transport modes.

F Highway safety

10.6 The proposal includes a new vehicular access onto Birchanger Lane, and would include two off-street parking spaces. Taking into account the comments of the Highway Authority, it is considered that the proposed access arrangements would not cause harm to highway safety. The proposed parking provision meets the Council's adopted standards for a three-bedroomed dwelling. While it is noted that the representations raise concern that an additional bedroom would be provided rather than a study, it is considered that the proposed layout would most likely lend itself to a three-bedroomed dwelling due to the downstairs location of the study. There is no conflict with policies GEN1 or GEN8, which seek safe vehicular access and appropriate parking provision respectively.

G Crime

10.7 The proposed house would be positioned close to the property's boundary, causing some degree of enclosure to the private footpath which forms the access to Nos. 277 and 279. However, it is considered that the length of footpath affected by the development would be relatively small so there would be no significant increase in the likelihood of burglary or risks to personal safety. There is no conflict with Policy GEN2, which seeks crime reduction.

H Accessibility

10.8 Taking into account the comments of the Access and Equalities Officer, it is considered that the proposal complies with the SPD entitled 'Accessible Homes and Playspace' which seeks an accessible layout for all.

I Private amenity space

10.9 The proposal includes a private garden to the rear of the dwelling, measuring approximately 190 m². Taking into account the minimum standard of 100 m² contained within 'The Essex Design Guide', it is considered that sufficient private amenity space would be provided.

J Living conditions of neighbours

10.10 None of the proposed windows would face the rear of any existing dwelling, although the rear windows would face the side of No. 277. However, there are no windows on the side elevation of No. 277 so it is considered that there would be no overlooking impacts from the proposal.

10.11 It is considered that the dwelling would cause a material loss of daylight to the dining room at No. 281, which is served by a small side window at ground floor level. However, limited weight is given to this harm because the occupants of No. 281 have access to a well-lit kitchen/diner to the rear and living room to the front, which adjoins the dining room.

10.12 The living room at Green Farm Cottage would suffer a loss of daylight, albeit a material consideration is that concurrent applications have been made to move the affected window (UTT/14/1902/HHF and UTT/14/1903/LB). These applications for planning permission and listed building consent are recommended for approval. Should these applications be approved, a condition could be used to ensure that the proposed dwelling is not erected until the windows have been moved. This would eliminate overshadowing as an issue.

10.13 In the representations, concern has been raised that the vehicle movements associated with the proposal would cause harm to the living conditions of neighbours from noise and glare. However, it is considered that the level of use proposed, and its domestic nature, ensures that any impact would be minimal.

10.14 There is limited conflict with Policy GEN2, which seeks to avoid harm to the living conditions of neighbours.

K Use of local services and facilities

10.15 Prospective residents may use local services and facilities including the recreation ground, social club and public house, which could contribute to their long term viability and benefit the community as a whole. Nevertheless, the impact of one new dwelling would be small so limited weight is given to this benefit.

L Construction jobs

10.16 It is acknowledged that the proposed development would provide jobs during construction. However, limited weight is given to this benefit because it is temporary, and the jobs would be provided regardless of the location of the new dwelling.

13. CONCLUSION

13.1 The following is a summary of the main reasons for the recommendation:

- A There is no serious conflict with any relevant planning policies or guidance. While some loss of daylight could be experienced at 281 Birchanger Lane, the impact on the living conditions of the occupants is unlikely to be significant.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. No development shall take place until the windows of Green Farm Cottage have been moved in accordance with planning permission reference UTT/14/1902/HHF and listed building consent reference UTT/14/1903/LB.

REASON: To protect the living conditions of neighbouring residential occupiers, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to commencement of the development, samples of the roof tiles and bricks to be used in the external finishes of the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples.

REASON: To ensure compatibility with surrounding buildings and to protect the setting of the adjacent listed building, in accordance with policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

4. Prior to commencement of the development, details of the boundary treatment to be used (including height, layout and appearance) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

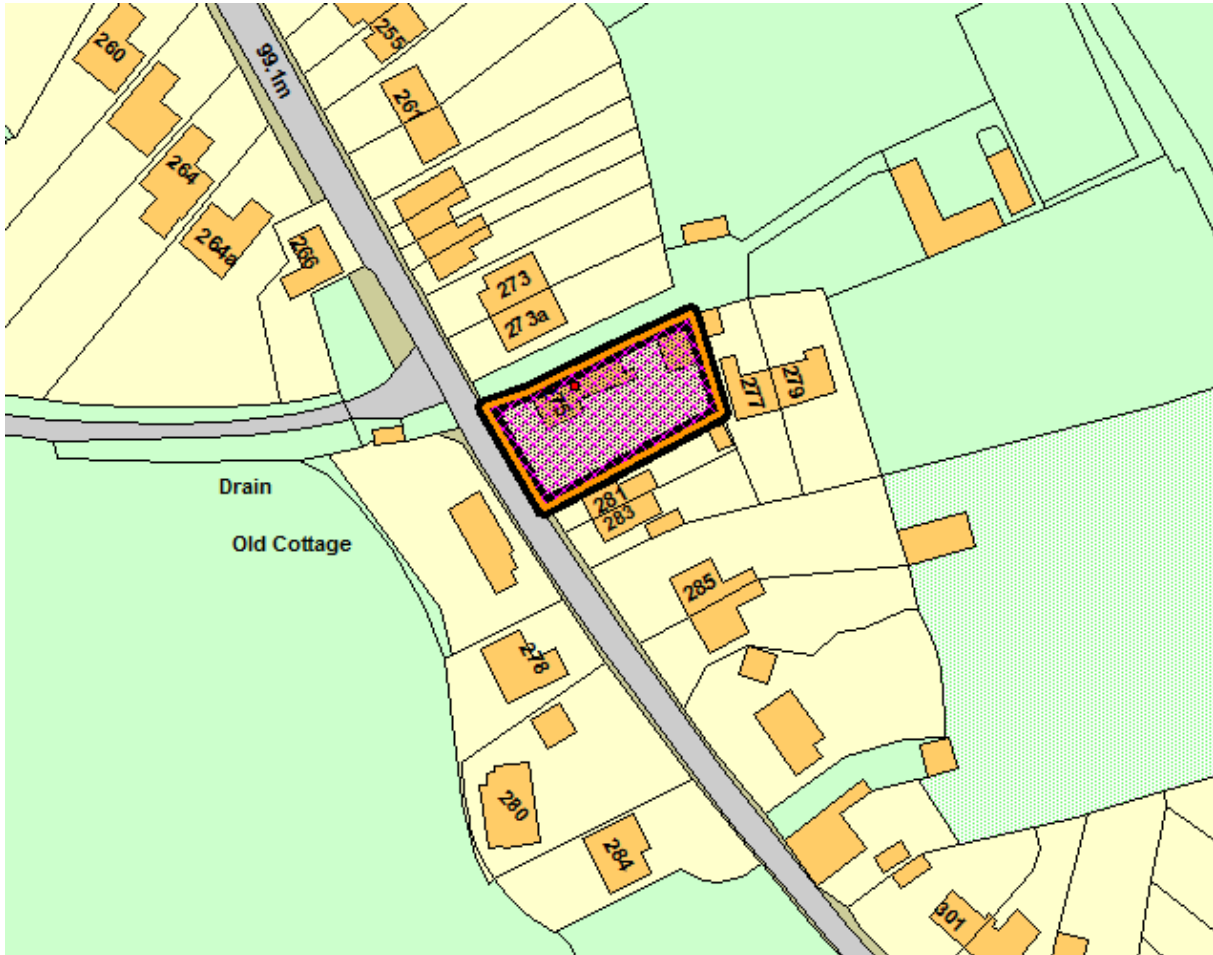
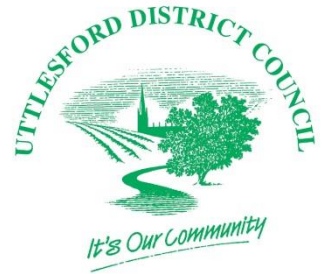
REASON: To protect the character of the area and the setting of the adjacent listed building, in accordance with policies S3 and ENV2 of the Uttlesford Local Plan (adopted 2005).

5. The hard surfaces to be formed to the front of the dwelling shall be made of porous materials, or provision shall be made to direct runoff water from the hard surface to a permeable or porous area within the curtilage of the dwelling.

REASON: To prevent risks to highway safety from surface runoff, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/1903/LB

Address: Green Farm Cottage
275 Birchanger Lane
Birchanger



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Organisation: Utlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/2101/FUL (TAKELEY)

(Referred to Committee by Cllr Cheetham. Reason: loss of amenity to any of the properties that surround the site)

PROPOSAL: Extension of an existing single storey building along the southern boundary of the Weston Group Business Centre to accommodate improved conference centre facilities.

LOCATION: Weston Business Centre, Parsonage Road, Takeley, Hertfordshire

APPLICANT: Miss R Clifford

EXPIRY DATE: 18 September 2014

CASE OFFICER: Madeleine Jones

1. NOTATION

1.1 Within Development Limits. Local Policy 5

2. DESCRIPTION OF SITE

2.1 The site covers 0.66ha on the eastern side of Parsonage Road, near the northern edge of the village. The building comprises 3900m² of existing office space contained within a modern building. There are 94 vehicle spaces and the entrance is gated. To the south and opposite the site are residential properties. To the southern boundary are some outbuildings.

3. PROPOSAL

3.1 The proposal is for a single storey extension to the southern elevation. The extension would be used to accommodate improved conference centre facilities, to include a kitchen area, a bar and storage facilities. 170m² of additional floor space will be created.

4. APPLICANT'S CASE (summary)

The proposed development site has an area of 0.66ha, is located on the east side of Parsonage Road, north of the centre of Takeley and comprises 3900m² of existing office space contained within a building of modern glazed design.

The northern boundary adjoins Skyway House a commercial building, countryside at an elevated level adjoins the eastern boundary, and the sites entrance from Parsonage Road lies to the west.

The site benefits from an existing mechanically controlled barrier gate; this provides access to 94 on-site vehicle parking spaces, and inhibits casual vehicular entrance by persons not associated with the business, outside of normal operating hours.

The proposal is for "Extension of an existing single storey building along the Southern boundary of the Weston Group Business Centre, to accommodate improved conference centre facilities".

The southern boundary of the site adjoins an infrequently used unmade public footpath, the width of which being approximately 2.5m (measurements from the site location plan). Beyond this are rear gardens which serve existing residential dwellings within North Road, these dwellings typically comprise two storey terraced housing.

Numbers 1, 3, 5 and 7 North Road, have gardens in excess of 34m in length (measurements from the site location plan) and are situated nearest to the proposed extension.

An existing retaining wall is set within the boundary and accommodates a reduction in levels of up to approximately 0.8m between the adjoining path at the higher level and application site.

The proposed single height extension to the existing brick finished building along the southern boundary, will retain the pre-existing finished floor level and the shallow pitched mono-roof system will be extended down toward the line of the existing retaining wall.

All materials will be matched to existing and vegetation along the southern boundary retained, as far as is practically possible, to assist in softening the edge of the developed area.

Accesses to the existing business centre are of an inclusive design, incorporating level thresholds and ensure safe usage by everyone.

The proposals do not alter the existing access to and use of the building, by either vehicles or individuals.

5. RELEVANT SITE HISTORY

The site has extensive planning history, the relevant applications are:

UTT/0761/01/OP – Erection of two-storey building to provide offices and new business centre. Siting and access with all other matters reserved - Approved 10th February 2010

UTT/1550/01/FUL- Erection of two-storey building to provide offices and new business centre – Approved 6th August 2002

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S2 Other Settlement Boundaries
- GEN2 Design
- GEN1 Access
- GEN8 Vehicle Parking Standards
- E3 Access to workplaces
- GEN4 Good Neighbourliness
- GEN7 Nature Conservation
- RS1 Access to retailing and Services
- T3 Car parking associated with development at Stansted Airport
- Takeley Local Policy 5 Safeguarding of Existing Employment Area in Parsonage Road.

6.3 Uttlesford District DRAFT Local Plan

- SP2 Development within Development Limits
- DES1 Design
- SP12 Accessible Development
- SP11 Protecting the Natural Environment
- TA1 Vehicle Parking standards
- ENV1 Pollutants
- TA2 Car parking Associated with Stansted Airport

7. PARISH COUNCIL COMMENTS

7.1 No objections.

8. CONSULTATIONS

Natural England

8.1 Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Environmental Services

8.2 Verbal comments: No objections subject to condition.

9. REPRESENTATIONS

9.1 No representations have been received. Expiry date: 15th August 2014

10. APPRAISAL

The issues to consider in the determination of the application are:

- A Design, scale, impact on neighbour's amenity (ULP policies GEN2, GEN4, Takeley Local Policy 5)
- B Highway safety, parking provision (ULP policies GEN1 and GEN8)
- C Biodiversity (ULP policy GEN7)

A Design, scale, impact on neighbour's amenity (ULP policies GEN2, GEN4, Takeley Local Policy 5)

10.1 The site is identified within the local plan as a key employment site. The extension is quite minor in relation to the existing building. It is single storey and has a footprint of 170m². The site needs to be protected from change of uses to other land uses. The approved plans UTT/1550/01/FUL show the adjacent conference area to be used for presentations. Although the building would be closer to the southern boundary and residential houses, the height of the building would be the same as the existing single storey element already approved. The design is similar to the existing single storey side extension and would be compatible with the character of the area. Visually from the

street scene it would not be materially different. There would be no windows to the side elevation facing the southern boundary, while the existing building has doors in this elevation and as the extension would house a kitchen, bar and store rooms these would provide a buffer between the conference centre and the residential homes. The gardens of the properties adjacent to the southern boundary are some 34m in length and there is a public right of way between their gardens and the boundary of the site. Environmental Health officers have no objections to the proposal and state that they have not received any complaints from neighbouring properties relating to noise/nuisance issues. It is therefore considered, subject to appropriate conditions that the extension would have limited impact on neighbour's amenity. Accesses to the existing business centre are of an inclusive design, incorporating level thresholds and ensure safe usage by everyone

B Highway safety, parking provision (ULP policies GEN1 and GEN8)

10.2 The adopted parking standards would require a maximum provision of 1 space per 30sqm for the proposed extension i.e. a maximum of 5 parking spaces. This application does not provide any additional parking spaces. There are currently 94 spaces provided; however, it is not envisaged that the provision of a bar, kitchen or store rooms will lead to an increase in the need for more parking areas and as such it is not considered to be reasonable to refuse the application on that basis.

10.3 The access to the site is controlled by electronic gates and as such it is not likely that the car park would be used for air passengers of Stansted Airport.

C Biodiversity (ULP policy GEN7)

10.4 The applicant has completed a biodiversity checklist and also submitted a biodiversity statement with the application. Natural England has no objections to the application and it is not considered that the proposal would result in any material detrimental impact to biodiversity.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The proposal is acceptable in respect design, scale and amenity issues
- B Parking provision is considered to be acceptable
- C The proposal would not have any detrimental impact to biodiversity

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Operations for which noise is audible at the site boundary/nearest residential boundary shall only be carried out between 07:30 hours and 19:00 hours Monday to Friday and 08:00 hours and 18:00 hours on Saturdays and at no time on

Sundays, Bank holidays, without the prior written consent of the local planning authority.

REASON: In the interests of residential amenity in accordance with Uttlesford Local Plan (adopted 2005) policy GEN4

3. All plant, machinery and equipment (including fans, ducting and external openings) installed or operated in connection with the implementation of this permission shall be so enclosed and/or attenuated that noise emanating there does not, at any time, increase the ambient equivalent continuous noise level as measured according to British Standard BS4142:1997 at any adjoining or nearby residential property

REASON: In the interests of residential amenity in accordance with Uttlesford Local Plan (adopted 2005) policy GEN4

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. Subsequently these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure
- b) vehicle and pedestrian access and external circulation areas
- c) hard surfacing other hard landscape features and materials
- d) existing trees hedges or other soft features to be retained
- f) planting plans including specifications of species sizes planting centres number and percentage mix

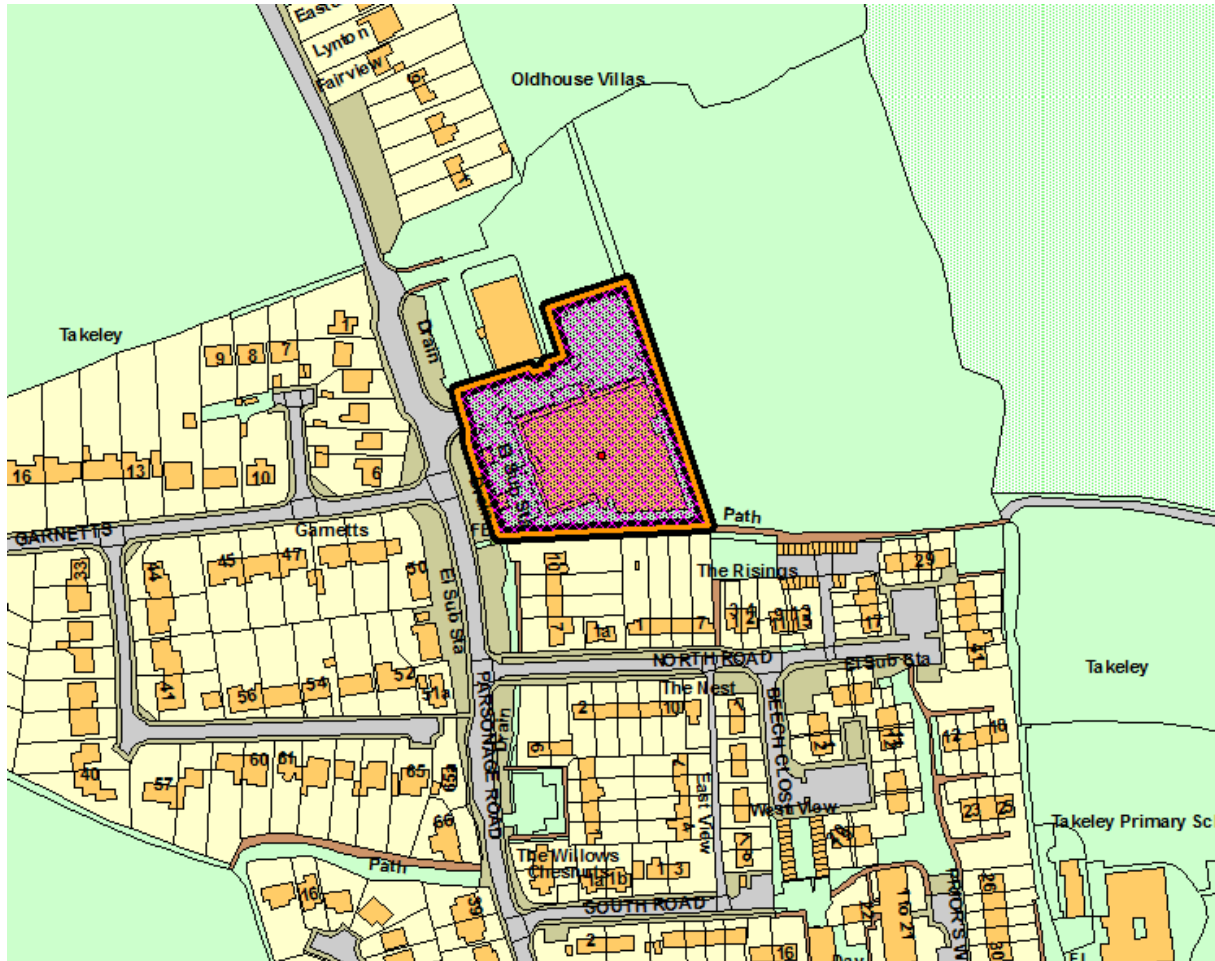
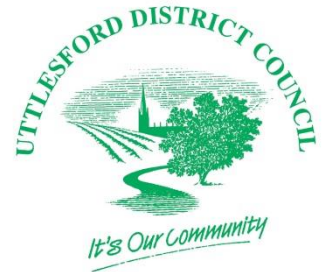
REASON: The landscaping of this site is essential in order to reduce the visual impact of the development hereby permitted and to avoid loss of amenity to housing nearby in accordance with Policies GEN2, GEN7, of the Uttlesford Local Plan (adopted 2005).

- 5 All hard and soft landscape works shall be carried out in accordance with the approved details. All planting seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building or the completion of the development whichever is the sooner. Any trees or shrubs which within a period of 5 years from the completion of the development 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: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policies H7 and GEN2 of the Uttlesford Local Plan adopted 2005.

Application no.: UTT/14/2101/FUL

Address: Weston Business Centre
Parsonage Road
Takeley



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

UTT/14/2383/HHF – GREAT CHESTERFORD

Reason: UDC employee

PROPOSAL: Proposed front (garage) and rear single storey extension
LOCATION: 4 Ash Green Great Chesterford
APPLICANT: Mr & Mrs T Greenwood
AGENT: Mr A F Weaver
EXPIRY DATE: 07 October 2014
CASE OFFICER: Rosemary Clark

1. NOTATION

1.1 Within Development Limits

2. DESCRIPTION OF SITE

2.1 The application site comprises a two storey detached dwelling located in a cul-de-sac, part of a residential development on the edge of Great Chesterford village. The properties either side are similar sized, individually styled detached dwellings. There is an attached single garage to the side with gravel driveway and parking area to the front of the property. The property to the north-west, No 6 Ash Green is set forward of the application site with the garage of No 4 forming part of the shared boundary. To the rear is a patio area and grassed area which slopes slightly upwards from the property. The property to the rear is bordered by 1.8m close boarded fencing and mature planting. There is a small shed located immediately to the rear of the garage.

3. PROPOSAL

3.1 This application relates to a proposed single storey extension to the front of the garage projecting 1.3m and an extension to the rear of the garage extending 3.3m, to provide a utility room and garden store with the garage remaining as a garage. The roofline will be extended and will be hipped at both ends. The materials used will match those of the existing dwelling.

4. APPLICANT'S CASE

4.1 N/a

5. RELEVANT SITE HISTORY

5.1 N/a

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2 - Design
- H8 – Home Extensions
- SPD1 – Home Extensions

7. PARISH COUNCIL COMMENTS

7.1 Parish consulted – expires 10.9.14

8. CONSULTATIONS

No consultees

9. REPRESENTATIONS

9.1 6 Neighbours consulted – expires 3.9.14

None received as at 1.9.14

10. APPRAISAL

The issues to consider in the determination of the application are:

A Whether the proposed works would be of an appropriate design and scale, (ULP Policies S1, H8, GEN2)

B Whether the proposal would affect the amenity values of neighbouring residents (ULP Policies H8 and GEN2)

A Whether the proposed works would be of an appropriate design and scale, (ULP Policies S1, H8, GEN2)

10.1 Local Plan Policies H8 and GEN2 as well as the Supplementary Planning Document (SPD) – Home Extensions indicate that development should respect the appearance of the existing dwelling with regard to size, design and appearance, in addition the SPD requires that all development should respect the scale, height and proportions of the original house.

10.2 The proposed extensions are modest in scale and form and would be subservient to the existing dwelling. Whilst the increase in built form along the shared boundary is acknowledged, as the extensions are single storey and the roof design will slope away from the boundary it is not considered that the proposed development would be unduly overbearing or overshadowing to the adjacent site at No. 4. The materials will match those of the existing dwelling. It is considered therefore that the proposed extensions are acceptable and meet the criteria of the relevant ULP Local Plan Policies.

B Whether the proposal would affect the amenity values of neighbouring residents (ULP Policies H8 and GEN2)

10.3 Policy GEN2 and H8 of the Local Plan state that development should not have a materially adverse effect on the reasonable occupation and enjoyment of any nearby property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing. The overbearing and overshadowing issue has been dealt with in the above paragraph 10.2. There are no additional windows on the side elevation and it is

considered that there would be no potential increase in loss of privacy or daylight to neighbouring properties. The garage door will be brought forward to the front of the new extension and therefore from the street scene there will be little change. It is therefore considered that the proposals meet the requirements of ULP Policies H8 and GEN2.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

A & B The proposed extension to the front and rear are acceptable in terms of design and would not have any adverse impact on visual or residential amenity of the locality and therefore accords with the relevant National and Local Plan Policies.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

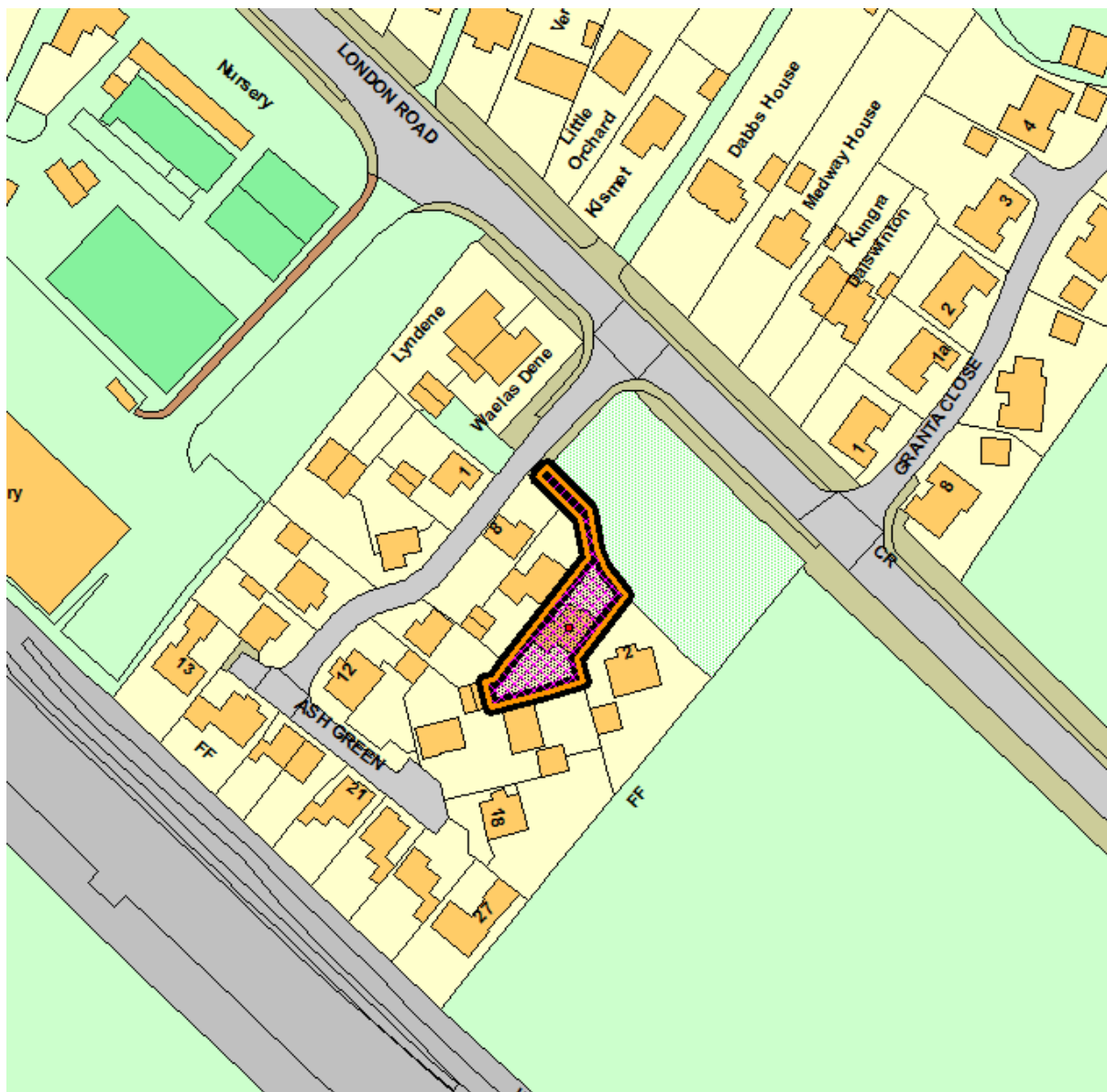
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Within four weeks of the date of the commencement of the development hereby permitted or other such period as agreed by the local planning authority details of Cost Effective Energy Efficiency Measures to be carried out to the extended dwelling shall be submitted to and approved in writing by the local planning authority. These measures shall be implemented during the construction of the development, unless otherwise previously agreed in writing by the local planning authority.

REASON: These measures are required to mitigate the greater use of energy resulting from the provision of the new extension to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

Application no.: UTT/14/2383/HHF

Address: 4 Ash Green
Great Chesterford
Saffron Walden



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Organisation: Uttlesford District Council
Department: Planning
Date: 4 September 2014
SLA Number: 100018688

UTT/14/2461/NMA – SAFFRON WALDEN

Reason – UDC employee

PROPOSAL: Non Material Amendment to UTT/14/1111/HHF – Widening of 1 no. ground floor and 1 no. 1st floor window

LOCATION: 31-33 Thaxted Road Saffron Walden Essex

APPLICANT: Ms Swain and Mr Harvey

AGENT: Mr A Weaver

EXPIRY DATE: 12 September 2014

CASE OFFICER: Samantha Heath

1. NOTATION

1.1 Within Development Limits.

2. DESCRIPTION OF SITE

2.1 The application site is situated on the west side of Thaxted Road and comprises a 1930s bungalow positioned within a continuous line of frontage dwellings with associated land to the rear. The rear part of the site is irregular shaped and contains a garage outbuilding with established hedging to rear boundaries. The site is located within a residential area amongst dwellings of varying sizes and designs, with a bungalow to the north and two storey dwellings to the south and east.

3. PROPOSAL

3.1 This application relates to a Non Material Amendment to application UTT/14/1111/HHF in respect of the approval to demolish the conservatory and to convert the loft to form first floor accommodation, the applicant wishes to widen the ground floor utility room window and the first floor stairwell window.

4. APPLICANT'S CASE

4.1 To improve appearance of front elevation.

5. RELEVANT SITE HISTORY

5.1 Planning permission granted in the 1960s for sub-division of the existing bungalow into two units. Application withdrawn in early 2013 for the demolition of the existing bungalow and the erection of three dwellings (including replacement) with garaging due to the failure by the applicant to submit a detailed ecology report to show whether the proposal would have a harmful impact on biodiversity/protected species and as ECC Highways had objected to the proposal on highway safety grounds as the applicant could not demonstrate sufficient visibility splays at the point of access onto Thaxted Road (UTT/13/0062/FUL). Application refused September 2013 for two detached dwellings (including replacement) due to harm to residential amenity and impact on trees (UTT/13/2043/FUL).

UTT/14/1111/HHF – The demolition of conservatory. Proposed alterations and conversion of loft to form first floor accommodation. – Approved 25.06.14

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2

7. PARISH COUNCIL COMMENTS

- 7.1 Not applicable. Consultations are not undertaken with Non Material Amendment Applications

8. CONSULTATIONS

- 8.1 Not applicable. Consultations are not undertaken with Non Material Amendment Applications

9. REPRESENTATIONS

- 9.1 Not applicable. Consultations are not undertaken with Non Material Amendment Applications

10. APPRAISAL

The issues to consider in the determination of the application are:

A. Whether the proposed amendments are minor in nature and would not have an adverse impact on the character of the surrounding buildings or any neighbouring amenity (ULP Policy GEN2)

The principle of this development has been established in the approval of application UTT/14/1111/HHF. This application relates to alterations to that application as approved.

The widening of two of the windows on the front elevation of the dwelling is considered to be acceptable as they will give a more symmetrical and balanced appearance to the dwelling. The proposed windows due to their locality and design would not have an adverse impact on the locality's surroundings or the visual amenity of neighbouring residential occupiers.

The proposed amendments are considered to be acceptable and accord with relevant Local Plan Policies.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The proposed amendments consisting of the following:-

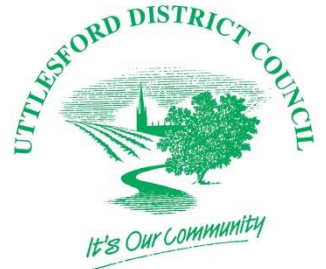
- Widening of ground floor window to utility room
- Widening of first floor window to stairwell

are considered minor enough to be minor amendments and would not have any adverse impact on visual or residential amenity and the application is therefore recommended for approval.

RECOMMENDATION – APPROVE MINOR AMENDMENTS

Application no.: UTT/14/2461/NMA

Address: 31 - 33 Thaxted Road
Saffron Walden



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Organisation: Uttlesford District Council
Department: Planning
Date: 4 September 2014
SLA Number: 100018688

UTT/ 14/2112/LB (SAFFRON WALDEN)

(Referred to Committee as the applicant is the District Council)

PROPOSAL: Replacement of 3 no. floor to ceiling
Windows with 2 no. windows and 1 no. door.

LOCATION: Council Offices London Road, Saffron Walden.

APPLICANT: Uttlesford District Council

AGENT: Stephen Friend

EXPIRY DATE: 11 September 2014

CASE OFFICER: Emmanuel Allanah

1. NOTATION

1.1 Within Development Limits, Conservation Area and Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 The Council Offices are houses in the Old Saffron Walden Hospital which are Grade II Listed and date from 1865, constructed of red and white brick under a slate roof. The building features a modern wing to its south west elevation.

3. PROPOSAL

3.1 The proposal would involve the replacement of 3 no. floor to ceiling windows with 2 no. windows and 1 no. door which are part of the Uttlesford Council Office in London Road.

3.2 The proposal is in connection with part of the office space currently in use by the Council's Human Resources Officers.

4. APPLICANT'S CASE

4.1 This application aims at the replacement of one window with the modern extension with French doors and two other windows with similar alternatives. These changes would be some distance away from the historic parts of the listed buildings and would not diminish its special architectural and historic interest. The modest changes would provide additional emergency escape and improve the integrity of the windows in question.

5. RELEVANT SITE HISTORY

UTT/1168/12/LB- Approve with condition. Remodel the ground floor reception area and first floor lavatory facilities.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ENV2- Development affecting Listed Buildings

6.3 Uttlesford Local Plan-Pre-Submission Consultation, April 2014

- HE2- Development affecting Listed Buildings

7.0 TOWN COUNCIL COMMENTS

- 7.1 No objection.

8.0 CONSULTATIONS

Conservation Officer

- 8.1 No objection as the proposal would only be within part of the modern building and on balance the proposed modest changes would not diminish the special architectural or historic interest of the listed building.

English Heritage

- 8.2 Awaiting comments.

9.0 REPRESENTATIONS

- 9.1 None received. Notification period expired 13 August 2014.

10.0 APPRAISAL

The issues to consider in the determination of the application:

- A Impact and setting of the listed building

A Impact and setting of the listed building

- 10.1 In considering whether to grant listed building consent, the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (Section 16 (2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990; National Planning Policy Framework, Adopted Uttlesford Local Plan (2005) and Uttlesford Local Plan, Pre-Submission Consultation, April 2014.

11.0 CONCLUSION

The following is a summary of the main reasons for the recommendation:

- 11.1 Subject to conditions it is considered that the special architectural and historic interests of the listed building would be preserved.

RECOMMENDATION – Conditional Approval to be recommended to the Government Office

1. The works to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Acts 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The works hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

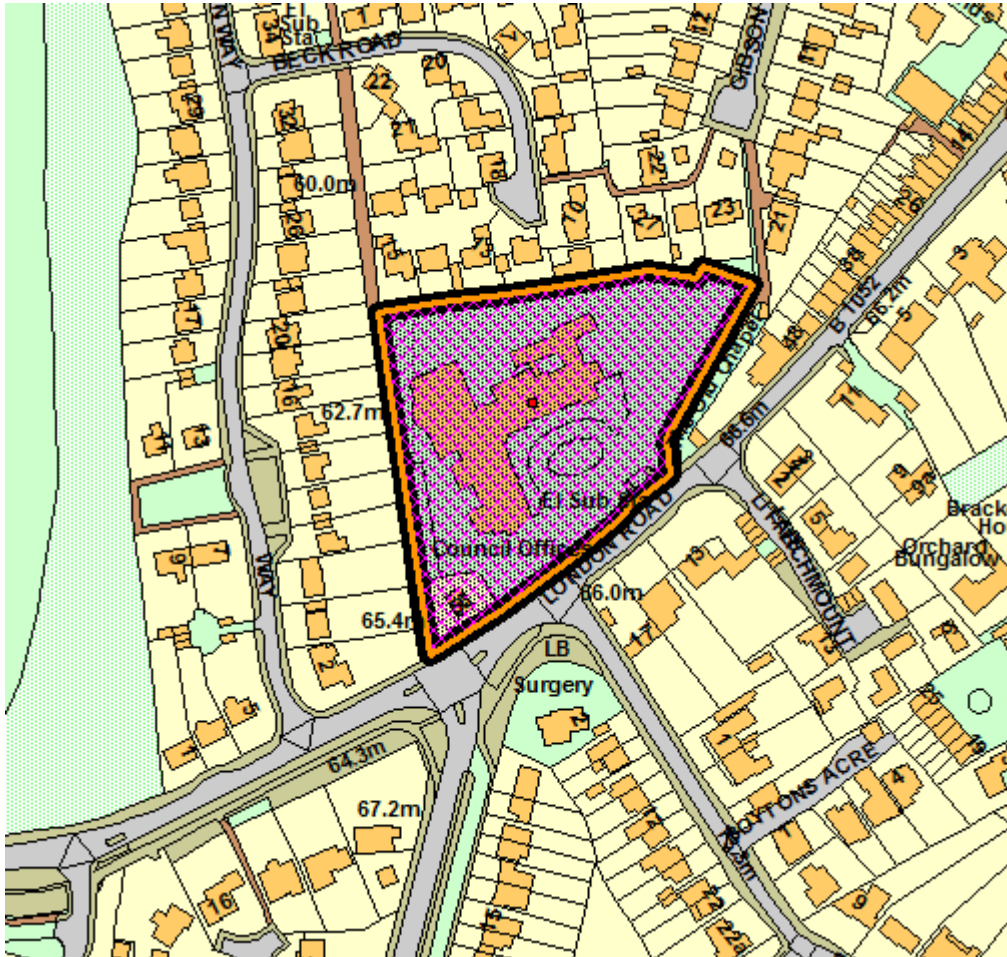
REASON: For the avoidance of doubt as to the nature of the works hereby permitted, to ensure work are carried out in accordance with the approved application details in accordance with the National Planning Policy Framework and Policy ENV2 of the Uttlesford Local Plan (2005) and Policy HE2 of the Uttlesford Local Plan-Pre-Submission Consultation, April 2014.

3. All finishes shall match existing.

REASON: To ensure works preserve the historic and architectural interests of the listed building in accordance with the National Planning Policy Framework and Policy ENV2 of the adopted Uttlesford Local Plan (2005) and Policy HE2 of the Uttlesford Local Plan Pre-Submission Consultation, April 2014.

Application No. : UTT/14/2112/LB

Address: Council Offices
London Road
Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

Date: 4 September 2014

SLA Number: 100018688

Title: Appeal Decisions

Item 5

Author: Nigel Brown – Development Manager

SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Land Adj Maughans Field Gate Lane Ugley	UTT/13/1548/OP	Outline application for two dwellings and garages together with turning head, passing bay and other external works	18/08/2014 Dismissed	The Inspector concluded that the proposal would cause significant harm to the character and appearance of the area. He concluded that although the distances to Elsenham and Stansted were relatively close, the absence of a footpath for part of the route to Elsenham made walking an unpleasant experience. As such he concluded that the proposal would likely result in an increased use of the motor car and therefore constituted unsustainable development.	N/A
Unit 2 Butlers Farm Butlers Lane Saffron Walden	UTT/13/2055/FUL	Retrospective Change of Use from B1 (Light Industrial) to Storage for Cleaning Materials and Personal Hobby Use (sui generis) and retention of one storage container	11/08/2014 Dismissed	The Inspector concludes that the vast majority of the building was used for non-business purposes. The building is located in the open countryside where planning permission should only be given for development that needs to take place there. The use for these hobby uses is not such a use and does not in any way contribute to the rural economy. She also raised concerns of potential disturbance from visitors and operations at the building, and was doubtful whether they could be controlled by conditions.	N/A

Hollyhock Cottage Bilden End Chrishall	UTT/13/2452/LB	Replacement windows	07/08/2014 Allowed	The Inspector concluded that the existing windows in the older part of the listed building are not historic windows, they have evidently been introduced as replacement windows over the years and they vary in style. Their replacement by good quality timber windows would not be objectionable in principle and the introduction of a harmonious set of windows in a matching style would be desirable architecturally. In this case, the use of "slimlite" units would not cause unacceptable harm to the listed building, although the project would improve the appearance of the building (by unifying the window designs) and would enhance the thermal performance of the building	N/A
Land Adjacent To Hillside Brick Kiln Lane Quendon And Rickling	UTT/13/2311/FUL	Erection of 1 no. detached dwelling with garage	18/08/2014 Dismissed	The Inspector accepted that the site lied in open countryside. He stated that Rickling Green provided limited services and that it was not a wholly sustainable settlement. "It is therefore clear to me that the remoteness of the appeal site from the village and the uninviting characteristics of Brick Kiln Lane would be strong disincentives to occupiers of the proposed dwelling using non-car means of transport to access services and facilities in the village or beyond. I therefore conclude that most journeys to and from the appeal development would use 3 the private car". He concluded that this would be an inherently unsustainable situation. The affordable housing requirement fell away as contributions are no longer sought for single dwellings.	N/A

Committee: Planning

Date: 17 September 2014

Agenda Item No: 6

Title: PLANNING AGREEMENTS

Author: Christine Oliva (01799 510417)

The following table sets out the current position regarding outstanding Section 106 Agreements:-

No.	Planning Current Ref.	Approved by Committee	Applicant	Property	Position
1.	UTT/13/1684/OP	23/10/2013	Crest Nicholson (Eastern) and Great Dunmow Estates Ltd	Land at Smiths Farm, Chelmsford Road, Dunmow	Negotiations continuing
2.	UTT/13/3084/FUL	16/01/2014	Ms Vanessa Day	Land Chickney Road, Henham,	Draft sent to applicant 3.4.2014
3.	UTT/13/2839/FUL	16/01/2014	M and Mrs M Jones	Silverdale, The Street, Takeley	106 prepared and sent to applicant for comments
4.	UTT/13/2107/OP	12/02/2014	Barratt Homes, Mr CJ Trembath, Buildings Farm Partnership	Land West of Woodside Way, Dunmow	Negotiations continuing
5.	UTT/13/2340/OP	12/03/2014	Dunmow Skips Ltd	Dunmow Skips Site, station Road, Felsted	Agreement drafted negotiations continuing
6.	UTT/14/0174/FUL	09/04/2014	New World Timber Frame Ltd	New World Timber Frame/Gravel dene Nurseries, London Road, Great Chesterford	Negotiations continuing
7.	UTT/14/0480/FUL	09/04/2014	Mr James Collins	Elsenham Sawmill, Fullers End, Tye Green Road, Elsenham	Negotiations continuing
8.	UTT/13/3467/OP	30/04/2014	Manor Oak Homes	Land South of Radwinter	Negotiations continuing

				Road, Saffron Walden	
9.	UTT/13/2423/OP	30/04/2014	Ridgeon Properties Ltd	Ashdon Road, Commercial Centre, Saffron Walden	Negotiations continuing
10.	UTT/14/0127/FUL	07/05/2014	Taylor Wimpey, Ms Mortimer, Ms Staines Ms Stoneman	Land South of Ongar Road, Dunmow	Agreement sealed
11.	UTT/14/0481/FUL	07/05/2014	Mr O Hookway	Land adjacent to Warwick Road, Little Canfield	Land mortgaged agreement re-drafted and sent for signature 28.8.2014
12.	UTT/14/0005/OP	26/06/2014	Enodis Ltd and Enodis Property Development Ltd	Land off Tanton Road, Flitch Green	Negotiations continuing
13.	UTT/14/0138/FUL	23/07/2014	Pomery Planning Consultants Ltd	Land South of Dunmow Road, Great Hallingbury	Negotiations continuing
14.	UTT/14/1549/FUL	23/07/2014	Mr Harun Khan	Yuva 21, Cambridge Road, Stansted	Sealed Unilateral Undertaking received
15.	UTT/14/0122/FUL	20/08/2014	Banner Homes and the Bush Family	Ersamine, dunmow Road, Takeley	Negotiations continuing
16.	UTT/14/01779/FUL	20/08/2014	Crest Nicholson Eastern	Windmill Works Aythorpe Roding	Agreement drafted
17.	UTT/14/1688/FUL	20/08/2014	Hastoe Housing Association	Mill Road, Wimbish	Agreement to be drafted

Background Papers:

Planning Applications
Files relating to each application

FOR INFORMATION