



Uttlesford District Council

Chief Executive: John Mitchell

Planning

Date: Wednesday, 15 October 2014
Time: 14:00
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors C Cant, J Cheetham (Chairman), J Davey, K Eden, R Eastham, E Godwin, E Hicks, J Loughlin, K Mackman, J Menell, D Perry, V Ranger, J Salmon, L Wells.

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest.**
To receive apologies for absence and declarations of interest
- 2 Minutes of previous meeting** 4 - 8
To consider the minutes of the meeting held on 17 September 2014
- 3 Matters arising.**
To consider any matters arising from the minutes
- 4 Planning Applications**
 - 4.1 UTT/14/0425/OP Gt Chesterford** 9 - 25
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	To consider any items that the Chairman considers to be urgent.	

MEETINGS AND THE PUBLIC

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The agenda is split into two parts. Most of the business is dealt with in Part 1 which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

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For information about this meeting

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**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 17 SEPTEMBER 2014**

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

Officers in attendance: E Allanah (Senior Planning Officer), N Brown
(Development Manager), M Cox (Democratic Services Officer), S
Heath (Planning Officer), L Mills (Planning Officer), C Oliva
(Solicitor), M Shoemith (Development Management Team Leader)
and C Theobald (Planning Officer).

Councillor Mackman left the meeting after item 4.2

PC27 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Wells.

Councillor Godwin declared a non - pecuniary interest in applications
UTT/14/1902/FUL, UTT/1903/LB and UTT/14/1898/FUL Birchanger, as a
member of Birchanger Parish Council but advised that she had not been at the
meeting where this application had been discussed.

Councillor Cant declared a pecuniary interest in application UTT/14/1169/OP
Stebbing due the proximity of her property to the application site.

PC28 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 20 August 2014 were received, confirmed
and signed by the Chairman as a correct record.

PC29 PLANNING APPLICATIONS

(a) Approvals

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

UTT/14/1887FUL Stansted – 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 – Bentfield Place,
Bentfield Road for City and County Group.

Richard Winsborough spoke in support of the application.

UTT/14/1888/LB Stansted – proposed two storey extension to existing offices and minor external changes to existing listed building – Benfield Place, Bentfield Road for City and Country Group.

UTT/14/2223/FUL Great Easton – change of use of land from paddock to residential. Demolition of outbuildings and erection of a single storey bungalow – Homefield, Mill End for Miss M Felton.

UTT/14/1902/HHF Birchanger – removal and infilling of 2 no. windows to side elevations and 2 no. new windows to the rear elevation – Green Farm Cottage, 275 Birchanger Lane for Mrs A Farr.

UTT/14/1903/LB Birchanger – removal and infilling of 2 windows to side elevations and 2 new windows to the rear elevation – Green Farm Cottage, 275 Birchanger Lane for Mrs A Farr.

UTT/14/1898/LB Birchanger – erection of 1 no. dwelling – Land at Green Farm Cottage, 275 Birchanger Lane for Mrs A Farr.

Lesley Robins and Maria Davey (statement read) spoke against the application. Ian Abrams spoke in support of the application.

UTT/14/2101/FUL Takeley – extension of an existing single storey building along the southern boundary of the Weston Group Business Centre, Parsonage Road for Miss R Clifford.

UTT/14/2383/HHF Great Chesterford – proposed front (garage) and rear single storey extension – 4 Ash Green for Mr and Mrs T Greenwood.

UTT/14/2461/NMA Saffron Walden – non-material amendment to UTT/14/1111/HHF – widening of no. ground floor and 1 no. 1st floor window – 31-33 Thaxted Road for Ms Swain and Mr Harvey.

(b) Approvals with legal obligations

UTT/14/1069/OP Stebbing - outline application for up to 30 dwellings, public open space, landscaping, new access and ancillary development with all matters reserved except access - Land to the North of Stebbing Primary School and rear of Garden Fields and Parkside Garden Fields for Mr David Rich – Jones.

RESOLVED that conditional approval be granted for the above application

1. subject to the conditions set out in the report and an additional condition to require a construction management plan.
2. A legal obligation as follows
 - (l) 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

3 An informative note to the Council's Landscape Officer to consider the merit of the Elm tree when considering the landscape scheme
An informative note to the applicant to safeguard the grassed area at the entrance to the site.

Roger Bye and Jane Goodwin (Stebbing parish Council) spoke against the application.

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

UTT/14/1819/FUL Little Canfield – Demolition of former motel/ restaurant, associated outbuildings and no.2 Hamilton Road. Erection of 13 dwellings with associated access off Dunmow Road – Stansted Motel and 2 Hamilton Road for Bushmead Homes Ltd.

RESOLVED that conditional approval be granted for the above application subject to

1. The conditions set out in the report and an additional condition requiring a revised drawing for a covered walkway linking the parking space with the disabled dwelling
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 contributions towards education
 - (ii) to market one plot as a wheelchair accessible with a contribution of £8500
 - (iii) pay Council reasonable legal costs
 - (iv) 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
 - (ii) Failure to market one plot as a wheelchair accessible dwelling.

(c) District Council development

RESOLVED that pursuant to the Town and Country Planning (General) regulations 1992, permission be granted for the development proposed subject to the conditions in the officer's report.

UTT/14/2112/LB Saffron Walden - replacement of 3 no. floor to ceiling windows with 2 no. windows and 1 no. door – council offices , London Road for Uttlesford District Council.

(d) Refusals

RESOLVED that the following applications be refused

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: The proposed development by reason of its location and insufficient parking provision would result in unacceptable on-street parking to the detriment of pedestrian and highway safety, also affecting the character and appearance of the Conservation Area, contrary to Policies GEN1, GEN4 and ENV1 of the Uttlesford Local Plan (adopted 2005) and NPPF.

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

Reason: The proposed development by reason of its size, scale and design is unacceptable resulting in a cramped form of development out of keeping with the surrounding area and harm to the residential and visual amenities of the adjacent residential occupiers, contrary to Policies GEN4 and GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Mr Yarnold spoke against the application and read a statement from Denise Wright. Simon Howard Dobson read a statement against the application by Janet Dow. Eleanor Luther spoke in support of the application.

(e) Site visit

RESOLVED to visit the site of the following application.

UTT/14/0425/OP Great Chesterford – outline planning with all matters reserved for residential development of up to 14 dwellings – land north of Bartholomew Close for Mr Hamilton.

Councillor Redfern and Victoria Choat spoke against the application. Saffron Garner spoke in support of the application.

PC30 **APPEAL DECISIONS**

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

PC31 **PLANNING AGREEMENTS**

The Committee received the schedule of outstanding section 106 agreements.

The meeting ended at 5.30 pm.

UTT/14/0425/OP – Great Chesterford

Deferred for site visit following Committee meeting 17 September 2014

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 Councils 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.

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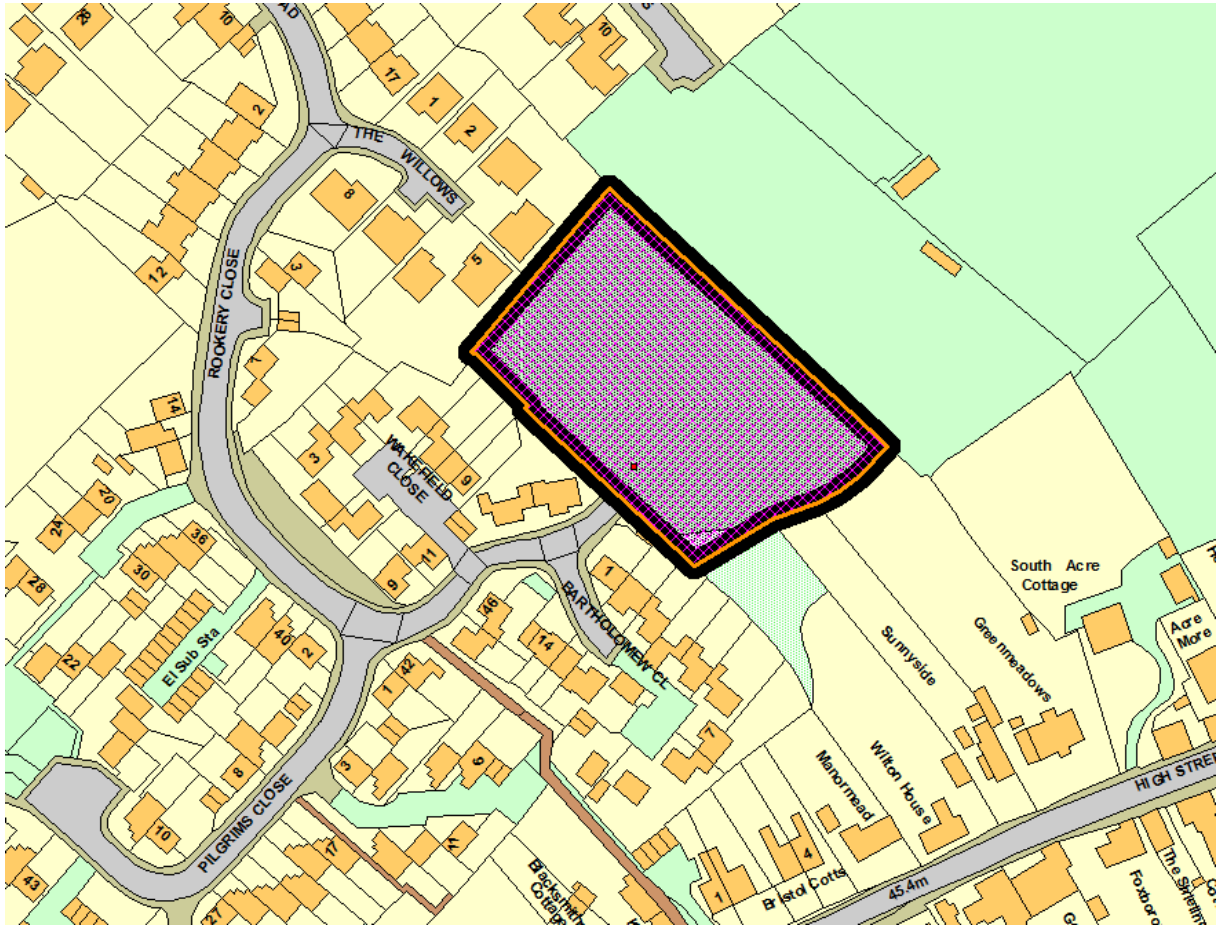
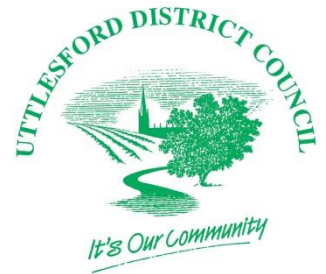
5. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of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

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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:	2 October 2014
SLA Number:	100018688

UTT/14/2234/DFO NEWPORT

(MAJOR)

PROPOSAL: Details following outline approval granted under UTT/12/5198/OP for the erection of 23 dwellings, including 9 affordable units, new vehicular access, parking, garaging, drainage and ancillary works involving demolition of existing dwelling.

LOCATION: Carnation Nurseries, Cambridge Road, Newport.

APPLICANT: Bloor Homes Eastern.

EXPIRY DATE: 22 October 2014.

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site comprises a redundant nursery extending to 0.67ha containing an extensive range of glasshouses and a large former packing shed now used for separate business use, including gym, situated behind a line of dwellings fronting the eastern side of Cambridge Road. The site slopes down from the road to the River Cam, which runs along its eastern boundary, whilst vehicular access into the site and an adjacent nursery is gained from Cambridge Road at its northern end adjacent to Carnation Bungalow.

3. PROPOSAL

3.1 This reserved matters application seeks detailed approval for the erection of 23 dwellings, including 9 affordable housing units to be situated at the rear of the site, new vehicular access from Cambridge Road, parking, garaging, drainage and ancillary works involving the demolition of Cedardale where matters relating to layout, scale, appearance and landscaping fall to be considered and where access was agreed at outline stage under application UTT/12/5198/OP.

3.2 The development would comprise mainly two storey dwellings with a small amount of two and a half storey units spread across the development and would incorporate a mixture of house types and styles and a combination of mainly on-site garaging and hardstanding spaces.

4. APPLICANT'S CASE

4.1 Summary of case:

- The scheme layout and design has been carefully drawn up to respect the site setting, to minimise visual impact and overlooking, to provide integration into the existing urban fabric in terms of built form and external finishes, to respect existing landscape parking

where possible to avoid “dead” spaces and to ensure future owners’ use of the allocated spaces provided.

- The proposed dwellings for both market and affordable housing have been designed in a variety of styles and with a number of different house types all with private gardens. The design quality will be the same across the whole site and the affordable units will not be distinguishable from the market housing units.
- An offer is being made to the Council running concurrent with this application submission for a percentage of the affordable housing units to be given over to the Council as “gifted” units to form part of its housing stock.
- The proposal provides a variety of house types ranging in size from 2 bed to 5 bed dwellings to create a mixed and balanced development. Over 50% of the market units will be 3 bedroomed, which accords with the Council’s policy requirement of providing a “significant” proportion of smaller market units.
- The key principle of the landscape strategy is to create active frontages that respect the character of the surrounding area and to contribute to the legibility of the new scheme to define a sense of place.

The application is accompanied by the following documents:

- Planning Supporting Statement
- Design and Access Statement
- Extended Phase 1 Habitat Survey
- Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan

5. RELEVANT SITE HISTORY

- 5.1 Outline planning permission granted in 2013 for the demolition of existing buildings, including a single dwelling (Cedardale) and for the principle of residential development at the site for up to 23 dwellings and estate road at Carnation Nurseries with all matters reserved except access. The officer report for the application addressed the issue of flood risk given the location of the site within a Flood Risk 2/3 area adjacent to the River Cam following consultations with the Environment Agency and also the loss of employment at the site with regard to the converted packing building. The officer report also addressed the issue of site remediation given the nature of the site.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy GEN2 – Design
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 - Vehicle Parking Standards
- ULP Policy H9 - Affordable housing
- ULP Policy H10 – Housing Mix

6.3 Uttlesford District DRAFT Local Plan

- Policy DES1 – Design
- Policy HO2 – Housing Mix

- Policy HO7 – Affordable Housing
- Policy TA1 – Vehicle Parking Standards

7. PARISH COUNCIL COMMENTS

7.1 We are naturally disappointed that outline consent (UTT/12/5198/OP) was granted despite our objections and those of others, but whilst accepting that decision, the current application raises issues of district-wide importance and we urge that this application be rejected on the basis of the proposed parking arrangements.

- The provision of a mere 6 places, all at the entrance to the development, is inadequate and impractical. Many of those visitors will be delivery workers and other tradesmen, who cannot be expected to carry their parcels and/or tools and fittings the length of the cul-de-sac. Moreover it is highly unlikely that visitors bringing gifts, carrying babies and other young children, as well as over-night luggage would park so far from their destination. As a medical research worker regularly visiting residents of such developments as these with heavy assessment equipment, I can personally vouch for the impracticability of such a provision.
- Many residents of such developments often do not bother to park in their drives at all, in favour of cluttering up the road, so the provision of tandem parking for at least 12 of the properties (and even triple nose-to-tail parking) is therefore hopelessly impractical. It cannot be expected that residents will placidly shuffle cars out of the way in order to use those further into the parking spaces. They will leave them all in the road.
- The parking provision at the far end of the development (plots 11 and 12) offers no adequate manoeuvring space - indeed no such space at all is provided. There is no turning area, so that many vehicles will only be able to leave by reversing! It is an inescapable fact of life that car users will simply not bother to park tidily as shown in the plan but will leave their vehicles in the road, to the inconvenience of all, including emergency services.
- The proposal must be rejected to allow the developer to design for the real world.

8. CONSULTATIONS

Environment Agency

8.1 We have reviewed the Report on a Site Investigation at Former Carnation Nurseries Site, Ref: C13147, February 2014, Ground Engineering Ltd. We are able to recommend discharge of Parts 1 to 3 of Planning Condition 14 (1. Site Characterisation; 2. Submission of Remediation Scheme; and, 3. Implementation of Approved Remediation Scheme) of UTT/12/5198/OP. We understand that Part 4 of Condition 14 (Unexpected Contamination) and Condition 9 (Surface Water Infiltration) have not yet been submitted.

Network Rail

8.2 No observations.

ECC Ecology

8.3 I note that the above scheme was granted consent in October 2013 with the following condition relating to ecology:

The applicant shall submit a further more detailed ecological survey report of the site with reference to all hard and soft features, including a detailed bat survey of Cedardale, the banks of the River Cam and wider catchment area and shall contain an

extended methodology and mitigation statement to include reference to BRIE and other local records as procedurally required by Natural England Standing Advice and CIEEM.

Further to this, the previous objections have been resolved in relation to the following:

- Local biological records search now completed (included in SES report dated July 2014)
- Phase 1 survey now accurate – survey and plan now extends to red line boundary(SES report)
- Habitats now mapped correctly on Phase 1 plan (SES report)
- Reptiles now scoped out in the SES report
- Description of River Cam included in SES report and pollution control measures outlined in terms of impacts of construction on the river
- Mitigation recommendations are included in both the EA and the bat report. These should be adhered to.

In addition, further bat and water vole surveys were undertaken in July and August respectively. No bat roosts were identified on site. Bat activity was generally low on site with common pipistrelles and soprano pipistrelles being the most commonly heard species. Leisler's bats and brown long-eared bats were also heard. The river corridor appears to be an important foraging area (and most likely commuting route) for bats. The recommended sensitive lighting strategy and enhancements on page 19 should be adhered to. No evidence of water voles was identified 50 metres up or downstream of the site. Nonetheless, pollution prevention control measures should be sought from the Environment Agency. I consider that the above addresses our previous concerns in respect of the consented development at this site. The Preliminary Ecological Appraisal (June 2014) identifies the site to contain mostly bare ground with tree and scrub borders. Potential for nesting birds was identified on site and potential for commuting bats was identified along trees on Whiteditch Lane. The recommendations in relation to both nesting birds and commuting bats in Section 5.2 on page 16 should be adhered to.

ECC Archaeology

- 8.4 A proposal for initial trial trenching has been submitted by the applicant and is appropriate for the first phase of work. However, no work has commenced on the site and a further condition is recommended in line with the National Planning Policy Framework.

UDC Access & Equalities Officer

- 8.5 I have reviewed the drawings submitted as part of this application. I note that there is compliance with the Lifetime Homes requirements as set out in the SPD on Accessible Homes and Play space. However, there are 23 dwellings on this site and there is no nomination of the plot which will need to meet the requirements of the Wheelchair Accessible Housing Standard. Appendix 2 of that document refers and the layout as set out in that Standard. Please ask the applicant to provide the details.

Environmental Health Officer

- 8.6 The revised remediation strategy originally submitted in connection with UTT12/5198/OP is acceptable. No further contamination conditions are required with respect to UTT/14/2234/DFO (but put back on Part 4).

Housing Enabling Officer

8.7 The provision of affordable housing is in accordance with the Councils adopted policy..

9 REPRESENTATIONS

9.1 Notification period expired 28 August 2014. Advertisement expired 28 August 2014. Site notice expired 28 August 2014.

4 representations of objection received (summary):

- Site susceptible to flooding. Recent flooding occurrence (2014)
- Sewerage system already poor
- Proposal represents overdevelopment
- Local road infrastructure inadequate
- Insufficient parking, including visitor parking
- Boundary details need to be changed
- No commitment to wheelchair housing

Comments on representations

9.2 The comments by the Parish Council and other third parties relating to flood risk at the site and to adjacent land are noted. It is the case that the Environment Agency was consulted on the proposal at outline stage when the principle of development was considered, who had initially raised a flood risk objection, but later withdrew this objection following the submission of further technical details showing how the development would not be vulnerable to flood risk and how measures would be undertaken to reduce flood risk to adjoining land. The applicant would be required by condition 9 imposed under outline permission UTT/12/5198/OP to submit a surface water drainage scheme for approval prior to commencement of development based upon sustainable drainage principles (SUDS) where the drainage scheme would need to accommodate a 1 in 100 year critical rainstorm event inclusive of climate change allowances and for these approved details to be subsequently implemented prior to development – Reason: To prevent the increased risk of flooding. It should be noted also that all dwellings for the current reserved matters application have finished floor levels above the minimum AOD level of 54.2 metres as required by the Environment Agency at Condition 8 of the outline approval.

10 APPRAISAL

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

- A Design, housing mix and landscaping (ULP Policies GEN2, H10);
 - B Affordable housing (ULP Policy H9);
 - C Impact on residential amenity (ULP Policy GEN2);
 - D Parking arrangements (ULP Policy GEN8);
 - E Other matters: Ecology.
- A Design and appearance (ULP Policy GEN2)**

Plot	No. of Bedrooms	Garage	Carport	Garden Sizes (Sqm)	Parking Schedule (spaces)
1	3			105 sqm	2
2	3			112 sqm	2
3	3			100 sqm	2
4	3			103 sqm	2
5	4	2		222 sqm	1
6	4		1	106 sqm	2
7	4		1	105 sqm	2
8	3 AH		1	100 sqm	1
9	2 AH		1	25 sqm	1
10	3 AH		1	122 sqm	1
11	3 AH			100 sqm	2
12	2 AH			72 sqm	2
13	2 AH			63 sqm	2
14	2 AH			92 sqm	2
15	2 AH			57 sqm	2
16	2 AH				2
17	3			110 sqm	2
18	3			117 sqm	2
19	3			134 sqm	2
20	4	1		356 sqm	2
21	5	1		100 sqm	3
22	3		2	101 sqm	0
23	4	1		100 sqm	2
Visitor spaces					6

10.1 The site layout submitted for this reserved matters application has layout similarities with the outline layout approved under UTT/125198/OP where vehicular access into the site would be in the same access position from Cambridge Road involving the demolition of Cedardale. The layout would involve the erection of 23 dwellings with garaging with a mix of house types where 9 No. affordable housing units representing 40% of the total number of dwellings proposed would be positioned at the end of the internal spine road off of the rear hammerhead. The dwellings would vary in scale between 2 and 2½ storeys of traditional style and appearance and would incorporate a range of external materials. The House Type schedule and parking provision is set out above.

10.2 The scheme as submitted reflects pre-application discussions which have taken place between the applicant and Council Officers following approval of the outline scheme for this site and does not vary in terms of the number of dwellings proposed with the exception that the outline application proposed up to 23 No. dwellings whereas the reserved matters application now proposes 23 units as a specified number. It is considered that the housing mix for the site is acceptable as the scheme provides a range of bedroom sizes under ULP Policy H10.

10.3 In terms of rear garden amenity sizes, both market and affordable dwellings for the development would either meet or exceed Essex Design Guide standards. All homes would be designed and built to Lifetime Homes standards. The applicant has confirmed following comments made by the Council's Access & Equalities Officer that the nominated wheelchair accessible unit for the scheme will be Plot 15, which is a ground floor 2 bedroomed unit. This is considered acceptable to the Council. Details have

been shown of refuse collection points from the development whereby a refuse collection strategy has been devised. This is considered to be satisfactory.

B Affordable Housing (ULP Policy H9)

10.4 The proposal requires 40% of the 23 No. dwellings on the site to be affordable units, which have been allocated by the developer as a single cluster at the rear end of the site off the hammerhead turning (Plots 8 to 16) comprising 3 No. 2 bedroomed units, 3 No. 3 bedroomed units, 1 No. 2 bedroomed flat unit over carports and 2 No. 2 bedroomed maisonettes where the tenure mix would be as stated in the signed S106 agreement relating to the outline permission, namely 70% affordable rent and 30% shared ownership. It was a requirement of the agreement that the affordable housing units be positioned within two separate groups and not to be contiguous and that each group not to comprise more than four affordable units, however this matter is being addressed in a separate report.

C Impact on residential amenity (ULP Policy GEN2).

10.5 The proposed dwellings have been positioned and designed so that there would not be significant amenity loss to the backs of those residential properties situated along the eastern side of Cambridge Road in terms of either overbearing effect, overshadowing or loss of privacy where separation distances between existing and proposed dwellings are such that the layout would comply with Essex Design Guide standards. The proposal would therefore comply with ULP Policy GEN2 on this basis.

D Parking arrangements (ULP Policy GEN8)

10.6 Parking for each dwelling unit would be either in the form of on-plot garage/hardstanding provision or on parking bays sited immediately adjacent to the dwellings in question and would not involve garage courts at the request of the Council. It will be seen from the table above that all of the dwellings for the proposed development would meet both ECC Highways and UDC parking standards in terms of the number of allocated garage/hardstanding spaces per dwelling where the bay sizes for each dwelling would also be standard compliant.

10.7 The originally submitted site layout drawing showed 6 No. visitor parking spaces at the front of the site, although these would have been provided at the expense of a continuous footway from Cambridge Road into the site. ECC highways raised an initial objection to this layout and requested that these be removed on one side of the access point and for the footway to be provided. The applicant has since modified the layout following this request where one of these front visitor spaces would be lost to provide the footpath and where the remaining five spaces would be realigned parallel with the access road. As such, ECC Highways have now removed their holding objection and the proposal now complies with ULP Policy GEN1.

E Ecology

10.8 A further report of ecology findings and additional desk top information has been submitted by the applicant to show the extent by which the development could impact upon protected species at the site, including water voles, particularly given the site's location immediately adjacent to the River Cam. This was because the ecology information submitted with the outline application was found to be deficient. However, the enhanced ecology information now received demonstrates that the impact of the development upon protected species at the site would be low given the site's low

habitat value where this view has been confirmed by ECC Ecology. As such, the proposal now fully complies with ULP Policy GEN7.

11 CONCLUSION

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

- A The design, appearance and house type mix proposed for the development both for the market and affordable housing would be acceptable as would the proposed landscaping measures submitted.
- B The 40% affordable housing element for the development as shown as a single cluster of 9 No. units situated at the rear end of the site would be acceptable.
- C The development would have an insignificant impact on adjacent residential amenity.
- D Parking arrangements would be satisfactory and would meet adopted car parking standards.
- E The development would not have a harmful impact on nature conservation.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. No development or preliminary groundworks can commence until the completion of the trial trenching described in the archaeological statement submitted with the application. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work. No development shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy.

REASON: The archaeological work would comprise a phased approach with initial trial trenching to be undertaken as soon as possible followed by open area archaeological excavation of all deposits threatened by the development. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. The trial trenching should be undertaken prior to any detailed application being approved in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

2. The applicant shall submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

REASON: The archaeological work would comprise a phased approach with initial trial trenching to be undertaken as soon as possible followed by open area archaeological excavation of all deposits threatened by the development. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. The trial trenching should be undertaken prior to any detailed application being approved in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

3. All tree works on the site where this includes protection of existing trees along the site curtilage in accordance with details as shown on drawing 4226-D dated 16/07/14 prepared by Haydens shall be carried out in accordance with the Tree Survey,

Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan dated 17 July 2014.

REASON: To ensure that all trees of amenity value as identified on the survey drawing are protected during the course of construction of the development hereby permitted and in the interest of visual amenity in accordance with ULP Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. The recommendations/precautionary measures in relation to both nesting birds and commuting bats contained in Section 6.3 on page 10 of the Extended Phase 1 Habitat Survey prepared by SES dated July 2014 accompanying the application shall be adhered to.

REASON: To ensure that the risk of harm to protected species which may frequent the site is minimised in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

5. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the local planning authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with ULP Policy ENV14 of the adopted Uttlesford Local Plan.

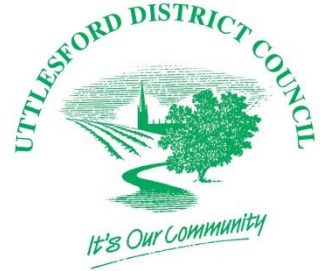
6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 2, which is subject to the approval in writing of the local planning authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with ULP Policy ENV14 of the adopted Uttlesford Local Plan.

Application No. : UTT/14/2234/DFO

Address: Carnation Nurseries
Cambridge Road, Newport
Saffron Walden.



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Organisation: Uttlesford District Council
Department: Planning
Date: 2 October 2014
SLA Number: 100018688

UTT/14/2358/LB (THAXTED)

(Councillor Foley has concerns that this will add to flooding problems in this part of Thaxted)

PROPOSAL: **Demolition of existing porch and erection of one and a half storey rear/side extension. Internal alterations**

LOCATION: **Coldhams Fee Pottery, Bardfield Road, Thaxted**

APPLICANT: **Mr G Baines**

EXPIRY DATE: **27th October 2014**

CASE OFFICER: **Madeleine Jones**

1. NOTATION

1.1 Within Development Limits/Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 The site is situated on the southern side of the road, midway along the built up part of Bardfield Road. The site comprises a detached C17 detached, Grade II listed, thatched cottage which is set back from the road and located to the eastern side of the plot. Additionally there is a detached garage between the listed building and the road.

2.2 The front boundary with the road consists of hedging and a metal gate.

2.3 To the east of the listed building are modern detached houses which are set back from the road and opposite the site are semi- detached houses with deep front gardens.

2.4 To the west of the site is a detached cottage that is set close to the road frontage. To the west of this cottage is a public right of way and driveway leading to agricultural land that runs along the rear of the properties of Bardfield Road.

2.5 The site slopes downwards from south to north towards the front of the site and from east to west. There is a change in levels by approximately 2m from the road to the rear of the site

3. PROPOSAL

3.1 The proposal is to demolish the existing modern porch and erect one and a half storey extension. Minor internal alterations and cart lodge are also proposed.

3.2 The proposed extension would be 5m wide, 9.2m deep and 5.2m high. It would be part rendered/ part boarded and have plain tiled handmade tiled roof.

3.3 The cart lodge would form an extension to the proposed cartlodge and store applied for under UTT/14/2359/FUL. Its dimensions would be 6m deep, 3m wide and 4.7m high. (This however does not require Listed Building Consent).

3.4 The proposal would create a kitchen/breakfast room, cloakroom, hall, study at ground floor level and a bedroom with en-suite to the first floor.

4. APPLICANTS CASE

4.1 Design and Access Statement (summary)

4.2 The proposed internal alterations and extension will improve the use, appearance and setting of the listed building.

4.3 The applicant has also sent in comments in respect of the representations received.(summary)

The proposed design and fenestration of the new cottage is perfectly in keeping with the listed building and other traditional buildings in the vicinity. The design follows the principles of the Essex Design Guide and complies with Lifetime Homes standards. The design incorporates, featheredge weather boarding, smooth render, ovolo moulded glazing bars set in traditional design windows and soft clay bricks. The roof will utilize traditional hand-made clay tiles as seen commonly in the area. The design is the work of a recognised and highly regarded Conservation Architect.

4.4 The application proposes the demolition of the pre-fabricated concrete sectional garage and the removal of the vegetation over and around its sides and the removal of the weeping willow tree all of which interrupt the view of Coldhams Fee from the roadside opposite the site entrance, which is the only meaningful view point from Bardfield Road. These proposals will in fact, greatly increase the visibility of Coldhams Fee from this, the main, view point. It is also the case that the net effect of building the cart lodges and store, but demolishing the sheds, once used as a pottery, will be increased visibility of the listed building from the public footpath running along the western boundary of the site.

4.5 The elevations in my original response show that the floor level in the extension is set below the floor level of the existing building. It is also the case that the fence stands on ground that is 3 feet higher than the floor level in the proposed extension. Effectively, anyone at the front door of the proposed extension will have to be tall enough to look over the equivalent of an 8 feet high fence.

4.6 The siting of the extension, with its range running east, was the specific recommendation of Uttlesford District Council's Conservation Officer, without reference and prior to any discussion of the proposal for a new cottage.

4.7 The principal design guide when considering an extension to the listed building is the extension should be subservient to the original historical asset. The proposed extension is approximately a third of the length of the existing cottage. In addition to this the ridge height has been lowered from the existing thatch by approximately 600mm.

4.8 The building line on this side of the Bardfield Road is variable and this contributes to its character.

4.9 There are no proposals to remove the front hedge

5. RELEVANT SITE HISTORY

5.1 DUN/0160/52 –Installation of WC – Unconditionally Approved

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- ENV2 Development affecting Listed Buildings

6.3 Supplementary Planning Documents

- Thaxted Conservation Area Appraisal 2012

6.4 Uttlesford District DRAFT Local Plan

- DES1 Design
- HE2 Development affecting Listed Buildings

7. PARISH COUNCIL COMMENTS

- 7.1 The Council object to this application as it would spoil the character of the area. It is inappropriate in such a location and would adversely affect the trees and garden of the property and would have a severe and detrimental effect on that part of the parish.

8. CONSULTATIONS

Conservation Officer

- 8.1 Coldhams Fee is a small, storey and half, timber framed, part plastered and part weather boarded cottage of C17 origins under thatched roof. Originally probably lobby entry and later two tenements but serving as one dwelling in more modern times. The cottage is set well away from the edge of the road and substantially screened from wider views by unsightly modern outbuildings and overgrown vegetation. The site is located outside Thaxted Conservation Area.
- 8.2 The proposal subject of this application is to demolish the existing modern porch and erect one and a half storey extension. Minor internal alterations and cart lodge are also proposed. Policy ENV2 seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. A sensitive judgement has to be made when considering extensions and alterations to listed buildings so that on one hand, such buildings would fulfil the expectations of living today, and on the other hand, the proposed changes would not unduly diminish their special architectural and historic interest
- 8.3 The proposed internal changes to Coldham Fee would aim at the removal of small areas of partitions which are later insertions and blocking up of some window openings inserted in the C20. Consequently the important historic fabric of the listed building would remain undamaged. The proposed extension would facilitate family kitchen, study and WC as well as one bedroom en-suite. Although the number of bedroom within the dwelling would be unchanged, the bedrooms would be more usable and the whole property is likely to respond better to a standard size family requirements.
- 8.4 In terms of the form and design, the linier character of the thatched cottage would remain undisturbed with new subservient bay and cross wing added to the southern gable end away from the Bardfield Road and principal views. The new range would

follow the architectural style of the cottage with steeply pitched roof dressed under the thatch and the clever use of traditional finishing materials would provide the optical articulation between the old and the new so that the historic identity of this heritage asset is not devalued by mimicry. This mode of extension to thatched structures follows the well-established and appropriate concept which has been approved many times before resulting in historic cottages acquiring new lease of life within financially secured ownership.

8.5 I find the proposed cart lodge a great improvement on the selection of outbuildings found on this site. The steeply pitched roof form and indented feather edge black painted timber boarding would respond well to the general rural vernacular of subservient utilitarian structures.

8.6 In conclusion I suggest approval subject to conditions

9. REPRESENTATIONS

9.1 Site Notice displayed and the occupiers of 13 neighbouring properties notified via letter. 9 letters of objection have been received. Expiry date 19th September 2014. (Summary of the issues raised)

- Out of character and scale of listed building
- Original condition of listed building should not be altered
- Unneighbourly form of development
- Loss of views
- Out of building line
- Inadequate access
- Flooding and lack of drainage
- Presence of bats
- Important gap in street scene
- Boundary dispute over ownership of fence

10.0 APPRAISAL

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

A The effect on the character and setting of the Listed building. (ULP policy ENV2)

A The effect on the character and setting of the Listed building. (ULP policy ENV2)

10.1 In considering a proposal for listed building consent, the duty imposed by section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses

10.2 Policy ENV2 seeks to protect the fabric, character and setting of listed buildings from development which would adversely affect them.

10.3 Paragraph 132 of the NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation” As such, there should be a presumption in favour of the conservation of heritage assets.

- 10.4 Several comments have been received stating that the proposals are out of keeping with the design and character of the original historic house and in relation to the scale and design of the extension, however, the proposal has been the subject of extensive pre-application advice and The Council's Conservation Officer has been consulted on the proposal. She states that a sensitive judgement has to be made when considering extensions and alterations to listed buildings so that on one hand, such buildings would fulfil the expectations of living today, and on the other hand, the proposed changes would not unduly diminish their special architectural and historic interest. The proposed internal changes to Coldham Fee would aim at the removal of small areas of partitions which are later insertions and blocking up of some window openings inserted in the C20. Consequently the important historic fabric of the listed building would remain undamaged. In terms of the form and design, the linear character of the thatched cottage would remain undisturbed with new subservient bay and cross wing added to the southern gable end away from the Bardfield Road and principal views. The new range would follow the architectural style of the cottage with steeply pitched roof dressed under the thatch and the clever use of traditional finishing materials would provide the optical articulation between the old and the new so that the historic identity of this heritage asset is not devalued by mimicry. This mode of extension to thatched structures follows the well-established and appropriate concept which has been approved many times before resulting in historic cottages acquiring new lease of life within financially secured ownership. The porch to be demolished is of no architectural merit and the replacement extension is of suitable design and scale.
- 10.5 Given the above comments, it is considered that the extension and internal alterations would respond well to local vernacular and would not diminish the special architectural or historic interest of the listed building or its setting subject to appropriate materials being used. The porch to be demolished is of no architectural merit and the replacement extension is of suitable design and scale.
- 10.6 It is considered that the proposal would respect the character and appearance of the listed building and would accord with the requirements of Policy EN2 of the Local Plan. The proposal is therefore considered to be acceptable.
- 10.7 Several comments have been received in respect of the cart lodge, flooding and drainage problems. As this is a Listed Building Consent the only issues which can be considered are the effect on the Listed Building.

11.0 CONCLUSION

1. It is considered that the proposal would respect the character and appearance of the listed building and would accord with the requirements of Policy EN2 of the Local Plan. The proposal is therefore considered to be acceptable.

RECOMMENDATION - Grant Listed Building Consent

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 No sound elements of the historic timber frame other than indicated shall be cut or removed without the prior inspection and consent in writing of the local planning authority.

REASON: In order to protect the fabric and character of this Grade II_ listed building, in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

3. The roof to the extension hereby permitted shall be clad with handmade clay tiles, in accordance with samples 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 Policy ENV2 of Uttlesford Local Plan (adopted 2005).

4. All external weather-boarding shall be feather-edged 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 Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF.

5. The external walls of the extension hereby permitted shall be finished in smooth render finished with wood float or similar

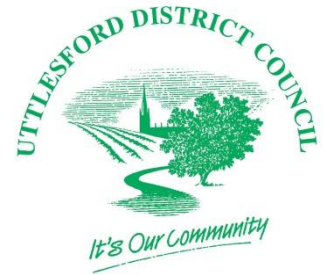
REASON: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with Policy ENV2 of Uttlesford Local Plan (adopted 2005).

- 6 All external joinery to be painted timber with slender ovolo moulded glazing bars, any replacement windows within historic parts of the dwelling to be single glazed.

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

Application No. : UTT/14/2358/LB

Address: Coldhams Fee Pottery, Bardfield Road
Thaxted.



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2357/HHF (THAXTED)

(Councillor Foley has concerns that this will add to flooding problems in this part of Thaxted)

PROPOSAL: Demolition of existing porch and erection of one and half storey rear/side extension. Erection of cart shed.

LOCATION: Coldhams Fee Pottery, Bardfield Road, Thaxted,

APPLICANT: Mr G Baines

EXPIRY DATE: 27th October 2014

CASE OFFICER: Madeleine Jones

1. NOTATION

1.1 Within Development Limits/ Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 The site is situated on the southern side of the road, midway along the built up part of Bardfield Road. The site comprises a detached C17 detached, Grade II listed, thatched cottage which is set back from the road and located to the eastern side of the plot. Additionally there is a detached garage between the listed building and the road.

2.2 The front boundary with the road consists of hedging and a metal gate.

2.3 To the east of the listed building are modern detached houses which are set back from the road and opposite the site are semi- detached houses with deep front gardens.

2.4 To the west of the site is a detached cottage that is set close to the road frontage. To the west of this cottage is a public right of way and driveway leading to agricultural land that runs along the rear of the properties of Bardfield Road.

2.5 The site slopes downwards from south to north towards the front of the site and from east to west. There is a change in levels by approximately 2m from the road to the rear of the site

3. PROPOSAL

3.1 The proposal is to demolish the existing modern porch and erect one and a half storey extension. Minor internal alterations and cart lodge are also proposed.

3.2 The proposed extension would be 5m wide, 9.2m deep and 5.2m high. It would be part rendered/ part boarded and have plain tiled handmade tiled roof.

3.3 The cart lodge would form an extension to the proposed cartlodge and store applied for under UTT/14/2359/FUL. Its dimensions would be 6m deep, 3m wide and 4.7m high.

3.4 The proposal would create a kitchen/breakfast room, cloakroom, hall, study at ground floor level and a bedroom with en-suite to the first floor.

- 3.5 The application form has been revised and resubmitted as the original application form had the incorrect applicant details.

4. APPLICANTS CASE

Design and Access Statement (summary)

- 4.1 The proposed internal alterations and extension will improve the use, appearance and setting of the listed building.

The applicant has also sent in comments in respect of the representations received.
(Summary)

- 4.3 The proposed design and fenestration of the new cottage is perfectly in keeping with the listed building and other traditional buildings in the vicinity. The design follows the principles of the Essex Design Guide and complies with Lifetime Homes standards. The design incorporates, featheredge weather boarding, smooth render, ovolo moulded glazing bars set in traditional design windows and soft clay bricks. The roof will utilize traditional hand-made clay tiles as seen commonly in the area. The design is the work of a recognised and highly regarded Conservation Architect.
- 4.4 The application proposes the demolition of the pre-fabricated concrete sectional garage and the removal of the vegetation over and around its sides and the removal of the weeping willow tree all of which interrupt the view of Coldhams Fee from the roadside opposite the site entrance, which is the only meaningful view point from Bardfield Road. These proposals will in fact, greatly increase the visibility of Coldhams Fee from this, the main, view point. It is also the case that the net effect of building the cart lodges and store, but demolishing the sheds, once used as a pottery, will be increased visibility of the listed building from the public footpath running along the western boundary of the site.
- 4.5 There are no windows on the upper floor of the proposed extension that are capable of allowing any overlooking of any living areas in 9 Townsfield. The elevation that faces north towards the rear of 9 Townsfield has only one upper storey window, which is a velux type window above the stairwell. This will not afford a view into 9 Townsfield. The only other windows on this elevation are on the ground floor and as the floor level of this floor is well below that of 9 Townsfield, it is difficult to see how these windows could look into either the house or garden of that property, especially given the 6 foot high fence on the boundary, which is owned and maintained by 9 Townsfield. The east facing elevation of the extension, shown below (the gable end) has no windows at all. The southern elevation faces away from 9 Townsfield and the upper floor windows will only afford a view of the end of the garden of 9 Townsfield.
- 4.6 The view from Woodbine Cottage looking east will be changed by the new cottage, as was the view from Coldhams Fee when 9 Townsfield was built, but in terms of planning law, no-one has a right to a view. The original building (Coldhams Fee) is clearly set well back from the building line, which is established by the frontages of 9 Townfield and Woodbine Cottage. As evidenced above, the proposed new cottage, cart lodges and shed and extension to Coldhams Fee do not cut out natural light from any neighbouring property. There is no 'right' to a view.
- 4.7 The approval of these applications cannot create a precedent for subsequent applications by neighbours, as each application has to be judged on its merits.

- 4.8 Detailed comments have been received from Essex County Council Highways and no objection has been raised. The application will comply with all the conditions set by ECC Highways, which fully address these concerns. It should also be noted that traffic-calming measures are in place along Bardfield Road.
- 4.9 The Environment Agency classifies Coldhams Fee as a "low-risk" site for surface water flooding. Evans Rivers and Coastal, specialists in flood risk assessment and flood mitigation, have reported that the proposed development poses no risk in terms of surface water flooding. This company has also had input into the design of drainage and surface water handling for the development. It is true that surface water flooding does occur on Bardfield Road, but this is caused by problems with the highway drains considerably further up the hill from Coldhams Fee. No objectors to the development have produced any credible evidence to show that the proposed development would cause surface water to run off the site and into Bardfield Road. The surface water that has run down the southern edge of Bardfield Road erupts out of a highways drain further up the hill, the water then usually flows back into the drain further down the hill, but still above (east of) Coldhams Fee. This demonstrates that the highway drain is blocked or has collapsed and all this has nothing to do with the proposed buildings at Coldhams Fee. A new connection to the existing foul sewer will be made following negotiations with Anglian Water.
- 4.10 The Horse Chestnut in question was felled because it was rotten and diseased as inspection of the trunk and stump will clearly show. As such it represented a potential risk to Coldhams Fee. At the time it was felled the owners were not even aware that a bat survey would be required as part of the planning process.
- 4.11 The elevations in my original response show that the floor level in the extension is set below the floor level of the existing building. It is also the case that the fence stands on ground that is 3 feet higher than the floor level in the proposed extension. Effectively, anyone at the front door of the proposed extension will have to be tall enough to look over the equivalent of an 8 feet high fence.
- 4.12 The siting of the extension, with its range running east, was the specific recommendation of Uttlesford District Council's Conservation Officer, without reference and prior to any discussion of the proposal for a new cottage. The principal design guide when considering an extension to the listed building is the extension should be subservient to the original historical asset. The proposed extension is approximately a third of the length of the existing cottage. In addition to this the ridge height has been lowered from the existing thatch by approximately 600mm.
- 4.13 The building line on this side of the Bardfield Road is variable and this contributes to its character.
- 4.14 There are no proposals to remove the front hedge.
- 4.15 The application is supported by a flood risk assessment report, a bat survey and biodiversity questionnaire.

5. RELEVANT SITE HISTORY

- 5.1 DUN/0160/52 –Installation of WC – Unconditionally Approved

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- S3 Other Settlement Boundaries
- GEN2 Design
- H8 Home Extensions.
- ENV2 Development affecting Listed Buildings
- GEN7 Nature Conservation
- GEN1 Access
- GEN8 Vehicle Parking Standards
- GEN3 Flood Protection

6.3 Supplementary Planning Documents

- Thaxted Conservation Area Appraisal 2012

6.4 Uttlesford District DRAFT Local Plan

- SP2 Development within Development Limits
- DES1 Design
- SP11 Protecting the Natural Environment
- TA1 Vehicle Parking standards

7. PARISH COUNCIL COMMENTS

- 7.1 The Council object to this application as it would spoil the character of the area. It is inappropriate in such a location and would adversely affect the trees and garden of the property and would have a severe and detrimental effect on that part of the parish.

8. CONSULTATIONS

Conservation Officer

- 8.1 Coldhams Fee is a small, storey and half, timber framed, part plastered and part weather boarded cottage of C17 origins under thatched roof. Originally probably lobby entry and later two tenements but serving as one dwelling in more modern times. The cottage is set well away from the edge of the road and substantially screened from wider views by unsightly modern outbuildings and overgrown vegetation. The site is located outside Thaxted Conservation Area.

The proposal subject of this application is to demolish the existing modern porch and erect one and a half storey extension. Minor internal alterations and cart lodge are also proposed.

Policy ENV2 seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. A sensitive judgement has to be made when considering extensions and alterations to listed buildings so that on one hand, such buildings would fulfil the expectations of living today, and on the other hand, the proposed changes would not unduly diminish their special architectural and historic interest

The proposed internal changes to Coldham Fee would aim at the removal of small areas of partitions which are later insertions and blocking up of some window openings inserted in the C20. Consequently the important historic fabric of the listed building would remain undamaged. The proposed extension would facilitate family kitchen, study and WC as well as one bedroom ensuite. Although the number of bedroom within the dwelling would be unchanged, the bedrooms would be more usable and the whole property is likely to respond better to a standard size family requirements.

In terms of the form and design, the linier character of the thatched cottage would remain undisturbed with new subservient bay and cross wing added to the southern gable end away from the Bardfield Road and principal views. The new range would follow the architectural style of the cottage with steeply pitched roof dressed under the thatch and the clever use of traditional finishing materials would provide the optical articulation between the old and the new so that the historic identity of this heritage asset is not devalued by mimicry. This mode of extension to thatched structures follows the well-established and appropriate concept which has been approved many times before resulting in historic cottages acquiring new lease of life within financially secured ownership.

I find the proposed cart lodge a great improvement on the selection of outbuildings found on this site. The steeply pitched roof form and indicted feather edge black painted timber boarding would respond well to the general rural vernacular of subservient utilitarian structures.

In conclusion I suggest approval subject to conditions

9. REPRESENTATIONS

9.1 Site Notice displayed and the occupiers of 13 neighbouring properties notified via letter. 9 letters of objection have been received. Expiry date 19th September 2014. (Summary of the issues raised)

- Out of character and scale of listed building
- Original condition of listed building should not be altered
- Unneighbourly form of development
- Loss of views
- Out of building line
- Inadequate access
- Flooding and lack of drainage
- Presence of bats
- Important gap in street scene
- Boundary dispute over ownership of fence

10. APPRAISAL

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

- A Design, scale and effect on the character and setting of the listed building (ULP Policy S3, GEN2, and ENV2)
- B Whether the proposed development would have a harmful effect on biodiversity (ULP Policy GEN7)
- C Impact on neighbours amenity (GEN2)

D Other material considerations (GEN3)

A Design, scale and effect on the character and setting of the listed building (ULP Policy S3, GEN2, and ENV2)

- 10.1 The development is within the development limits and therefore Policy S3 applies. This states that planning permission would be given, if compatible with the character of the settlement.
- 10.2 Several comments have been received stating that the proposals are out of keeping with the design and character of the original historic house and in relation to the scale and design of the extension, however, the proposal has been the subject of extensive pre-application advice and the Council's Conservation Officer has been consulted on the proposal. She states that a sensitive judgement has to be made when considering extensions and alterations to listed buildings so that on one hand, such buildings would fulfil the expectations of living today, and on the other hand, the proposed changes would not unduly diminish their special architectural and historic interest. The proposed internal changes to Coldham Fee would aim at the removal of small areas of partitions which are later insertions and blocking up of some window openings inserted in the C20. Consequently the important historic fabric of the listed building would remain undamaged. In terms of the form and design, the linear character of the thatched cottage would remain undisturbed with new subservient bay and cross wing added to the southern gable end away from the Bardfield Road and principal views. The new range would follow the architectural style of the cottage with steeply pitched roof dressed under the thatch and the clever use of traditional finishing materials would provide the optical articulation between the old and the new so that the historic identity of this heritage asset is not devalued by mimicry. This mode of extension to thatched structures follows the well-established and appropriate concept which has been approved many times before resulting in historic cottages acquiring new lease of life within financially secured ownership.
- 10.3 The proposed cart lodge is a great improvement on the selection of outbuildings found on this site. The steeply pitched roof form and indented feather edge black painted timber boarding would respond well to the general rural vernacular of subservient utilitarian structures.
- 10.4 The Conservation Officer also states that it can be argued that the charm of the listed building (heritage asset) would be made visually more accessible to the community by the removal of the unattractive garage from the front garden and tidying up of the vegetation.
- 10.5 The porch to be demolished is of no architectural merit and the replacement extension and cartlodge are of suitable design and scale.
- 10.6 Given the above comments, it is considered that the extension and internal alterations would respond well to local vernacular and would not diminish the special architectural or historic interest of the listed building or its setting subject to appropriate materials being used.
- 10.7 It is considered that the proposal would respect the character and appearance of the listed building and would accord with the requirements of Policy EN2 of the Local Plan.

- 10.8 Reference has been made to the loss of a horse chestnut tree, however, the tree was not subject to a tree preservation order, or in a Conservation Area and therefore did not need permission to be felled
- 10.9 The proposal would not result in any additional bedrooms to the property and therefore it is not reasonable to request any extra parking provision in respect of this application. The proposal would result in the loss of the garage to the front of the plot, however this would be replaced by the proposed cart shed which would also have an additional parking space in front as such the proposal would meet the adopted parking standards and comply with policy GEN8.

B Whether the proposed development would have a harmful effect on wildlife (ULP Policy GEN7)

- 10.10 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.
- 10.11 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.
- 10.12 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".
- 10.13 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 yes to some of the questions in respect of habitats. A bat survey has been submitted with the application and no evidence of bats at the site was found. Although no evidence of bats was found it is probable that bats will forage across the site and in the gardens of adjacent properties. This behaviour

would be expected to continue after any building work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population. Essex County Council Ecologists do not require any further surveys to be carried out and have no objections to the proposal.

C Impact on neighbours amenity (GEN2)

10.14 The neighbours comments have been noted, however, The only new window facing the neighbouring property to the east at first floor level would serve a stairwell and therefore can be conditioned to be obscure glazed.

10.15 In respect of the comments regarding the proposed door at ground floor level it is not considered that this would result in any further overlooking than exists at present. There is a close timber fence between the boundaries of the two properties. It is considered that the proposal would not result in any, material, detrimental, overlooking or overshadowing or have an overbearing impact and therefore complies with policy H8 and GEN2

D Other material considerations (GEN3)

10.16 Several representations have been received relating to flooding in Thaxted and drainage problems. The Environment Agency's surface Water flooding map shows that the site is located in an area which has very low surface water flooding risk. It is therefore considered that that the site can be developed in such a manner that surface water flooding would not result in an increase of pre-development levels. Any drainage provided would need to meet current building regulations.

CONCLUSION

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

- A. On balance the proposal is acceptable by way of its scale and design. In view of the specialist advice it is considered that it would be compatible with the character of the settlement.
- B Essex County Council's ecologists have no objections to the proposal.
- C It is considered that the proposal would not have any material detrimental impact to neighbours amenity.
- D It is not considered that the proposal would result in any material drainage problems that cannot be overcome at building regulations stage.

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. The window northern elevation at first floor level serving the stairwell shall be obscure glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in that/those window(s).

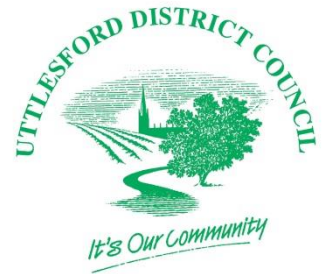
REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with policy GEN2 of the Adopted Uttlesford Local plan

3. The roof to the cart lodge hereby permitted shall be clad with clay plain tiles or natural slate (to match the adjoining cartlodge).

REASON: In the interests of the appearance of the development and the setting of the adjacent listed buildings in accordance with Policies S7, GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

4. All external weather-boarding to the cart lodge hereby permitted shall be feather-edged 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 Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF.



Application No. : UTT/14/2357/HHF

Address: Coldhams Fee Pottery, Bardfield Road
Thaxted.



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2359/FUL (THAXTED)

(Councillor Foley has concerns that this will add to flooding problems in this part of Thaxted)

PROPOSAL: **Demolition of outbuildings and erection of detached dwelling with cart shed and store**

LOCATION: **Land South of Bardfield, Bardfield Road, Thaxted,**

APPLICANT: **Mr G Baines**

EXPIRY DATE: **27th October 2014**

CASE OFFICER: **Madeleine Jones**

1. NOTATION

1.1 Within Development Limits/ Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 The site is to the south of Bardfield Road. The site forms part of the front garden to the adjacent C17 detached, Grade II listed cottage which is set back from the road and located to the south east corner of the plot. Additionally there is a detached garage and an outbuilding to the existing front of the site.

2.2 The front boundary with the road consists of hedging and a metal gate.

2.3 To the east of the listed building are modern detached houses which are set back from the road and opposite the site are semi- detached houses with deep front gardens.

2.4 To the west of the site is a detached cottage that is set close to the road frontage. To the west of this cottage is a public right of way and driveway leading to agricultural land that runs along the rear of the properties of Barfield Road.

2.5 The site slopes downwards from south to north towards the front of the site and from east to west. There is a change in levels by approximately 2m from the road to the rear of the site

3. PROPOSAL

3.1 The proposal is for the erection of a detached dwelling and cart lodge and the demolition of an outbuilding and garage to the front of the existing property.

3.2 Access to the site will be shared with the host dwelling via the existing access gate.

3.3 The proposed dwelling would be 9m deep by 10.5m wide and 6.8m high. It would be part boarded and part rendered under a hand- made tiled roof. It would have three bedrooms.

3.4 The gardens for both the host dwelling and the new proposed dwelling would measure in excess of 100m² and the garden to the new dwelling would be enclosed by a post and rail fence to the east.

- 3.5 It would have three parking spaces, one located within the proposed cartlodge, one to the front of cart lodge and one to the front of the new dwelling. The cart lodge would measure approximately 9m wide, 6m deep and max height of 4.8m and be sited adjacent to the south eastern boundary of the garden of Woodbine Cottage and south of the new dwelling.(part of the building is outside the site area and would serve as parking for the host dwelling).
- 3.6 The application form has been revised and resubmitted as the original application form had the incorrect applicant details.

4. APPLICANTS CASE

- 4.1 A Design and Access Statement has been submitted with the application. (summary)
- 4.2 The site lies within a sustainable location, within walking distance of Thaxted with its shops, services, facilities and school. There is also a good bus service. The site is situated within the identified development limits, wherein there is a presumption framed in National and Local Planning Policy in favour of development.
- 4.3 The proposed erection of a dwelling would meet all three strands of sustainability as set out in the NPPF. It would provide valuable additional housing, contributing socially to the local community
- 4.4 There would be no impact on the rural character of the area, or its setting of the heritage asset for the detailed reasons set out in this statement. Furthermore, the high quality design would assist with assimilating the development into its environment. The dwelling would read as part of the built up part of the village, it would not be visually intrusive.
- 4.5 All other planning criteria such as car parking, access, residential amenity and Life time Homes are met.
- 4.6 The application is accompanied with a bat survey and completed biodiversity questionnaire.
- 4.7 The applicants' agents have also responded to representations received in relation to the application.

5. RELEVANT SITE HISTORY

- 5.1 None.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- S3 Other Settlement Boundaries
- GEN2 Design
- ENV2 Development affecting Listed Buildings
- GEN7 Nature Conservation

- GEN1 Access
- GEN8 Vehicle Parking Standards
- GEN3 Flood Protection

6.3 Supplementary Planning Documents

- Thaxted Conservation Area Appraisal 2012
- Accessible Homes and Playspace
- Uttlesford Local Parking Standards

6.4 Uttlesford District DRAFT Local Plan

- SP2 Development within Development Limits
- DES1 Design
- SP11 Protecting the Natural Environment
- TA1 Vehicle Parking standards

7. PARISH COUNCIL COMMENTS

- 7.1 The Council object to this application as it would spoil the character of the area. It is inappropriate in such a location and would adversely affect the trees and garden of the property and would have a severe and detrimental effect on that part of the parish.

8. CONSULTATIONS

Essex County Council - Highways

- 8.1 No objections – subject to conditions

ECC Ecology

- 8.2 No objections. The bat survey found no evidence of bats at the property or in the outbuildings and I do not consider that any further ecological surveys are necessary. Should any bats or evidence of bats be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

Conservation Officer

- 8.3 The proposal subject of this application is to erect a modest family house within the land forming part of the curtilage of listed Coldhams Fee. The listed cottage is a timber framed structure of C17 origins under a thatched roof. It is set well away from the edge of the road and substantially screened by unsightly modern outbuildings and overgrown vegetation. The site is located within village development limits and outside Thaxted Conservation Area.

It could be assumed that at one time this cottage stood in some isolation from the core of the village, but modern development has spread along Bardfield Road providing much needed residential facilities some of which a council housing in its origins.

The proposal to form a new dwelling here has been subject of substantial negotiations and careful considerations. Some more extensive schemes have been considered too damaging to the setting of the listed cottage. The now proposed dwelling presents an

unassuming façade to public view which in terms of design and detailing with mixture of plaster, weatherboarding and hand made plain clay tiles would positively enhance the street scene in contrast to the very bland and unremarkable housing stock in the vicinity.

Clearly the ambience of the listed cottage would be changed further, but I feel that this change has already been brought about by modern development which ignored the established building line of the cottage and its vernacular qualities. It could be said that the charm of this heritage asset would be made visually more accessible to the community by the removal of the unattractive garage from the front garden and tidying up of the vegetation. Approval of this application would give the necessary incentive. I am concerned that the refusal of this application is unlikely to be sustained on appeal.

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

- All roofs to be hand made plain clay tiles to LA approval.
- All weatherboarding to be feather edge timber with painted finish (not black).
- All render to be smooth finished with wood float.
- All external joinery to painted timber with slender ovolo moulded glazing bars. Large scale typical cross sections to be approved.
- All brick details to be formed in hand made soft clay bricks to LA approval.

Access and Equalities Officer

- 8.4 Review of application and supporting documentation confirms compliance with SPG on Accessible Homes and Playspace.

9. REPRESENTATIONS

- 9.1 Site Notice displayed and the occupiers of 15 neighbouring properties notified via letter. 13 letters and a petition signed by 34 residents objecting and one letter in support has been received. Expiry date 19th September 2014.
a summary of the planning issue raised are as follows:

- Listed Building should remain in its current condition
- Harm to the setting of the listed building
- Overbearing impact on adjoining properties
- Loss of light
- Loss of view
- Out of building line
- Inadequate access
- Risk of flooding; inadequate drainage
- Impact on bats
- Important to retain views of listed building
- Boundary issues around removal of fence
- Impact on street scene
- Subsidence from removal of vegetation
- Loss of important open space

- Loss of historical curtilage of listed building

A petition has also been received in objection of the application. It has been signed by 34 residents.

- Impact on listed building
- Overbearing property too close to highway
- Highway safety
- Flooding problems from removal of vegetation
- Impact on setting of listed building

The Thaxted Society states:

It is an inappropriate use of the grounds of a Grade II listed building which will result in permanent damage to a unique anomaly in the Thaxted built historical narrative.

One letter has been received in support of the application.

10. APPRAISAL

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

- A The principle of development of the site for housing (ULP policies S3, H3 and ENV2)
- B The proposed access to the site and parking provision (ULP Policy, GEN1, GEN8 and ECC Parking Standards);
- C Design, scale and impact on neighbours' amenity (ULP Policy GEN2, & SPD Accessible Homes and Playspace, SPD Energy Efficiency)
- D Impact on nature conservation (ULP Policy GEN7)

A The principle of development of the site for housing (ULP policies S3, ENV2)

- 10.1 The site is located within the development limits of Thaxted. Policy S3 applies which states that development compatible with the settlement's character and countryside setting will be permitted within these boundaries.
- 10.2 Additionally policy H3 supports the above policy stating that infilling with new house 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.
- 10.3 The site is also adjacent to a grade II Listed Building where development affecting a listed building should be in keeping with it scale, character and surroundings. Development proposals that adversely affect the setting and alterations that impair the special characteristics of a listed building will not be permitted.
- 10.4 The site is not within a conservation area; however the new house would be built within the curtilage of the listed building. The new house, cartlodge and new driveway would cover a substantial amount of the historic curtilage. Several comment shave also been made in relation to the views of the listed building being obscured by the new house. It is accepted that there will be some restriction of views from the road and public right of way, however, Conservation Officer advice is that the proposal would positively enhance the street scene and that the listed building would be more visually accessible to the community by the removal of the unattractive garage from the front garden and

tidying up of the vegetation. It is therefore considered that the principle of a new dwelling on the site is acceptable.

- 10.5 Several representations have been received relating to flooding in Thaxted and drainage problems. In response to these concerns the applicant has submitted a flood risk assessment report. The report submitted by WCP shows that at present there are surface water drainage issues along Bardfield Road and from photographs submitted that the road drainage and gullies are at full capacity thus resulting in temporary ponding of surface water and runoff onto other areas. However the flood risk assessment report finds that these observations are not considered to be evidence that the existing site contributes to the existing problem or exacerbates the problem, however it is acknowledged that there may be some Green field runoff from the existing site and onto the road during heavy rainfall events.
- 10.6 The Environment Agency's surface Water flooding map shows that the site is located in an area which has very low surface water flooding risk. It is therefore considered that provided that the recommendations within the report are implemented (these can be secured by condition) that the site can be developed in such a manner that surface water flooding would not result in an increase of pre-development levels. Any drainage provided would need to meet current building regulations.
- 10.7 Neighbours have expressed concern in relation to the presence of asbestos in the buildings to be demolished. There is a duty of care to dispose of this appropriately; however this is covered under different legislation.

B The proposed access to the site and parking provision (ULP Policy, GEN1, GEN8 and ECC Parking Standards)

- 10.8 Concern has been raised in relation to the access not being adequate; however, Essex County Council Highways have no objections to the proposal in this respect.
- 10.9 The adopted vehicle parking standards require that new three bedroom properties have two parking spaces. The proposal has adequate parking provision for the size of the property and there would be adequate parking provision for the host dwelling. As such the proposal is in accordance with the requirements of GEN1 and GEN8 of the Local Plan.

C Design, scale and impact on neighbours amenity (ULP Policy GEN2,& SPD Accessible Homes and Playspace, SPD Energy Efficiency)

- 10.10 The proposal has been the subject of substantial negotiations with the Conservation Officer at pre- application stage. This scheme is now considered to be acceptable by way of design and scale. The Conservation Officer states that the proposed dwelling presents an unassuming façade to the public view in terms of design and detailing with a mixture of plaster, weatherboarding and hand made plain clay tiles, would positively enhance the street scene in contrast to the vary bland and unremarkable housing stock in the vicinity .She also states that it can be argued that the charm of the listed building (heritage asset) would be made visually more accessible to the community by the removal of the unattractive garage from the front garden and tidying up of the vegetation.
- 10.11 With regards to the scale of the property , some more extensive schemes have been considered too damaging to the setting of the listed building at pre- application stage, however the scale of the propose scheme is in response to the advice given by the Conservation Officer. It is considered that in order to protect the listed buildings setting

and the character of the area that permitted development rights against further development should be removed.

10.12 Both the proposed and host dwelling would have private gardens in excess of the 100m² recommended in the Essex Design Guide.

10.13 Bardfield Road slopes downward from east to west at this point and as such the proposed property would be set on higher ground levels than Woodbine Cottage to the west. As such there is potential for loss of amenity to the occupiers of that property. The property, although close to the boundary, would be some 13m distance away from Woodbine Cottage and it has been designed so that there would not be any material overlooking, overshadowing or overbearing impact caused. There are window in the west elevation, however these windows serve a stairwell and a bathroom and therefore can be conditioned to be obscure glazed. There would be some overshadowing caused however, in view of the orientation of the buildings it is not considered that this would be materially detrimental so as to warrant refusal.

10.14 In view of the Highways Officers comments, in order to meet the necessary sight splays the hedge to the front of the site, across the whole of the front boundary would need to be removed. It is considered that this vegetation, contributes positively to the character of the area. As the site is not located within a conservation area it is a material consideration that this vegetation could be removed at any time without the need for planning permission. To reduce the impact of the removal of the hedging a landscaping scheme is required to replace the hedging further back from the roadside. This can be achieved by an appropriate condition.

D Impact on nature conservation (ULP Policy GEN7)

10.15 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.

10.16 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.

10.17 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".

10.18 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 yes to some of the questions in respect of habitats. A bat survey has been submitted with the application and no evidence of bats at the site was found. Although no evidence of bats was found it is probable that bats will forage across the site and in the gardens of adjacent properties. This behaviour would be expected to continue after any building work has been completed and therefore it is considered that the planning proposal for this site will not have a detrimental effect on the local bat population. Essex County Council Ecologists do not require any further surveys to be carried out and have no objections to the proposal.

CONCLUSION

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

- A The site is located within Development Limits. The proposal is acceptable.
- B Adequate parking provision and access can be provided.
- C The design, scale and form of the development is acceptable
- D The proposal would not have any material detrimental impact on biodiversity

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. There should be no obstruction above ground 0.6m in height within a 2.4m wide parallel band visibility splay required across the entire site frontage as measured from the edge of carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access

3. 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.

4. Before development commences details indicating the foul drainage works' exact position and course, manufacturer's specifications, type and discharge of final effluent into a specified watercourse, shall be submitted for the written approval of the local planning authority. Thereafter the approved treatment plant shall be installed in line with manufacturer's instructions and maintained and retained in perpetuity.

REASON: To protect the surrounding countryside and prevent pollution of the water environment.

5. Before development commences details of the surface water disposal arrangements shall be submitted to and approved in writing by the local planning authority. These details should contain the recommendations as detailed in the flood risk assessment undertaken by Evans rivers and coastal report dated 2nd September 2014. The drainage shall be constructed as approved prior to the construction of any building on the site and maintained in the same condition thereafter.

REASON: The proposed development will only be acceptable if the surface water drainage scheme as detailed in the Flood Risk Assessment undertaken by Evans: dated 02 September 2014 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

6. Prior to commencement of the development full details of the hard and soft landscaping 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) hard surfacing , other hard landscape features and materials of the car parking area.
 - b) Planting plans, including specifications of species, sizes, planting centres, number and percentage mix
 - c) car parking layout

REASON: In the interests of the appearance of the development and the setting of the adjacent listed buildings in accordance with Policies S7, GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

- 7 All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five 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. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005)

8. 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 extensions shall be constructed (other than any expressly

authorised by this permission or any other grant of express planning permission) without the prior written permission of the local planning authority.

REASON: The gardens for these plots are the minimum size that would be acceptable and extensions or outbuildings may result in an unacceptable reduction in their size in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

9. The roof to the cart lodge hereby permitted shall be clad with clay plain tiles or natural slate (to match the adjoining cartlodge) in accordance with samples 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 the appearance of the development and the setting of the adjacent listed buildings in accordance with Policies S7, GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

10. All external weather-boarding to the cart lodge hereby permitted shall be feather-edged 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 Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF

11. The external walls of the extension hereby permitted shall be finished in smooth render finished with wood float or similar

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

12. All external joinery to be painted timber with slender ovolo moulded glazing bars, any replacement windows within historic parts of the dwelling to be single glazed.

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

13. The roof to the new dwelling hereby permitted shall be clad with handmade clay plain tiles in accordance with samples 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 order to preserve the character and setting of the Grade II- listed building, in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF

14. The brickwork of walls hereby permitted shall be constructed using handmade soft clay bricks in accordance with samples 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.

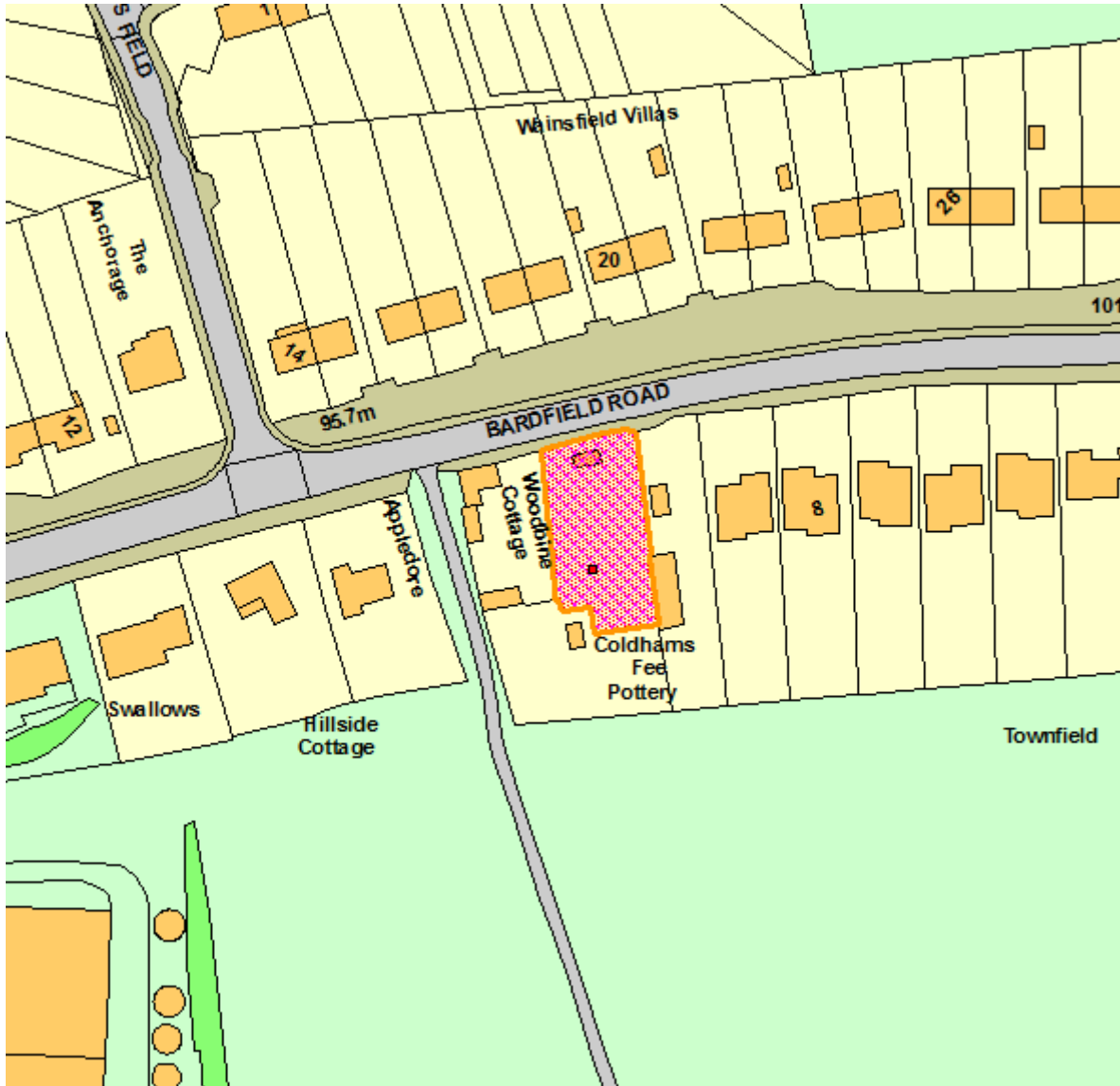
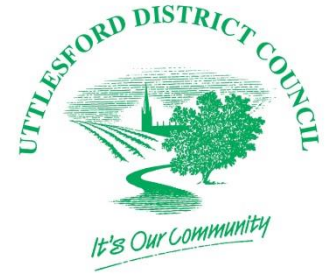
REASON: In order to preserve the character and setting of the Grade II· listed building, in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

15. The windows in the western serving the stairwell and wc/shower room shall be obscure glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in that/those window(s).

Reason: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with policy GEN2 of the Adopted Uttlesford Local plan

Application No. : UTT/14/2359/FUL

Address: Land South of Bardfield,
Bardfield Road,
Thaxted.



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2003/FUL SAFFRON WALDEN

(Major)

PROPOSAL: Demolition of existing building, erection of mixed use building for flats, shops and office use with associated parking and landscaping.

LOCATION: Moores Garage, Thaxted Road, Saffron Walden.

APPLICANT: Ford Wells Developments Ltd.

AGENT: Brian Christian.

EXPIRY DATE: 14 October 2014 (extended to 31 October 2014).

CASE OFFICER: Mr C Theobald.

1. NOTATION

1.1 Within Development Limits.

2. DESCRIPTION OF SITE

2.1 The site lies on the eastern side of Thaxted Road in a prominent position at the junction with Shire Hill and comprises a former petrol filling station with associated shop sales footprint area and adjacent car wash facility on a triangular piece of level land consisting of 0.165 ha. Commercial operations ceased at the site earlier this year and the site has recently been boarded up. A vehicle workshop lies to the immediate south of the site on higher ground, whilst residential properties line Thaxted Road opposite to the west. A footpath link (Shire Hill Lane) runs along the rear of the site towards a housing estate situated to the north-east. Vegetation, including some trees, exists along the rear boundary of the site onto this path.

3. PROPOSAL

3.1 This proposal relates to the demolition and clearance of the existing petrol filling station and erection in its place of a mixed use three storey building for B1/flexible commercial/retail purposes on the ground floor with residential apartments over, including on-site parking and associated residential amenity areas and landscaping where it is stated in the application that the B1 element of the proposal is intended to be implemented for the applicant's development company headquarters.

3.2 The new building would have an irregular shaped footprint to fit the site boundaries with a height at main three storey level of 11.2 metres and height to the top of a partial fourth floor resident roof terrace of 14.6 metres. The building would have a contemporary design and appearance and would have continuous curtain glazing at ground floor level for the principle elevation (commercial) with external cladding above. The scheme would have 8 No. frontage surface car parking spaces to serve the B1/commercial element of the site use and would incorporate an underground car park with service ramp to provide parking for on-site residents comprising 24 No. parking spaces. The scheme would also have a communal private amenity space for residents comprising the roof terrace and an enclosed area positioned at the rear end of the building.

4. APPLICANT'S CASE

4.1 A Planning Statement and Design and Access Statement have been submitted with the application. The conclusions of the Planning Statement are as follows:

- The site represents brownfield land and there is therefore a presumption in favour of redevelopment in both national and local planning policy;
- The mixed use scheme as proposed is appropriate given the site's location at the entrance to an existing industrial estate (Shire Hill) with residential properties lying opposite;
- The retail element of the use will replace the established retail on the site (petrol sales etc) and the site is accessible both by foot and by bus and will not harm the vitality and viability of the town centre;
- Car parking, resident amenity space, site visibility, Lifetimes Homes and other elements of the use are compliant with local policy;
- The scale of the building and its contemporary design are appropriate in this site context that comprises relatively modern buildings with a mixture of styles and materials. The proposal will create a landmark building on this prominent corner site which will enhance the visual qualities of the area;
- The comments expressed in the Council's preliminary enquiry response have been addressed and the Council is urged to grant planning permission.

5. RELEVANT SITE HISTORY

5.1 None.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy S1 – Settlement Boundaries for the Main Urban Areas
- ULP Policy E2 – Safeguarding Employment Land
- ULP Policy RS1 – Access to Retailing and Services
- ULP Policy RS2 – Town and Local Centres
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Flood Protection
- ULP Policy GEN4 – Good Neighbourliness
- ULP Policy GEN6 – Infrastructure Provision to Support Development
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards
- ULP Policy ENV14 – Contaminated Land
- ULP Policy H9 – Affordable Housing
- ULP Policy H10 – Housing Mix
- ULP Policy SW1 – Saffron Walden Town Centre
- ULP Policy SW2 – Residential Development within Saffron Walden Built Up Area

6.3 Uttlesford District DRAFT Local Plan

- Policy SP1 – Presumption in favour of Sustainable Development
- Policy SP2 – Development within Development Limits
- Policy DES1 – Design
- Policy EMP1 – Employment Strategy
- Policy SP5 – Retail Strategy
- Policy SP6 – Meeting Housing Need
- Policy HO1 – Housing Density
- Policy HO2 – Housing Mix
- Policy HO7 – Affordable Housing
- Policy ENV3 – Contaminated Land
- Policy SP12 – Accessible Development
- Policy TA1 – Vehicles Parking Standards

7. TOWN COUNCIL COMMENTS

7.1 Comments as follows:

- The application contravened ULP Policy GEN2 (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 ULP Policy GEN2 (Design) in that it would have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- The application contravened UL Policy GEN2 (Design) in that it is an abhorrent design with little consideration of the appearance of the Town taken in to consideration.

8. CONSULTATIONS

Environment Agency

- 8.1 Planning permission could be granted for the proposed development as submitted if conditions are included as set out in our response to protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with the NPPF and Environmental Agency Groundwater Protection: Principles and Practice (GP3). The proposed development lies within Flood Zone 2 as defined in table 1 of the Planning Practice Guidance and is therefore at risk of flooding. The planning application sits within the category of “lower risk” development and the Environment Agency’s Flood Risk Standing Advice (FRSA) should be adhered to where completed forms for this should be submitted as part of the planning application submission.

Natural England

- 8.2 Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. We have not assessed this application and associated documents for impacts on protected species.

Anglian Water

- 8.3 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

The foul drainage from this development is in the catchment of Saffron Walden Water Recycling Centre that at present has available capacity for these flows. The sewerage

system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable as it is unclear how much flow is proposed to be disposed to the public sewer. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Trade Effluent: Not applicable.

Suggested Planning Conditions:

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

Affinity Water

- 8.4 The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Debden Road Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

ECC Highways

- 8.5 No objections.

ECC Minerals and Waste

- 8.6 No observations.

ECC Education

- 8.7 Contributions are necessary on this site for both primary and secondary school education provision. For information purposes only, should the final development result in the unit mix stated, the primary school contribution would be £16,250 and the secondary school contribution would be £16,457, which would be index linked to April 2014 costs.

ECC Ecology

- 8.8 The applicant has answered 'no' to all questions on the biodiversity questionnaire and the aerial view shows the site to be dominated by buildings and hard standing. It is unlikely to support any protected or notable species. The trees along the rear boundary should be protected in accordance with the Arboricultural Implications Assessment (dated July 2014) and BS 5837 Trees in relation to design, demolition and construction:

UDC Economic Development Officer

- 8.9 Being on the entrance to the Saffron Walden Industrial Estate this site is important not only in terms of employment, but also its visual impact. The design and appearance of the building in the application presents a modern image and whilst somewhat different to the other buildings on the estate would create a positive statement at the entrance to the estate. The office space would be a welcome addition at this location and there is demand locally for modern office space. The end user of the planned retail space could potentially compete with town centre businesses and this would add to the existing commercial pressures faced by many town centre retail businesses. From this perspective a better option would be to allocate this space for office use.

UDC Environmental Health Officer

- 8.10 An initial assessment of contamination has been carried out by the applicant, which has identified sources of contamination which can be addressed by measures to render the site suitable for the proposed end use. However, the survey has been carried out prior to removal of the ten underground, and single above ground, fuel storage tanks and associated pipework. The ground beneath and around these facilities is at high risk of being contaminated. Sources beyond the site boundary also need to be addressed, due to the presence of an electricity substation and vehicle workshop adjacent to the southern boundary. The risk to all likely receptors presented by these areas of the site needs to be fully evaluated, and if remediation is identified as being necessary, it must be fully verified prior to commencement of the construction phase.
- 8.11 The site is located close to and adjacent to existing commercial activities which could impact on the amenity of future residents on the upper floors, both within the flats and at the outdoor amenity area. On the southern boundary is a vehicle workshop which will be a source of impact noise, vehicle engine testing, and other sounds associated with repairs. To the north east are premises on Shire Hill industrial estate, the closest of which is a technological industry which will be the source of compressor and fan noise, bulk gas deliveries and potentially other more general noise. Slightly more distant to the east is the UDC workshop and depot which is the source of jet washing and vehicle maintenance noise. The commercial noise sources will largely be limited to daytime Monday to Saturday hours, and night-time sleep disturbance is unlikely to be an issue. Mitigation measures may therefore be necessary to ensure the noise environment within the flats and in the amenity area is acceptable,
- 8.12 External lighting associated with the development may cause loss of residential amenity to residents along Thaxted Road.

UDC Housing Enabling Officer

- 8.12 This scheme is for 10 residential units on a busy main road with retail on the ground floor. This would attract the Council's 20% affordable housing policy equating to 2 units. My suggestion would be 2x1 bed flats for shared ownership.

9 REPRESENTATIONS

- 9.1 Notification period expired 14 August 2014. Advertisement expired 14 August 2014. Site notice expired 14 August 2014.

Summary of representations:

- Development should be two storeys in height to be compatible with remainder of the streetscene along Thaxted Road;
- Should not contain roof terrace where this could result in noise disturbance by residents
- No communal gardens provided
- Design and external materials do not compliment surrounding area
- Parking could be an issue
- Question need for further officer user space where there is vacant space on Shire Hill
- Impact on proposed retail unit on local roads and footpaths

10 APPRAISAL

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

- A Principle of development, including flood risk (ULP Policies S1, E2, RS1, RS2, SW1 and GEN3);
- B Design, housing mix and impact on residential amenity (ULP Policies GEN2 and GEN9);
- C Affordable Housing (ULP Policy H10);
- D Whether highway and access arrangements would be satisfactory (ULP Polices GEN1 and GEN8);
- E Impact on ecology (ULP Policy GEN7).

A Principle of development, including flood risk (ULP Policies S1, E2, RS1, RS2, SW1 and GEN3)

- 10.1 The existing petrol filling station at this prominent commercial location on the eastern side of town at the corner of Thaxted Road and Shire Hill has recently closed down and is presently boarded up where the likelihood of the resumption of petrol sales at the site under a different user remains unclear and uncertain. The Council is unable to influence the protection of this site as a petrol filling station if commercial imperatives are such that the site has become commercial unviable and it would be unreasonable for the Council to insist in the circumstances that the nature of the use is protected where the site is not protected land in the Council's current local plan and where it is not designated for employment retention or for any other purpose in the adopted local plan.

- 10.2 Furthermore, to delay redevelopment of the site could result in this brownfield site falling into neglect and becoming a local eyesore at this end of the town. The National Planning Policy Framework actively encourages the re-use/redevelopment of brownfield sites (previously developed land) and the proposed mixed use of the site as put forward in the current application would be consistent with this general policy approach. As such, no objections are raised in principle to the redevelopment of the

site subject to other relevant policy criteria being met where the site is situated within a sustainable location along a principal artery road leading into the town centre from the south (B184 Thaxted Road) along which an approved residential development on former brownfield land is currently in the advanced stage of construction (Goddards Yard) and where mixed use development, including a comprehensive development scheme is proposed further along Thaxted Road to the south.

- 10.3 The proposal has been subject to a preliminary enquiry where a mixed use scheme was put forward along the lines as now submitted. The site does not fall within the defined town centre for Saffron Walden. As such, the retail element of the proposal needs to be subject to consideration of a sequential test and, if necessary, a retail impact assessment. The sequential test guides main town centre uses towards town centre locations first then, if no town centre locations are available, to edge of centre locations, and, if neither town centre locations nor edge of centre locations area available, to out of town locations with preference for accessible sites which are well connected to the town centre. The test supports the viability and vitality of town centres by placing existing town centres foremost in both plan making and decision making. A retail impact assessment assesses whether there could be likely significant adverse impacts of locating main town centre retail development outside of town centres. Paragraph 27 of the NPPF states that a planning application should be refused where it *“fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors”*. The retail impact assessment applies only above a floorspace default threshold of 2,500sqm as set by the NPPF unless locally set. The Council has a locally set threshold of 1,000sqm, although the proposal would have a retail floorspace significantly less than this lower figure (stated at 280sqm). As such, the proposal would not be required to be subject to a retail impact assessment.
- 10.4 The proposal provides for a B1 office space user and a commercial/retail space user on the ground floor with two floors of residential apartments above where details of the future commercial user have been left intentionally open-ended to allow for future flexible use of the site, although it is stated in the application that the user would be a non-food retailer. It is considered from this that the commercial element of the proposal would not therefore have a significant impact on town centre vibrancy and vitality given the limited retail floorspace involved. This leaves other potential uses to be considered of the site where it is considered that bulky A1 comparison goods where this has been suggested by the applicant in pre-application discussions, A2 (Financial or Professional Services) or an additional B1 office user would be acceptable use elements of the new building at this location where these uses would similarly not compete with town centre uses. As such, it is considered that the applicant does not have to demonstrate the sequential test with the application and that this mixed use scheme would be acceptable for the site, although a B2 general industrial use or B8 storage and distribution use of the ground floor of the building is not considered to be appropriate at this prominent corner location and also given that apartments are proposed for the building on the first and second floors over and in view of the residential properties which lie opposite the site in this mixed use area. It should be noted that the Council's Economic Development Officer has expressed a preference for office use over retail at this site in his consultation response.
- 10.5 In terms of flood risk, the majority of the site is categorised as Flood Zone 1 with only a small part of the site being categorised as Flood Zone 2 where this is affected by an adjacent stream. As such, the Environment Agency in its consultation response has stated that the proposal represents “Low Risk” development where the applicant has completed the Environment Agency's Standing Advice form showing how in mitigation the development could be protected from flood in an extreme event.

B Design (ULP Policy GEN2)

- 10.6 The proposed building as presented purposely adopts a modern contemporary design in the retro style incorporating a main flat roof with partial roof terrace where this terrace would be used for the benefit of residents of the apartments on the first and second floors. External cladding and panelling would be used for the building on all elevations rather than brick. It is stated by the applicant in support of the proposal that the building is intended by its modern design, scale, and appearance to represent a new “landmark” building at this prominent corner location to provide an interface and juxtaposition between Thaxted Road and the entrance up to Shire Hill where the opportunity exists for such a design approach to be taken rather than adopting a more traditional and vernacular design. As such, the scheme as presented represents a bold design statement as to what could be achieved in terms of the redevelopment of this physically constrained and irregular shaped site where it is contended that there are no obvious design cues along this section of Thaxted Road, which consists mainly of older style linear housing. Accordingly, the applicant has chosen to adopt a “clean slate” design approach to the site rather than to devise a scheme which would potentially otherwise have reduced streetscene impact. In terms of promoting Shire Hill for business growth, the Council’s Economic Development Officer has expressed the view that *“The design and appearance of the building in the application presents a modern image and, whilst somewhat different to the other buildings on the estate, would create a positive statement at the entrance to the estate”*. It is considered that these comments carry weight in the applicant’s favour.
- 10.7 Whilst it is appreciated that the design of the building has generated resistance by the Town Council and some local residents, this should not be viewed as being a valid planning reason to refuse the application where the building would as the applicant has asserted represent a landmark building of interest at this commercial location within what is a rather run-down and tired end of the town and it is considered in all of the circumstances that the design is acceptable under ULP Policy GEN2.
- 10.8 In terms of massing and scale, cross-section drawings have been provided with the application to show how the building would impact on surrounding built form. The west side of Thaxted Road contains dwellings of mainly two storey, whilst the southern side of the site contains commercial buildings. Shire Hill is situated to the rear of the site on rising ground. It is considered from this that the building at mainly three storeys height would sit comfortably within its surroundings without having an overbearing effect on the occupants of adjacent residential properties. The building would contain apartment windows to all elevations, although those existing properties most affected would be those living in the residential properties lying immediately opposite the site. The building would sit back into the site by some 13 metres, whilst the frontage separation distance across Thaxted Road to those dwellings would be such that significant overlooking from the apartments would not occur.
- 10.9 The proposal would include a community amenity space in the form of a roof terrace equating to 190 sqm, which would be enclosed by a glass balustrade. In addition, a grassed area situated at ground level in the rear SE corner of the site of some 275 sqm would also be provided, which would have a southerly aspect and would be of sufficient size to be usable. This would give a combined private amenity area of 465 sqm, or 46.5sqm per apartment, which would exceed the 25sqm minimum private amenity space for flats as recommended by the Essex Design Guide, whilst the Lord Butler Leisure Centre is within walking distance of the site. The residential element of the scheme would provide a lift as well as a staircase and would in this respect comply with the Council’s latest Housing Strategy and the SPD for Accessible Homes and Playspace.

10.10 The residential element of this mixed use scheme would contain 10 No. two bedroomed apartments spread across two floors. Whilst no single bed units are shown to be provided, it is considered that this bedroom specification would be acceptable for the scheme, particularly being mindful of the Council's SHMA process where it would be difficult to insist on a mix between one and two bedroomed apartments for this full market housing scheme. No objections are therefore raised under ULP Policy H10.

C Affordable Housing (ULP Policy H9)

10.11 The development would be liable to developers' contributions for affording housing provision where this would represent 20% of the total number of residential units being provided, namely 20% of ten units, i.e. 2 affordable units. The Council's Housing Enabling Officer has expressed a preference for 2 x 1 No. bed on-site provision for flats for shared ownership rather than two bedroomed units. However, it is considered in this instance that financial contributions by way of a unilateral undertaking should be the preferred approach rather than providing on-site provision bearing in mind that only two of the total of ten units would be affordable units and thus making on-site provision an unviable proposition. The applicant has agreed in principle to this undertaking where this undertaking should also cover the financial contribution towards primary and secondary education as calculated and advised by ECC Education in its consultation response.

D Whether highway and access arrangements would be satisfactory (ULP Policies GEN1 and GEN8)

10.12 Vehicular access into the site would be in the form of dual access points off of Thaxted Road. ECC Highways have not raised any highway objections to this proposed access arrangement or to the underground car park which would be provided under the building. Whilst the proposed mix use of the site can be viewed as being more intensive than the former use as a petrol filling station in terms of its composite elements, comparison of daily vehicle movements generated to and from the site between the former and proposed cannot be properly measured and in any event site lines along Thaxted Road outside the site are good where the site is within restricted speed limits. No objections are therefore raised under ULP Policy GEN1.

10.13 Parking at the site would take the form of both surface and below ground parking as previously described. The above ground parking for the B1/commercial elements of the mixed use scheme would be sufficient in terms of floorspace ratio where 8 No. parking spaces, including a disabled space would be provided and where this parking requirement is to be treated as a maximum standard. The 24 No. underground parking spaces to be provided for the ten apartments, including two disabled spaces would comply and exceed the minimum residential parking standard of 1 No. space per dwelling. Internal manoeuvrability space around the parking rows where an isle width of 6 metres width is shown would also be satisfactory. Whilst the surface parking bays would be at the preferred bay size of 5.5 x 2.9 metres, the underground parking bays would be reduced at 5.0 x 2.5 metres with the exception of the disabled parking bays. However, ECC Highways have not objected to this reduction in car bay size for the underground car park where it is considered that an exception can be made in this instance where the parking bay sizes would still meet the *minimum* standard and where an increase to 5.5 x 2.9 metres would compromise isle width. The proposed parking arrangements would therefore comply with ULP Policy GEN8.

E Impact on ecology (ULP Policy GEN7)

10.14 The site contains limited habitat potential for wildlife, including protected species where the only possible habitat being provided is a line of trees that line the rear boundary of the site with the adjacent footpath. A bat survey submitted with the application found no evidence of bats on the site where this was not to be expected by the survey findings. No objections are therefore raised to the proposal under ULP Policy GEN7 where there are limited opportunities for ecology enhancement at the site given the nature of the proposal.

11 CONCLUSION

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

- A The development proposal as a mixed use scheme would be acceptable in principle at this brownfield site where the proposal would represent a sustainable form of development along a main road artery leading into the town centre. The proposal is not subject to a retail impact assessment as it would be below the floorspace threshold, whilst it is considered that the scale of the proposal where the commercial/retail element of the proposal does not include a food retailer would not compete with town centre uses and materially affect town centre vibrancy or vitality.
- B The design of the new building would be acceptable, whilst the scale, massing and positioning of the building would not cause significant amenity loss to existing residential properties along Thaxted Road. Housing mix would be acceptable
- C The applicant has agreed to enter into a unilateral undertaking to pay financial contributions towards off-site affordable housing and education provision.
- D Proposed access and parking arrangements would be satisfactory.
- E The proposal would not be detrimental to ecology.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO A LEGAL AGREEMENT BY WAY OF SUBMISSION OF A UNILATERAL UNDERTAKING

- (I) The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless within 6 months of being invited to do so the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:**
 - (i) Payment of financial contributions towards affordable housing**
 - (ii) Payment of contributions towards primary and secondary education provision as per the formula for calculating education contributions**
 - (iii) Pay the Council’s reasonable costs**
- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant planning permission subject to the conditions set out below:**
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:**
 - (i) No financial contributions received for affordable housing**

(ii) No financial contributions received towards education provision

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. The building hereby permitted shall not be used for Class A1 food retailing, B2 or B8 uses of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking, re-enacting or amending that Order with or without modification) without further approval being sought and gained from the local planning authority.

REASON: To ensure that the development as a flexible mixed use scheme does not diminish the vibrancy and vitality of existing town centre food retail uses, in the interests of the protection of residential amenity and to ensure that the development is compatible with the character of the surrounding area in accordance with ULP Policies RS2, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

3. Further details of external finishes of the building hereby permitted shall be submitted to and approved in writing prior to the commencement of development hereby permitted. Subsequently, these approved finishes shall be incorporated into the development as built.

REASON: To ensure that the building is properly assimilated into the streetscene by reason of its design, appearance and external materials in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Before development commences 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
- b) means of enclosure
- c) hard surfacing, other hard landscape features and materials
- d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- g) location of service runs
- h) management and maintenance details

REASON: The landscaping of this site, particularly along the site frontage and also for the proposed private amenity area to the rear of the building hereby permitted, 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)

5. 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).

6. Prior to the commencement of development details of the method of construction proposed in order for the dwellings to meet the standards set out BS 8233:2014 for external noise and indoor ambient noise levels shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall be constructed in accordance with the approved details.

REASON: In the interests of the protection of the residential amenities of the future occupants of the apartments of the building hereby permitted in accordance with ULP Policies GEN2 and GEN5 of the Uttlesford Local Plan (adopted 2005).

7. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with ULP Policies GEN1 of the Uttlesford Local Plan (adopted 2005).

8. The powered two wheeler/cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

REASON: To ensure appropriate powered two wheeler and bicycle parking is provided in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

9. 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 and in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. The development hereby permitted shall incorporate all measures set out in the accessibility statement which accompanied the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with national and local planning policies in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

11. No external floodlighting or other illumination shall be installed on any phase until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the height of the

lighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate spillage to the rear of the lighting posts or disturbance through glare and the time when such lights would be illuminated. The development shall be carried out in accordance with the approved details.

REASON: In the interests of residential amenity in accordance with ULP Policy GEN5 of the Uttlesford Local Plan (adopted 2005).

12. No development (with the exception of demolition works and removal of fuel storage tanks in order to facilitate the site investigation) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site, and must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
human health, the water environment, property (existing or proposed), service lines and pipes, adjoining land and any other receptors identified as relevant.

If found to be necessary as a result of Part 1, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The scheme must include all works to be undertaken, proposed remediation objectives, an appraisal of remedial options, a timetable of works and site management procedures.

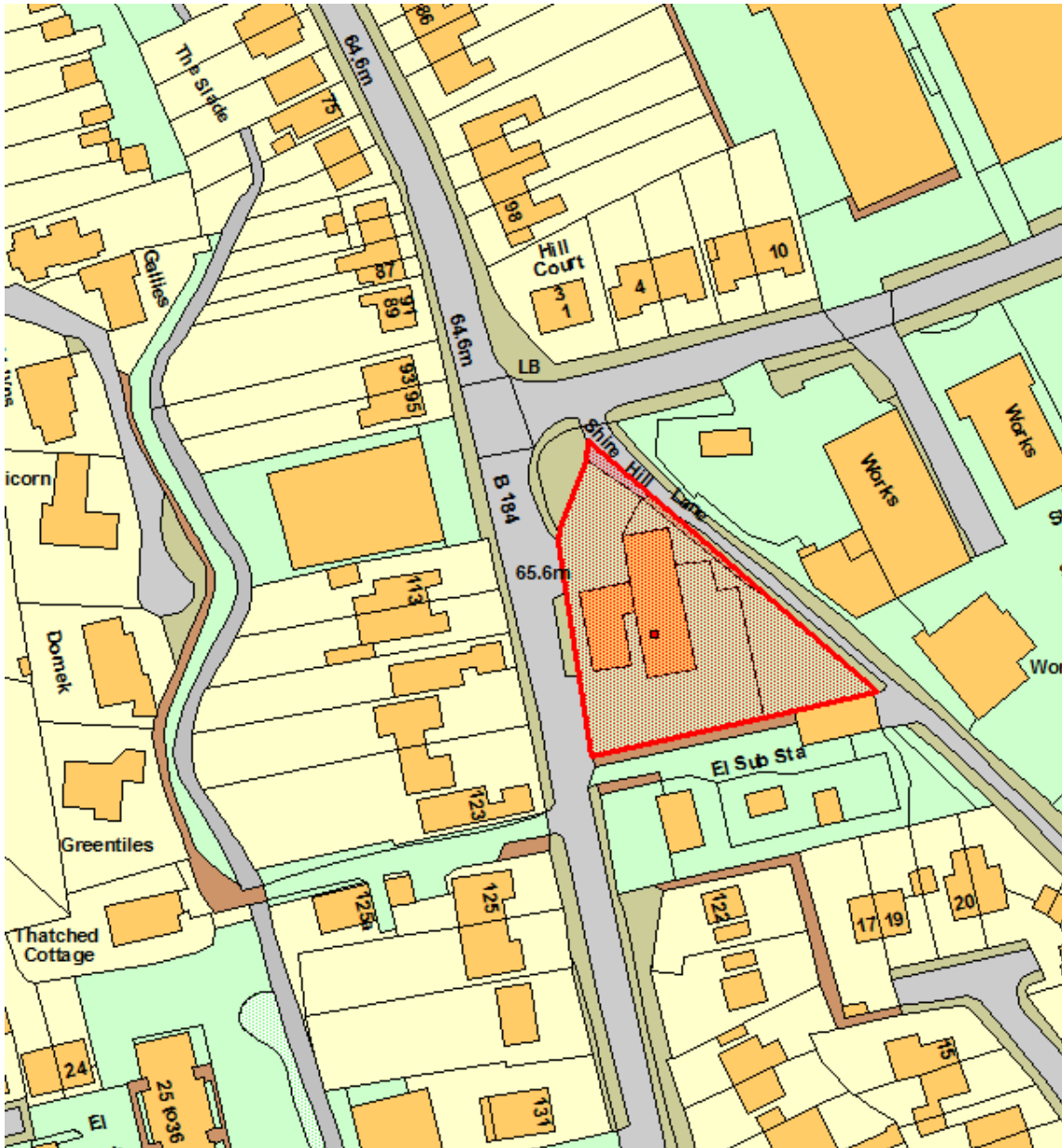
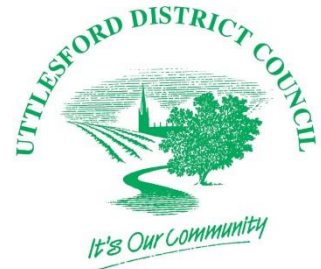
The remediation scheme for each phase shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report demonstrating that the remediation objectives have been achieved must be submitted to and approved by the Local Planning Authority.

In the event that contamination that was not previously identified is found at any time after the development of any phase has begun, development must be halted on that part of the site affected by the unexpected contamination. The contamination must be reported in writing within 3 days to the Local Planning Authority. An assessment must be undertaken in accordance with the requirements of paragraph 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with paragraph 3.

REASON (common to all parts): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV14 of the adopted Uttlesford Local Plan.

Application No. : UTT/14/2003/FUL

Address: Moores Garage, Thaxted Road
Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2514/FUL (SAFFRON WALDEN)

PROPOSAL: The demolition of existing garages (40 no.) and the erection of residential units. The proposal shows 6 units in total. 4 no. 2 bed house and 2 no. 1 bedroom houses, with associated car parking, and private and shared amenity space

LOCATION: Garage site at Catons Lane Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: Saunders Boston Limited

EXPIRY DATE: 17 October 2014

CASE OFFICER: Maria Shoesmith

APPLICATION TYPE: Minor

1. NOTATION

1.1 Within Development Limits, and Stansted Airport Safeguarding Zone

2. DESCRIPTION OF SITE

2.1 The application site forms a parcel of land which consists of approximately 40 redundant Council garages. The site is in the form of a peculiar 'dog leg' shape.

2.2 The site is bound by the gardens of residential properties which are located on Little Walden Road, The Green, Catons Lane and the new affordable dwellings which have been recently constructed in Lime Avenue. The site is accessed through an existing access track to the west of 14 Catons Lane.

2.3 The ground levels on the site all away from the houses on Little Walden Road towards the dwellings on Lime Avenue by approximately 1m to 1.5m. The application site being on almost a middle plateau. There are various mature trees within the application site and hedges which form part of the some of the shared boundaries. There is an existing right of way for the residents of 21-29 (odd) Little Walden Road and a public footpath which runs through the site from The Green which are both proposed to be retained.

3. PROPOSAL

3.1 The application is for the demolition of garages (40no.) and the erection of residential units. The proposal shows 6 units in total. 4no. 2 bed house and 2 no. 1 bedroom houses, with associated car parking, and private and shared amenity space.

3.2 The proposed dwellings would replace the garages for the proposed Council proposed

affordable dwellings. 4 x 2 bedroom dwellings are proposed and 2 x 1 bedroom dwelling. The 2 bedroom units would have 2 off-street parking spaces each and the 1 bedroom would have a single space each opposite the dwellings. A visitor's parking space would also be provided. The proposed dwelling would have a ridge height of 7m.

3.3 The proposed dwellings would form a cul-de-sac and maintain the public rights of way. An element of the side boundary of 14 Catons Lane would be utilised enlarge the entrance into the site to a 5m wide shared surface. There would be a multi turning head to the end of the close.

3.4 Each of the dwellings would have the following;

Plot no.	No. bedrooms	Garden Sizes m2	Parking Spaces
1	2	137.7	2
2	2	58.75	2
3	1	45.1	1
4	1	54	1
5	2	74.92	2
6	2	54.72	2
Total:			31.5 dph
			+1 visitor parking space

3.5 The proposed scheme indicates landscaping which would lead up to the dwellings along the access paths/road. 1.8m high close boarded fencing is proposed within the dwellings' gardens and existing along the western and south-western shared boundaries is proposed to match existing/retained. A gated access is proposed for the gardens and also for the pedestrian access to the rear of no. 21-29 Little Walden Road gardens.

3.6 The proposed dwellings would be designed to Code Level 3, Secure By Design and to Lifetime Homes Standards.

4. APPLICANT'S CASE

4.1 As part of the application submission the following supporting statements have been submitted;

- Design and Access Statement (Saunders Boston, August 2014);
- Ecological Survey (The Design Partnership, July 2014);
- Stage 1 Utility Appraisal (Frith Blake Consulting Ltd, August 2014);
- Flood Risk and Drainage Assessment (Frith Blake Consulting Ltd, August 2014);
- Phase 1 Geo-Environmental Assessment (Frith Blake Consulting Ltd, August 2014);
- Geo-environmental Survey (emapsite, 26 August 2014);
- Arboricultural Implications Assessment and Arboricultural Method Statement (Andrew Belson Arboricultural Consultant, August 2014);

4.2 In total there 40 garages on site of which 10 are currently used and leased to local residents. Many of the garages are in poor state of repair having been broken into and

suffering from vandalism. The garages are increasingly difficult to rent due to their poor state of repair and small size which makes them unsuitable for modern cars. People have been using them for storage which is not the purpose of a garage. Talking to locals nobody is using these garages for day to day parking. As a result people have been advised to register for alternative garages.

- 4.3 The pedestrian footpath through the site is stated to be an important as a short cut for residents.
- 4.4 A gas main runs through the north eastern corner of the site and the scheme has been designed to cater and avoid this.
- 4.5 The site and the proposed scheme face the following constraints;
- Existing context is small scale, fine grained, two storey buildings - and any proposal would need to respond to this context;
 - Existing context uses a limited pallet of materials (red/buff brickwork, profiled roof tiles) and simple detailing;
 - Communal gardens in close proximity to the north of the site - any proposal should avoid overlooking and overshadowing this space;
 - Existing flats in close proximity to the north of the site - any proposal should avoid compromising the privacy of existing residents, or overshadowing of existing windows;
 - Extent of construction over existing gas main limited to soft landscaping and footpaths;
 - Long gardens of houses to the east reduce potential overlooking by any new proposal;
 - Rear access to no 21 -rear access to be maintained;
 - Existing access road into the site is narrow;
 - Private gardens in close proximity to the south of the site - any proposal should avoid overlooking and overshadowing these spaces;
 - Existing mature trees add character to the site and acts as screens for the neighbouring houses - retain as many mature trees as possible;
 - Rear gardens and houses in close proximity to the western boundary - care needs to be undertaken when arranging the site to avoid overshadowing and overlooking of rear gardens. Window to window distances to be carefully controlled to avoid overlooking of existing windows.
- 4.6 The dwellings have been designed to respond to the two storeys, low density, and pitched roof context whilst creating its own sense of place with careful use of materials and detailing. All of the houses on site would take a similar form with a majority being narrow frontage design. A single wide frontage one bedroom house is proposed in order to make efficient use of the space on the site. Window and door openings have been carefully thought through in order to prevent any overlooking. Materials of plain roof tiles and brick plinths are proposed.
- 4.7 As there are limited front gardens with low defensive planting proposed timber bollards are proposed to provide boundary definition and prevent any unauthorised parking. Mature landscaping is proposed to be retained in order to provide a sense of place with only one tree proposed to be removed. There scheme provides a high level of natural surveillance in accordance with the principles of Secure by Design principles.
- 4.8 Consideration has been given within the design of the proposed development with regards to pedestrian and cyclist safety and priority.

5. RELEVANT SITE HISTORY

5.1 Nothing relevant.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy ENV3 - Open Spaces and Trees
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN4 - Good Neighbourliness
- Policy GEN 5 – Light Pollution
- Policy GEN8 - Vehicle Parking
- Policy H3 - New Houses within Development Limits
- Policy H9 - Affordable Housing
- Policy H10 – Housing Mix
- Policy S1 - Development Limits for Main Urban Areas

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 HO1 Housing Density
- Policy HO2 Housing Mix
- Policy HO5 Affordable Housing
- Policy HO6 Housing Mix
- Policy HO7 Affordable Housing
- Policy EN1 Sustainable Energy
- Policy EN5 Pollutants
- Policy EN10 Sustainable Energy and Energy Efficiency
- Policy DES1 Design
- Policy HE4 Protecting the Natural Environment
- Policy HE5 Traditional Open Spaces and Trees
- Policy TA1 Parking

7. PARISH COUNCIL COMMENTS

7.1 No comments received.

8. CONSULTATIONS

ECC SuDs

- 8.1 Site is not large enough and falls outside of remit therefore no comments are offered.

ECC Ecology

- 8.2 No objection subject to condition.

ECC Highways

- 8.3 No objection subject to conditions.

UDC Landscape Officer

- 8.4 No objection (verbal comments)

UDC Environmental Health

- 8.5 An initial assessment of contamination has been carried out by the applicant, which has identified potential sources of contamination due to the current usage of the site, which is likely to be from vehicle waste, unknown storage of materials and the potential presence of made ground. Further information obtained from intrusive examination of the ground is needed to ensure any contamination can be adequately addressed, therefore suggest conditions.

9. REPRESENTATIONS

- 9.1 The neighbouring properties have been consulted of the current application. 2 letters have been received raising the following points;
- Generally in support of the applications
 - The mature trees should be retained, their removal would dramatically change outlook;
 - Shared boundary to be removed and want assurance that a fence will be erected for garden security;
 - Will inspection chambers within site be retained and accessible?
 - Whilst the scheme would provide parking for the development worried about on street parking onto Catons Lane Little Walden Road which already suffers from commuters parking, can something be done in the form of road markings or a residents parking scheme;
 - Whilst I note that a footpath is being improved within the site there is a footpath along Catons Lane which needs improving can anything be done about this?
 - Increase in levels of noise in area which has a negative impact on our lives

Consultation Expiry 30th September 2014

10. APPRAISAL

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

- A Principle of the development (ULP S1, H3, and NPPF);**
- B The design, impact upon residential and visual amenity (ULP Policies GEN2, GEN4);**
- C Highway Issues (ULP Policies GEN1 & GEN8);**
- D Other Material Considerations (ULP GEN6 & GEN7)**

A Principle of Development

10.1 The application site falls within the development limits of Saffron Walden covered by Local Plan Policy S1. Policy S1 states that development in main urban areas such as Saffron Walden will be permitted if it is a major urban extension or development within existing built-up areas, if compatible with the character of the settlement. Policy H3 for new houses within development limits which states that new houses would be permitted on land identified subject to meeting the listed criteria;

- a) The site comprises previously developed land;*
- b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;*
- c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;*
- d) Development would support local services and facilities; and*
- e) The site is not a key employment site.*
- f) Avoid development which makes inefficient use of land."*

10.2 The National Planning Policy Framework (NPPF) has a strong presumption in favour of sustainable development. The application site is within close proximity to the town centre and the services which it provides. Nonetheless, to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.

10.3 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. Whilst the proposed development does not directly provide employment it would provide short term employment for locals during the construction of the site, however it would also support existing local services. The improved pedestrian footpath as a result of the proposed development would facilitate ease of movement and links to the town centre. This proposal would help deliver a degree economic role.

10.4 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 affordable housing needed for the district, and housing designed to Lifetime Homes Standards. The

design reflects the character of the locality. Landscaping would be used to reduce the visual impacts and some landscaping elements and the upgraded footpath would improve the permeability of the scheme. This proposal would help to deliver a social role.

- 10.5 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 proposed landscaping and biodiversity would be enhanced and preserved as a result of the proposed development. This proposal would help to deliver an environmental role.
- 10.6 The proposals would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise.
- 10.7 The principle of the development is considered acceptable as the site lies within the development limits of Saffron Walden, within a sustainable location making full efficient use of underused, removing dilapidated garages which are no longer fit for purpose. The proposed development would provide six x Council built affordable dwellings which will meet an identified need. The scheme accords with Local Plan Policies S1 and H3, Policies SP1, SP2, SP6, SP7 and HO5 of the Draft Local Plan, also the trust of NPPF in terms of sustainable development.

B The design, impact upon residential and visual amenity

- 10.8 Policy GEN2 of the local plan seeks amongst other things that any development should be compatible with the surrounding area, reduce crime, energy reduction, protecting the environment and amenity. The policies aim to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole seeking high quality design. This is also reflected in Draft Local Plan Policies SP1 and DES1.
- 10.9 The proposed development density of 32dph is considered to be acceptable in proposed setting considering the locality's surroundings, in accordance with Policies GEN2, DES1, and HO1. It has been confirmed within the application submission that the proposed development would be constructed in line with the principles of Secure by Design and also to at least Code Level 3, in accordance with Local Plan Policy GEN2, and Draft Local; Plan Policies DES1, EN1 and EN10. Whilst the dwellings would need to accord with Lifetime Home Standards under Building Regulations this has not been overtly expressed within the application submission. Should planning permission be granted a condition could be imposed to secure this in accordance with Local Plan Policy GEN1, GEN2 and Draft Local Plan Policies DES1 and SP12.
- 10.10 The proposed development would be sited along the north and east of the site. The buildings would be low lying two-storey dwellings at 7m in height. The buildings have been orientated to get effective use of the site and to create minimal impact upon existing neighbouring occupiers. The proposed heights of the scheme have been sensitively designed to respect the existing neighbouring dwellings and the change in ground levels, having consideration for the site's constraints.

- 10.11 There would need to be a distance of 25m back to back, in accordance with the Essex Design Guidance and Policy GEN2 – Design of the Local Plan, in order to prevent direct overlooking. Plots 1 to 4 have been designed to be orientated at an angle from the dwellings located on Little Walden Road (no.19 to 29). These properties would have in excess of 25m back to back and at least 31m. There would also be retained trees that would create screening between the dwellings. Distances between the front elevations of these properties and the rear elevations of the recently built dwellings on Lime Avenue would be between 24-25m. Again the properties would be orientated at an angle to each other. Plots 5 and 6 have been located to avoid the gas main pipes that are located to the east of them. Plot 5 and 6 would be located at an angle from the maisonettes located on The Green.
- 10.12 The scheme has been designed to avoid habitable rooms facing existing neighbouring habitable rooms, and/or overlooking windows through sensitive sighting of smaller windows. The first floor windows have been located to avoid direct overlooking by predominately serving non habitable rooms with only a total three first floor windows serving bedrooms to the rear of the properties.
- 10.13 The proposed design of the dwellings would reflect the new dwellings which have been built on Limes Avenue. The low height of the dwellings together with the wide fascia boards would provide a cottage feel and appearance. The materials proposed have been identified on the elevational plans in the form of red/orange plain tile roof finish, cream render and buff/cream brickwork.
- 10.14 Amenity space requirement for 3 bed plus dwellings should be at least 100 square metres and 1 and 2 bed dwellings at least 50 square metres. Five of the six dwellings would fundamentally meet and exceed this criteria, apart from Plot 3, (one bedroom dwelling) which is marginally short by 5 sqm.
- 10.15 A predominate amount of landscaping would be retained on site including mature trees. One tree is proposed to be removed along the south of the south to allow for Plot 1; also a hedge is proposed to be removed along the boundary of 14 Catons Lane to allow for suitable and a wider access into the site. This is considered to be acceptable and the minimum which would be required to allow for the proposed development. The scheme also proposes landscaping enhancement through the site as part of the development which will soften and remove the current urban harshness of the site. The existing pedestrian footpath which comes through the site would be also widened and softened with landscaping. This is considered that it would make the footpath more pleasant and safer. Plot 5 would provide natural surveillance over the footpath, to create a deterrent for any antisocial behaviour and crime. This accords with Local Plan Policy GEN2 and the principles of Secure by Design.
- 10.16 The proposed development would not result in impact upon residential amenity due to the proposed nature, design, the siting and orientation of the properties. No undue impact on amenity, both in term of residential, and visual amenity, in accordance with Local Plan Policy GEN2 and GEN4.

C Highway Issues

10.17 Local Plan Policy GEN8 and the ECC Parking Standards (adopted 2009) and locally amended March 2013 creates a requirement for 1 bedroom dwellings to provide 1 off-street parking space, and 2 off-street parking spaces for 2 + bedroom units. There is also a requirement of 0.25 visitor parking spaces. The scheme accords with the above parking space requirement.

10.18 In terms of vehicle movements this would be far lower than if the site were to be currently used to its full potential. No objections have been raised by the Highways Authority in terms of highway or pedestrian safety, access/road layout, vehicle movement, or parking subject to conditions. The scheme accords with Local Plan Policies GEN1 and GEN2 in terms of access and design, GEN8 and the ECC Parking Standards (adopted 2009) and locally amended March 2013.

D Other Material Considerations

10.19 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.

10.20 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.

10.21 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".

10.22 The ecological survey which has been undertaken concluded that apart from birds the site has no protected species. The birds which have been recorded on site are associated with the trees and hedges, one tree and hedge of which is proposed to be removed east along the access road. A number of recommendations have been made in order to mitigate and enhance biodiversity. No objections have been raised by ECC

Ecology regarding the submission subject to a condition being imposed. The scheme therefore is considered to accord with Local Plan Policy GEN7, NPPF and Circular 11/95.

- 10.23 Policy GEN6 seeks for infrastructure provision to support development. The scheme is a 100% Council affordable housing development and there would not be profit that would result from the scheme and would be developed from money from the public purse. It is therefore considered unreasonable to seek for an education contribution in this instance.
- 10.24 Utility appraisal outlined that it appears to be viable in relation to the cost of necessary diversions of the existing services and the supply of proposed services.
- 10.25 A contamination survey has been submitted as part of the application. Due to the nature of the use of the site there is potential for contamination to be present as well as asbestos materials. The report identifies this risk as being low to medium, and the foundation complexity on site which would result in disturbing earth and is considered low therefore unlikely to cause potential risk to the Principle Aquifer on which the site is located on. UDC Environmental Health has been consulted of the application and requires further information. No objection has been raised subject to conditions, in accordance with Local Plan Policy ENV14.
- 10.26 The Flood Risk Assessment which has been undertaken as the site falls within Flood Risk Zone 1 where there is low probability of flooding from tidal or fluvial sources. The site falls below the 1 ha area whereby a FRA is actually required. Nonetheless, the FRA states that the proposed development would provide betterment as the site at present has low probability as there is just hardstanding. As part of the scheme sustainable drainage such as permeable paving and would be incorporated as well as increased finished floor levels. No objection is raised in this respected and it is in accordance with Local Plan Policy GEN3.

11. CONCLUSION

- 11.1 The principle of the development is considered acceptable as the site lies within the development limits of Saffron Walden, within a sustainable location making full efficient use of underused land in order to provide affordable Council accommodation to meet an identified need. The scheme accords with Local Plan Policies S1 and H3, Policies SP1, SP2, SP6, SP7 and HO5 of the Draft Local Plan, also the trust of NPPF in terms of sustainable development.
- 11.2 The proposed design, layout, size and scale of the proposed development are considered sensitively designed and acceptable. The scheme would not have a detrimental impact upon the residential and visual amenity of neighbouring residential occupiers, in accordance with Local Plan Policies GEN1, GEN2, GEN4 and Draft Local Plan Policies SP1, SP12, DES1, HO1, EN1 and EN10.
- 11.3 Sufficient parking has been provided in accordance with parking standards. No objections have been raised by the Highways Authority subject to conditions. This accords with Local Plan Policy GEN1, GEN2, GEN8 and the ECC Parking Standards (adopted 2009), and locally amended March 2013.
- 11.4 The ecological survey which has been undertaken concluded that apart from birds

the site has no protected species. The birds which have been recorded on site are associated with the trees and hedges, one tree and hedge of which is proposed to be removed east along the access road. A number of recommendations have been made in order to mitigate and enhance biodiversity. No objections have been raised by ECC Ecology regarding the submission subject to a condition being imposed. The scheme therefore is considered to accord with Local Plan Policy GEN7, NPPF and Circular 11/95.

- 11.5 With regards to a financial contribution towards education, the scheme is a 100% Council affordable housing development and there would not be profit that would result from the scheme and would be developed from money from the public purse. It is therefore considered unreasonable to seek for a contribution in this instance.
- 11.6 There are no flood risk issues which are raised as part of this application, in accordance with Local Plan Policy GEN3.
- 11.7 With regards to the contamination survey UDC Environmental Health further information obtained from intrusive examination of the ground is needed to ensure any contamination can be adequately addressed in accordance with Local Plan Policy ENV14. Therefore no objection has been raised subject to conditions.

RECOMMENDATION – APPROVES SUBJECT TO THE FOLLOWING 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. 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. hard surfacing materials;
 - ii. means of enclosure;
 - iii. car parking layouts;
 - iv. other vehicle and pedestrian access and circulation areas;

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).

3. 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).

4. 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-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: In the interests of protecting the character and amenities of the locality and neighbouring residential occupiers in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

5. Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building hereby permitted and any changes in level proposed, together with the proposed floor levels within the extension, shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In order to minimise the visual impact of the development in the street scene, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. No external floodlighting or other illumination shall be installed until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the height of the lighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate spillage to the rear of the lighting posts or disturbance through glare and the time when such lights would be illuminated. The development shall be carried out in accordance with the approved details.

REASON: In the interests of local amenity and highway safety, in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

7. The development hereby permitted shall be implemented in accordance with the Ecological Survey (dated July 2014) in all respects unless otherwise agreed in writing by the Local Planning Authority. The mitigation and enhancement measures shall thereafter be maintained and retained.

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 GEN2 and GEN7. Paragraph 109 of the NPPF states that the planning system should seek to enhance the natural environment by providing net gains in biodiversity wherever possible, and incorporating biodiversity in and around developments should also be encouraged under Paragraph 118.

8. 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, and thereafter implemented in accordance with the approved details.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility, in accordance with Local Plan Policies GEN2 and GEN1 of the Uttlesford Local Plan (adopted 2005).

9. The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access from that road(s). The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, in accordance with Policies GEN2 and GEN1 of the Uttlesford Local Plan (adopted 2005).

10. No development (with the exception of demolition works to facilitate the site investigation) shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site, and must include:

(i) A survey of the extent, scale and nature of contamination;

(ii) An assessment of the potential risks to:

Human health, the water environment, property (existing or proposed), service lines and pipes, adjoining land and any other receptors identified as relevant.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

11. If found to be necessary as a result of part 1, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The scheme must include all works to be undertaken, proposed remediation objectives, an appraisal of remedial options, a timetable of works and site management procedures.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

12. The remediation scheme for each phase shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report demonstrating that the

remediation objectives have been achieved must be submitted to and approved by the Local Planning Authority.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

13. In the event that contamination that was not previously identified is found at any time after the development of any phase has begun, development must be halted on that part of the site affected by the unexpected contamination. The contamination must be reported in writing within 3 days to the Local Planning Authority. An assessment must be undertaken in accordance with the requirements of paragraph 1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with paragraph 3.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

14. Before the development hereby permitted commences, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The buildings shall be designed as 'Lifetime Homes' and shall be adaptable for wheelchair use. All the measures that are approved shall be incorporated in the development before occupation.

REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.

Application No. : UTT/14/2514/FUL

Address: Catons Lane
Saffron Walden



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Organisation: Uttlesford District Council
Department: Planning
Date: 2 October 2014
SLA Number: 100018688

UTT/14/2426/DFO (THAXTED)

(More than 5 dwellings outside Great Dunmow, Saffron Walden and Stansted)

PROPOSAL:	Details following outline approval of UTT/13/0108/OP - details of the layout, access, scale, landscape and appearance (Reserved Matters)
LOCATION:	Land East Of Barnards Field, Thaxted
APPLICANT:	Matthew Homes Ltd
AGENT:	Mr Robert Harrington (BHD Ltd)
EXPIRY DATE:	8 October 2014
CASE OFFICER:	Luke Mills

1. NOTATION

1.1 Countryside.

2. DESCRIPTION OF SITE

2.1 The application site is located off Barnards Field in Thaxted. It comprises agricultural land.

3. PROPOSAL

3.1 The application is for reserved matters approval in relation to access, layout, scale, appearance and landscaping following the grant of outline planning permission under application number UTT/13/0108/OP for the erection of 8 dwellings.

4. APPLICANT'S CASE

4.1 No case has been submitted.

5. RELEVANT SITE HISTORY

5.1 Outline planning permission was granted under application number UTT/13/0108/OP for the erection of 8 dwellings.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S7 – The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design

- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV5 – Protection of Agricultural Land
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix

6.3 Guidance

- Parking Standards: Design and Good Practice
- Local Residential Parking Standards
- The Essex Design Guide
- SPD – Accessible Homes and Playspace
- Developer Contributions Guidance Document

7 PARISH COUNCIL COMMENTS

7.1 Objection. The instigation of a ransom strip could lead to further development on the site.

8 CONSULTATIONS

ECC Highways

8.1 No objection, subject to conditions relating to the following:

- Construction traffic
- Layout of access
- Design of estate roads
- Phasing of estate road construction
- Information packs relating to sustainable transport modes

Natural England

8.2 No objection.

UDC Housing

8.3 No comment.

UDC Access and Equalities Officer

8.4 Further information required.

9 REPRESENTATIONS

9.1 Neighbours were notified of the application by letter and a notice was displayed near the site. No representations have been received.

10 APPRAISAL

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

A Countryside character (ULP Policy S7)

- B Agricultural land (ULP Policy ENV5)
- C Compatibility with surrounding buildings (ULP Policy GEN2; The Essex Design Guide)
- D Biodiversity (ULP Policy GEN7)
- E Accessibility (ULP Policy GEN2)
- F Crime (ULP Policy GEN2)
- G Private amenity space (ULP Policy GEN2; The Essex Design Guide)
- H Living conditions of neighbours (ULP Policy GEN2)
- I Highway safety (ULP Policy GEN1 and GEN8; Parking Standards: Design and Good Practice; Local Residential Parking Standards)
- J Affordable housing provision (ULP Policy H9; Developer Contributions Guidance Document)
- K Housing mix (ULP Policy H10)
- L Construction jobs (NPPF)
- M Vitality of town centres (NPPF)
- A Countryside character (ULP Policy S7)**

10.1 Outline planning permission has been granted for 8 dwellings so residential development on the site has been established as acceptable. It is considered that the further details provided in this application do not cause any material increase in the level of harm to the character of the countryside compared with what may reasonably have been expected when outline permission was granted. Therefore, the proposal does not conflict with Policy S7 which seeks to protect the character of the countryside.

B Agricultural land (ULP Policy ENV5)

10.2 The loss of agricultural land was accepted at the outline application stage. Therefore, the proposal does not conflict with Policy ENV5 which seeks to protect the best and most versatile agricultural land.

C Compatibility with surrounding buildings (ULP Policy GEN2; The Essex Design Guide)

10.3 The proposed development follows similar design principles to the existing residential development through which the application site would be accessed. It is also considered that the layout follows the established pattern. A condition could be used to secure appropriate external finishes, which should follow the established mix of red brick, render and weatherboarding. Another condition could be used to secure appropriate hard and soft landscaping, including boundary treatments such as walls between rear gardens and the street.

D Biodiversity (ULP Policy GEN7)

10.4 Taking into account the questions on the Council’s Biodiversity Questionnaire, it is considered unlikely that the proposal would cause harm to protected species. There is no conflict with Policy GEN7, which seeks to protect biodiversity.

E Accessibility (ULP Policy GEN2; SPD Accessible Homes and Playspace)

10.5 Taking into account the comments of the Access and Equalities Officer, it is considered that further information is required to demonstrate that the proposal would comply with the SPD entitled ‘Accessible Homes and Playspace’. Subject to a condition to secure the approval of further details, there is no conflict with Policy GEN2 which seeks environments which meet the reasonable needs of all potential users.

F Crime (ULP Policy GEN2)

10.6 It is considered that the proposal generally prevents crime, although no details have been submitted regarding boundary treatments. The front gardens of each property should be suitably defined by low walls, railings or hedges to form a defensible space. Subject to a condition to secure appropriate boundary treatment, there is no conflict with Policy GEN2 which seeks to reduce the potential for crime.

G Private amenity space (ULP Policy GEN2; The Essex Design Guide)

10.7 The below table sets out approximate garden sizes for each plot:

Plot	Number of bedrooms	Garden size (sq. m)
1	3	109
2	3	200
3	4	207
4	4	203
5	4	186
6	3	160
7	3	160
8	4	148

All plots would be served by gardens exceeding 100 square metres, in accordance with the requirements of ‘The Essex Design Guide’. It is therefore considered that the occupiers would benefit from sufficient private amenity space.

H Living conditions of neighbours (ULP Policy GEN2; The Essex Design Guide)

10.8 While the rear elevations of Plots 1 and 3 would be 23 metres from the rear elevations of neighbouring dwellings, the proposed layout generally complies with 25-metre back-to-back standard in ‘The Essex Design Guide’. Given the marginal non-compliance on the two plots, it is considered that they would not cause significant harm to the living conditions of neighbours from overlooking. There is no conflict with Policy GEN2, which seeks to avoid loss of privacy.

I Highway safety (ULP Policy GEN1 and GEN8; Parking Standards: Design and Good Practice; Local Residential Parking Standards)

10.9 Barnards Field, an unclassified road, would be extended to form a connection with the proposed development. Taking into account the comments of the Highway Authority, it is considered that there would be no material harm to highway safety from this access arrangement. There is no conflict with Policy GEN1, which seeks safe vehicular access.

J Affordable housing provision (ULP Policy H9; Developer Contributions Guidance Document)

10.10 The provision of affordable housing, either on-site or via a financial contribution, was not secured when outline planning permission was granted. As the requirement for affordable housing does not relate to any of the reserved matters, it cannot be addressed in this application. Therefore, the proposal does not conflict with Policy H9 which seeks affordable housing provision.

K Housing mix (ULP Policy H10)

10.11 Four of the houses (i.e. 50%) would have 3 bedrooms. It is therefore considered that there is no conflict with Policy H10, which states that a significant proportion of market housing should be comprised of small properties.

L Construction jobs (NPPF)

10.12 It is acknowledged that the proposal would provide employment for construction workers during development, which would support the economy in accordance with guidance in the NPPF. However, little weight is given to this benefit because it is time-limited.

M Vitality of town centres (NPPF)

10.13 An additional 8 households would contribute to the viability of local business located in Thaxted and the surrounding area. Some weight is attached to this economic benefit, which is consistent with the guidance at paragraph 23 of the NPPF on ensuring the vitality of town centres.

11 CONCLUSION

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

A The proposal would not cause harm in relation to environmental or social considerations. There would be some benefit in relation to economic considerations. Therefore, the proposal accords with the presumption in favour of sustainable development, as set out in the National Planning Policy Framework.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. Prior to commencement of the development, details of the external materials to be used 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 ensure that the development would appear compatible with surrounding buildings, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

2. Prior to commencement of the development, details to demonstrate compliance with the Supplementary Planning Guidance entitled 'Accessible Homes and Playspace' 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 ensure that the development meets the reasonable needs of all potential users, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to commencement of the development, details of landscaping (including hard surfaces, planting and boundary treatments) 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.

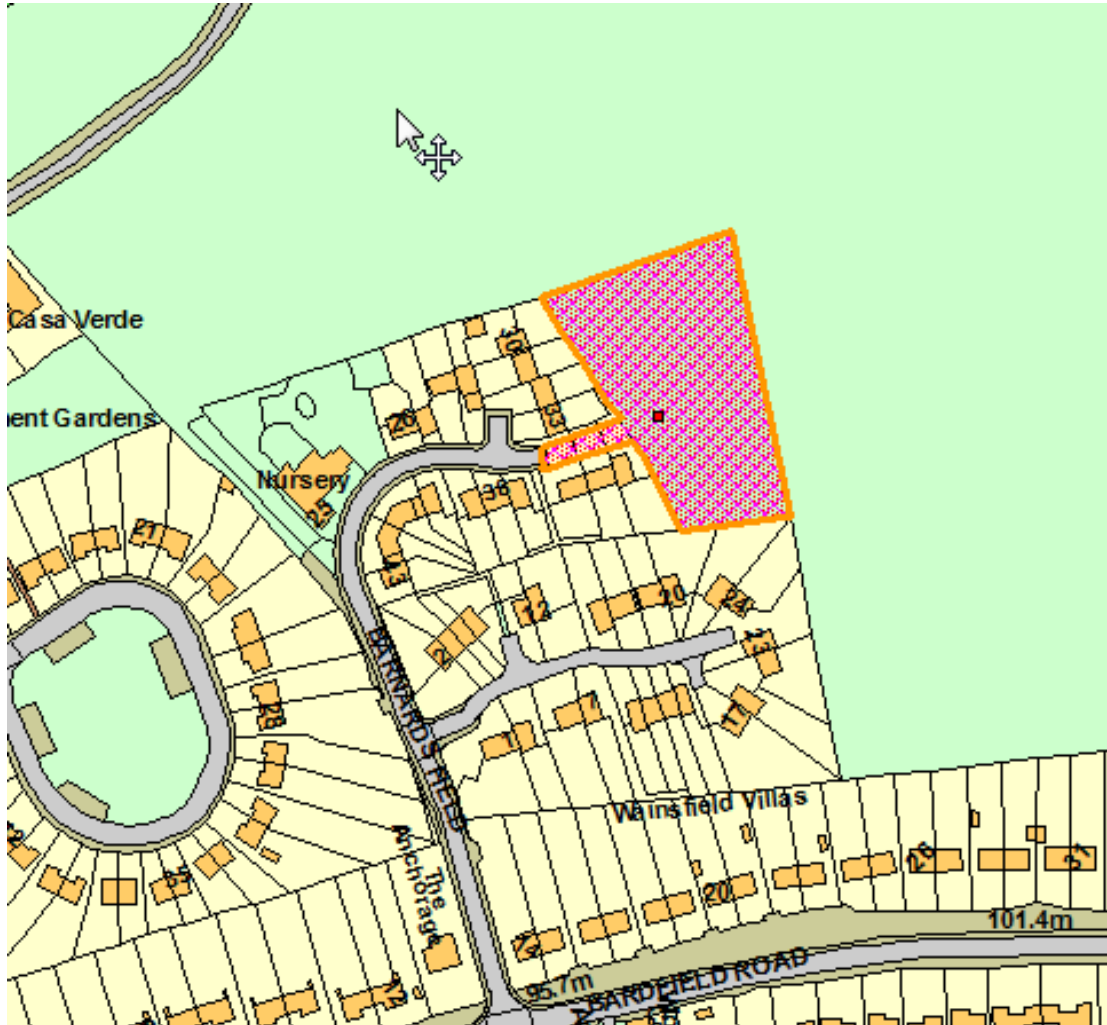
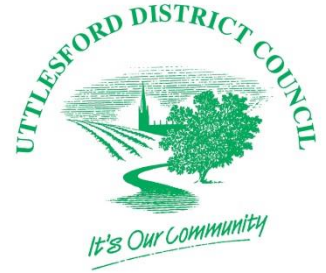
REASON: To secure an appropriate appearance for the development and to prevent crime, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Prior to occupation of any dwelling, the vehicular access shown on Drawing No. PL-01 Rev D shall be provided with a minimum 4.8 metre wide carriageway and 1.5 metre wide footway on the northern side.

REASON: In the interest of highway safety and inter-visibility between users of the access, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Application No. : UTT/14/2426/DFO

Address: Land East Of Barnards Field,
Thaxted



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Organisation: Uttlesford District Council
Department: Planning
Date: 2 October 2014
SLA Number: 100018688

UTT/14/1726/FUL (TAKELEY)

(Referred to Committee by Cllr Cheetham Reason: Concerns re the entrance onto the B1256 and airport related car parking)

PROPOSAL: Change of use from African Cultural Centre to guest house and conference centre

LOCATION: Takeley House, Brewers End Dunmow Road, Takeley,

APPLICANT: Mr M Girolami

EXPIRY DATE: 25th October 2014

CASE OFFICER: Madeleine Jones

1. NOTATION

1.1 Within Development Limits

2. DESCRIPTION OF SITE

2.1 The application site consists of a large detached building, which has a substantial curtilage. To the west of the site is a village hall with parking to its frontage and to the east is a youth centre and the village cricket club. Opposite the site are modern residential properties. The property is vacant at present.

3. PROPOSAL

3.1 The proposal is for change of use from African Cultural Centre to guest house and conference centre

3.2 There would be eight bedrooms for guest use and three bedrooms for staff use. The proposed conference room would also be used as a lounge for the guest house.

3.3 The conference facilities would only be available during the day time between the hours of 9.00 and 17.00

3.4 The conference room is approximately 75m²

4. APPLICANT'S CASE

Design and Access Statement:

Takeley House formerly known as 'Aklowa' was run as an African cultural centre for the past 30 years until the demise of the previous owner in 2007.

This Victorian house of immense character and charm was seriously neglected and was left to deteriorate; it has since been greatly and dramatically restored and returned to its original glory, keeping a historical building for the enjoyment of all.

The change of use is to provide accommodation purely for overnight stays servicing Stansted Airport, and use as a conference centre servicing local businesses.

Design

There are no exterior alterations and only minor alterations to the interior. The property will still have the appearance of an impressive Victorian House.

The new garage block which was built in its new location adjacent to the main house which is in place of the previous stable block that was taken down through dis-repair some years ago. The garages have been built sympathetically in keeping with the main house and incorporate a drive through to the rear garden and parking area.

There will be no social impact as the property is sited between the cricket ground to the east and the social club to the west. Even the designated car parking area will be obscured by the gated garage block and existing shrubbery and will not be visible from the road.

The proposal will add to the local economy by employing staff from the surrounding area and by purchasing fresh provisions from the local farmers.

Access

Access to the site remains as existing, the only changes are the provision of more parking spaces, of which the previous owners had insufficient. Local research indicates that on many occasions visitors to 'Aklowa' were forced to park in the neighbouring streets causing a nuisance and also in the adjacent social club car park much to their annoyance, as coaches were a prevalent occupier of the limited on-site parking, forcing car users to park on the road.

The new proposal will be restricted to cars only which will mainly be parked to the rear of the property and will be secluded between the existing hedge rows bordering the social club and a 1.5m high Box hedge (which is believed to be in excess of 100 years old) between the parking area and formal garden.

Conclusion

This proposal will have a greatly reduced impact on the local environment; in contrast to its previous use and feedback from the local residents, as well as the parish council have given their full approval.

The applicant has verbally stated that the conference centre would only be available during the daytime and would be happy to have a condition stating this.

It is anticipated that there would be a maximum of three events per week.

The maximum number of people attending the conference centre would be restricted by the size of the conference room.

Only the lounge area of the ground floor would be used in relation to the conference centre.

5. RELEVANT SITE HISTORY

DUN/0134/73- Demolition of existing dwelling and site for residential development.
Refused

UTT/0819/77 – Part change of use for some weekends for residential courses, maximum about 10 people. Conditionally Approval.

UTT/0234/80 – Continued use as a cultural centre. Conditional Approval

UTT/0793/09/FUL – Two storey front and rear extensions. Conditional Approval.

UTT/1440/91 – Continuation of use as a cultural centre. Conditional Approval.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- LC5 - Hotels and Bed and Breakfast accommodation
- S2 Other Settlement Boundaries
- GEN2 Design
- GEN8 Vehicle Parking Standards
- GEN1 Access
- GEN5 Light Pollution
- E3 Access to Workplaces
- RS1 Access to retailing and services
- T3 Car parking associated with development at Stansted Airport

Uttlesford Local Parking Standards

EDG - Essex Design Guide

ECP - ECC Parking Standards (Design & Good Practice) September 2009

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 Takeley PC has no objection providing that all vehicles associated with the business are accommodated within the site.

8. CONSULTATIONS

Access and Equalities Officer

- 8.1 In view of accommodation for an overnight stay an accessible bedroom has been identified which will need to comply with Part M of the Building Regulations. However, the Conference use appears to relate to an Executive Suite on the first floor, there is no access for a disabled user, particularly a wheelchair user to this floor, nor is there any other WC provision other than in the accessible bedroom.

Essex County Council Highways

- 8.2 No objection subject to condition.

Natural England

- 8.1 No objection

Thames Water

- 8.2 No objection

9. REPRESENTATIONS

9.1 53 neighbours have been consulted and no representations have been received. Expiry date 23rd July 2014

10. APPRAISAL

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

A Whether the proposal is appropriate for the site (NPPF & ULP Policies S3, LC5 AND GEN2)

B Impact to neighbours amenity (ULP Policies GEN2, GEN4 and GEN5)

C Highway safety (ULP policies GEN1, T3 and GEN8 and SPD Parking Standards)

D Impact on biodiversity (ULP policy GEN7)

A Whether the proposal is appropriate for the site (NPPF & ULP Policies S3, LC5 AND GEN2)

10.1 The development of tourism is supported to increase the economic benefits to the district provided this is done in a sustainable way.

The site is located within the development limits of Takeley and therefore the proposal is acceptable in principle. The site is adjacent to a village hall and Takeley cricket club. The site has recently been the subject of refurbishment and new extensions built. The current proposal does not involve any external alterations apart from additional parking spaces. The parking is predominantly out of site from the street scene as it is screened from view by two garage buildings. The development would protect the character of the countryside and not result in significant increase in noise levels so as to warrant a refusal of the application.

10.2 Policy LC5 states that new building or extension to existing accommodation will be permitted within development limits if the development would not harm the character or amenities of the surrounding area. As such the proposal complies with policy.

10.3 The Access and Equalities Officers comments have been noted, however, the WC on the ground floor is sufficient dimensions to be used as an unisex WC.

B Impact to neighbours amenity (ULP Policies GEN2, GEN4 and GEN5)

11 The main considerations in respect of impact on neighbour's amenity are in respect of noise, light pollution, and whether any intensification would cause material disturbance or nuisance. Policy GEN4 states that development will not be permitted where noise generated would cause material disturbance or nuisance of surrounding properties. Additionally this additional noise needs to be compared against existing noise levels. It is acknowledged that the proposed use could lead to some degree of extra disturbance to neighbouring residents. The site is adjacent to a main road and opposite residential properties, however, it is not considered that the proposed use would result in sufficient extra noise nuisance to warrant refusal. Any extra external lighting needs to be strictly controlled; however this can be achieved by an appropriate condition. It is necessary to protect residential amenity and as such the conference use is to be restricted to day time events which can be controlled by a relevant condition.

C Highway safety (ULP policies GEN1, T3 and GEN8 and SPD Parking Standards)

The highway authority has no objections to the proposal. The parking standards for guest house/conference accommodation use are maximum standards and it is considered that the proposed parking provision would be adequate to meet the needs of the proposed guest house use and conference use. In view of the sites proximity to Stansted Airport there is the potential for airport parking which would be contrary to policy T3. This can be controlled by an appropriate condition. It is not considered that the development would place unacceptable pressures on the surrounding rural road network. In view of the limited number of bedrooms and the size of the room to be used for conferences, it is not likely that the proposed use would have any impact on highway safety.

D Impact on biodiversity (ULP policy GEN7)

The proposal is for change of use to the property and does not include any exterior alterations to the building. There would be more parking spaces provided, however, the site has been the subject to extensive building works and it is therefore considered that the proposed parking would not have any detrimental impact to biodiversity.

11. CONCLUSION

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

- A The site is appropriate for the proposed use.
- B There would not be any material detrimental impact to neighbours amenity caused by the proposal.
- C Access to the site is acceptable. Adequate parking provision would be provided.
- D There would be no material impact on 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. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policy GEN8 of the Uttlesford Local Plan(adopted 2005)

- 3. The parking spaces shown on drawing MG 007 dated May 2014 shall not be used other than for the parking of vehicles in association with the use of the guest

house/conference accommodation hereby permitted. No vehicle shall be parked in the approved parking spaces unless it belongs to or was driven there by a person who is resident at or working at the guest house/conference centre hereby permitted. No vehicle parked at the site by or on behalf of a person visiting the guest house/conference centre as a resident shall remain on the site overnight unless that person is staying as a resident at the guest house on the night that the vehicle is parked.

REASON: To ensure adequate car parking spaces are provided to serve the guesthouse/conference centre accommodation in the interests of highway safety. Furthermore, it is the policy of the Council that all parking required for Stansted Airport should be accommodated within the airport boundary, in order to protect the appearance of the countryside in accordance with policy T3 of the Uttlesford Local Plan (adopted 2005)

4. Prior to first use of the building hereby permitted full details of external lighting shall be submitted to and approved by the local planning authority and shall be implemented in accordance with those approved details.

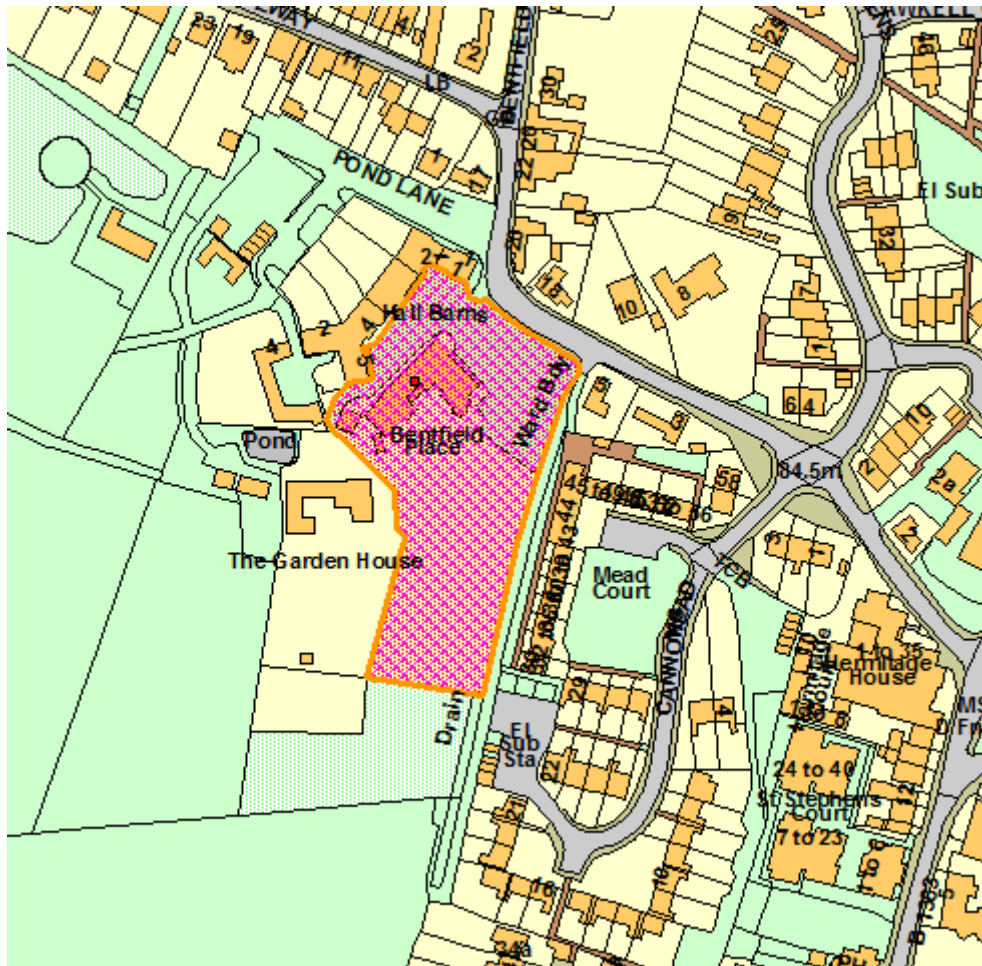
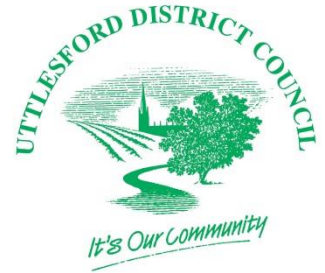
REASON: In the interests of residential amenity in accordance with policy GEN5 of the Uttlesford Local Plan (adopted 2005)

5. The conference /events centre hereby permitted shall not be open to the public other than between the hours of 09:00 hours to 17:00 hours.

REASON: In the interests of the amenity of the area in accordance with Policies GEN2 and GEN4 of the Uttlesford Local plan (adopted 2005)

Application No. : UTT/14/1726/FUL

Address: Takeley House, Brewers End
Dunmow Road,
Takeley, Bishops Stortford



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Organisation: Uttlesford District Council
Department: Planning
Date: 2 October 2014
SLA Number: 100018688

UTT/14/2412/HHF (FELSTED)

(Called in by Councillor Felton – due to overlooking and loss of privacy)

PROPOSAL: Proposed demolition and replacement of two storey extension

LOCATION: The Old Post House, Felsted

APPLICANT: Mr Alan Mills

AGENT: Hilary Brightman- Architect

EXPIRY DATE: 15th October 2014

CASE OFFICER: Chris Tyler

1. NOTATION

- 1.1 Within Development Limits/ Within Conservation Area/ Grade II Listed Building/ Listed Building Adjacent.

2. DESCRIPTION OF SITE

- 2.1 The site comprises of a two storey semi -detached dwelling located to the east of Chelmsford Road in the main village of Felsted. The dwelling is a Grade II Listed building and consists of a timber framed building with rendered walls under a clay tiled roof. The dwelling includes a modern flat roof two storey extension to the rear, constructed of weather boarding. To the rear of the site is garden area bound by brink wall and close board fencing.

3. PROPOSAL

- 3.1 This application is in relation to the demolition of the existing rear extension and the erection of a replacement two storey extension. The extension would be marginally wider than the previous addition extending to the south of the of the boundary line. The extension will include a new gable to the rear and lean to roof extending to the ridge. The external construction materials will include painted timber weatherboarding under a clay tiled roof.

4. APPLICANTS CASE

- 4.1 The proposal includes the demolition of the existing two storey flat roof extension and section of cat slide roof and their replacement with a new two storey rear extension with lean too roof extending to the ridge.

The existing 1960's extension, whilst of a design and appearance that is of its time, does not contribute to significance of the listed building. It is in poor condition and has little or no insulation. The large plate glass window is single glazed and cills etc are showing signs of decay. The proposed replacement of is only marginally wider than the existing extension, but extending to the south of the boundary line. The increase in in gross area of the ground floor footprint in comparison with the existing extension is 7.2m

The proposal will include the removal of a small section of cat slide roof remaining between the existing extension and boundary. The cat slide roof is likely to be later than the original building and also may have been disturbed during the construction of the existing extension.

5. RELEVANT SITE HISTORY

- 5.1 UTT/14/1375/HHF (Proposed demolition and replacement of two storey extension)
UTT/14/1376/LB (Proposed demolition and replacement of two storey extension and associated internal alterations)
Both these previous applications were withdrawn following receiving objections from Uttlesford District Council Conservation Officer.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- S3 – Other Development Limits
- ENV1- Design of development within Conservation Areas
- ENV2- Development affecting Listed Buildings
- GEN2- Design
- H8-Home Extensions

7. PARISH COUNCIL COMMENTS

- 7.1 The Parish Council is opposed to the proposal due to the inappropriate design and used of use of materials. The proposal seems to have issues with overlooking of Jasmine Cottage. The extension is too large for the site and does not include off road parking provisions.

8. CONSULTATIONS

Conservation Officer

- 8.1 No objections to the proposed design and have no concerns that the proposal would have a detrimental impact to the Listed Building or Conservation Area

9. REPRESENTATIONS

8 Neighbouring properties notified, consultation expired 23.09.14 - 1 letter of objection (Jasmine Cottage)

- 9.1 The proposal would be harmful to the residential amenity of the neighbouring dwelling
- 9.2 The proposal would result in an overdevelopment of the site
- 9.3 It would result in unreasonable noise and disturbance to occupiers of neighbouring properties.

10. APPRAISAL

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

- A Whether the proposed uses are appropriate in the location, design and scale (ULP Policy S1, GEN2, ENV1, and ENV2)
- B Whether the proposed development would affect the amenity values of neighbouring residents (ULP policies H8 and GEN2)
- A Whether the proposed uses are appropriate in the location and whether there would be any detrimental impact on neighbour's amenity (ULP Policy S3, GEN2, ENV1, and ENV2)**

10.1 The development would be in the development limits and therefore being defined as other settlements outside main urban areas in the Uttlesford Local Plan. Policy S3 states that development compatible with the settlements character and countryside setting would be permitted. The extension would be to the rear of the dwelling and would include works that would be in character with the existing historic residential area.

10.2 The building is Grade II listed and is set within a conservation area. The proposal would include the demolition of the existing rear flat roof extension and the erection of replacement extension. The existing extension is of no historic merit; the proposed replacement extension will include the introduction of a rear gable and extended lean to roof constructed with traditional materials. It is considered the extension is of an appropriate scale and design and will not have an adverse impact to the setting of the listed building and that the character of the conservation area would be preserved. Uttlesford District Councils Conservation Officer has no objections to the proposal.

B Whether the proposed development would affect the amenity values of neighbouring residents (ULP policies H8 and GEN2)

10.3 The proposal would include the insertion of additional windows to the first floor rear elevation. However the insertion of such windows would not cause an increase or additional detrimental impact on neighbouring properties amenity.

11. CONCLUSION

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

- 11.1 The proposal would not have any material detrimental impact on the character and setting of the conservation Area or Listed Building
- 11.2 The proposed design of the development would not have an adverse impact to the character of the property and street scene. There would be no harm to the neighbouring properties in terms of over shadowing and overlooking

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 hereby permitted shall be constructed entirely of the materials details of which are shown on plan no 14/04/04 REV B and as shown on the schedule of materials on the planning application form unless otherwise agreed in writing by the Local Planning Authority.

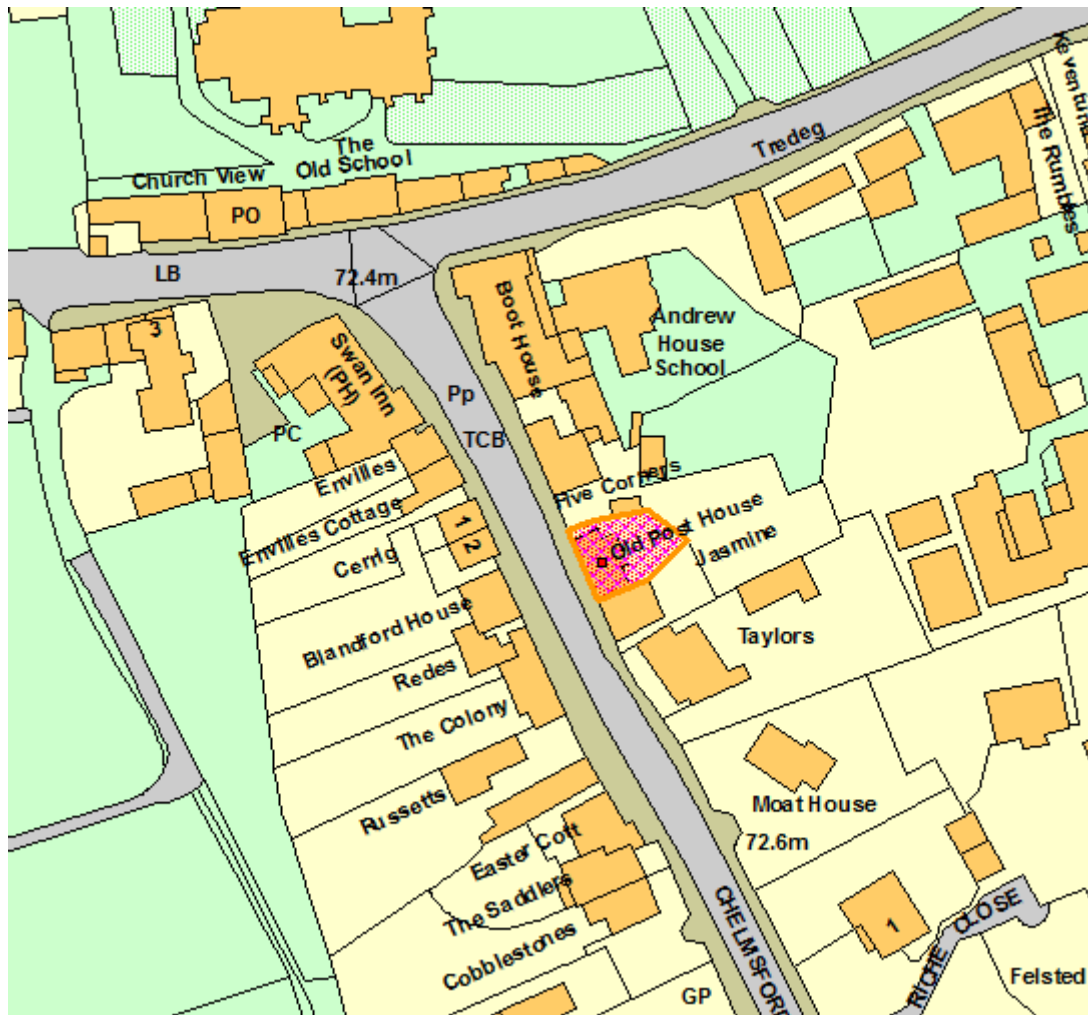
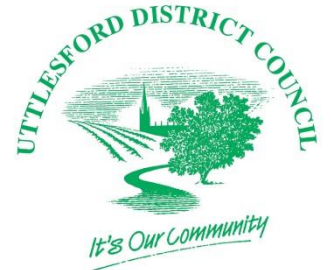
REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. 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/14/2412/HHF

Address: The Old Post House, Felsted



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2413/LB Felsted

(Called in by Councillor Felton – due to overlooking and loss of privacy)

PROPOSAL: Proposed demolition and replacement of two storey extension

LOCATION: The Old Post House, Felsted

APPLICANT: Mr Alan Mills

AGENT: Hilary Brightman- Architect

EXPIRY DATE: 15th October 2014

CASE OFFICER: Chris Tyler

1. NOTATION

- 1.1 Within Development Limits/ Within Conservation Area/ Grade II Listed Building/ Listed Building Adjacent.

2. DESCRIPTION OF SITE

- 2.1 The site comprises of a two storey semi -detached dwelling located to the east of Chelmsford Road in the main village of Felsted. The dwelling is a Grade II Listed building and consists of a timber framed building with rendered walls under a clay tiled roof. The dwelling includes a modern flat roof two storey extension to the rear, constructed of weather boarding. To the rear of the site is garden area bound by brick wall and close board fencing.

3. PROPOSAL

- 3.1 This application is in relation to the demolition of the existing rear extension and the erection of a replacement two storey extension, internal alterations. The extension would be marginally wider than the previous addition extending to the south of the of the boundary line. The extension will include a new gable to the rear and lean to roof extending to the ridge. The external construction materials will include painted timber weatherboarding under a clay tiled roof. Internal alterations and repairs included the replacement of the existing modern cellar stair case, blocking up of doorway, alteration to partitioned stud walls and the removing the bracing beam in the first floor bedroom and repair existing spine beam.

4. APPLICANTS CASE

- 4.1 The proposal includes the demolition of the existing two storey flat roof extension and section of cat slide roof and their replacement with a new two storey rear extension with lean to roof extending to the ridge and internal alterations/ repairs.

The existing 1960's extension, whilst of a design and appearance that is of its time, does not contribute to significance of the listed building. It is in poor condition and has little or no insulation. The large plate glass window is single glazed and cills etc are showing signs of decay. The proposed replacement of is only marginally wider than the existing extension, but extending to the south of the boundary line. The increase in in

gross area of the ground floor footprint in comparison with the existing extension is 7.2m

The proposal will include the removal of a small section of cat slide roof remaining between the existing extension and boundary. The cat slide roof is likely to be later than the original building and also may have been disturbed during the construction of the existing extension.

The existing cellar access will be moved from the kitchen to the existing corridor. This alteration will improve the kitchen layout and conditions for fire escape. The building is in generally good order and no substantial repairs are anticipated as part of these works, however the spine repair in the first floor bedroom is visual intrusive and limited the height of along this line. The removal and repair of the beam will be carried out with green oak to match the existing. Other internal alterations would to existing partitioned stud walls.

5. RELEVANT SITE HISTORY

- 5.1 UTT/14/1375/HHF (Proposed demolition and replacement of two storey extension)
UTT/14/1376/LB (Proposed demolition and replacement of two storey extension and associated internal alterations)
Both these previous applications were withdrawn following receiving objections from Uttlesford District Council Conservation Officer.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- ENV2- Development affecting Listed Buildings

7. PARISH COUNCIL COMMENTS

- 7.1 The Parish Council is opposed to the proposal due to the inappropriate design and used of use of materials. The proposal seems to have issues with overlooking of Jasmine Cottage. The extension is too large for the site and does not include off road parking provisions.

8. CONSULTATIONS

- 8.1 Uttlesford District Council Conservation Officer- No objections to the proposed design and have no concerns that the proposal would have a detrimental impact to the Listed Building or Conservation Area

9. REPRESENTATIONS

8 Neighbouring properties notified, consultation expired 23.09.14 - 1 letter of objection (Jasmine Cottage)

- 9.1 The proposal would be harmful to the residential amenity of the neighbouring dwelling
- 9.2 The proposal would result in an overdevelopment of the site

9.3 It would result in unreasonable noise and disturbance to occupiers of neighbouring properties.

10. APPRAISAL

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

A **Whether the proposal would have a detrimental impact on the historic fabric, character or appearance of the listed building as outlined in Section 16(2) & 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policy ENV2, NPPF).**

10.1 The building is Grade II listed building. The proposal would include the demolition of the existing rear flat roof extension and the erection of replacement extension and internal alterations. The Council's Conservation Officer has been consulted with regard to the proposals and has no objection subject to the imposition of conditions. The proposals therefore would not have a detrimental impact to the historic fabric, character or appearance of the listed building.

11. CONCLUSION

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

11.1 The proposals would not have a detrimental impact on the historic fabric, character or appearance of the listed building and comply with the requirements of Section 16(2) & 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDATION – LISTED BUILDING CONSENT WITH CONDITIONS

Conditions

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 weatherboarding on the building hereby approved shall be feather edged and painted. Subsequently the materials shall not be changed without prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and to the setting of the listed building.

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

REASON: In the interest of preserving the historic character and appearance of the listed building

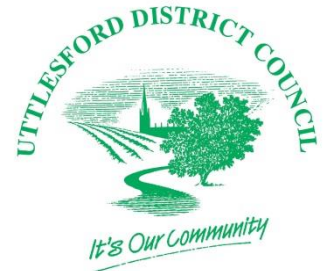
4. There shall be no cutting or removal of elements of the historic timber frame other than as indicated on the approved plans.

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

5. The new windows hereby permitted shall be single glazed painted timber. As per in accordance with the approved plans.

REASON: In the interests of protecting the historic character and appearance of the listed building in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the NPPF which are material considerations.

Application No. : UTT/14/2413/LB
Address: The Old Post House, Felsted



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2333/FUL (DEBDEN)

(Referred to Committee by Councillor Knight as outside development limits, destroy rural character, increase in traffic, safety of pedestrians and access not suitable)

PROPOSAL: **Erection of 2 detached dwelling with associated access and garaging.**

LOCATION: **Land south of Hill House, Church Lane, Debden,**

APPLICANT: **Mr & Mrs McCahill**

AGENT: **Mr Ian Abrams**

EXPIRY DATE: **3 October 2014**

CASE OFFICER: **Samantha Heath**

1. NOTATION

1.1 Outside development limits.

2. DESCRIPTION OF SITE

2.1 The application site comprises a parcel of land between two existing dwellings, to the south-west of Hill House. This host dwelling is a large detached rendered house with concrete tiled roof on a triangular shaped plot. The parcel of land fronts Church Lane and is approximately 38m wide and 36m deep narrowing to 18m, there is an existing vehicular access point. Trees run along the rear boundary that abuts agricultural land. Beyond the site are two detached houses and beyond these are further dwellings and the Church.

3. PROPOSAL

3.1 It is proposed to erect two detached dwellings with associated access and garaging on this site. They are proposed to be set back from the lane by 7m to reflect the building line of the adjacent cottages, with each dwelling having its own vehicular access, parking and turning area and single garage. Plot 1 would have maximum dimensions of 12m in width and 10.7m in depth, an eaves height of 4.9m and a maximum ridge height of 8.6m. Plot 2 would have maximum dimensions of 9.7m in width and 12.4m in depth, an eaves height of 4.9m and a maximum ridge height of 8.9m. They are T-shaped in plan form, with narrow span under steeply pitched clay roofs with rendered and boarded walls and timber fenestration. They would have two-storeys and three bedrooms.

3.2 Access to the site will be from Church Lane and a garage and two parking spaces will be provided for each unit.

4. APPLICANT'S CASE

4.1 See Planning Supporting Statement.

5. RELEVANT SITE HISTORY

5.1 None

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- Policy S7 – The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- UDC Parking Standards
- SPD– Accessible homes and Playspace
- Developer Contributions Guidance Document

7. PARISH COUNCIL COMMENTS

7.1 Debden Parish Council strongly opposes the above application for the following reasons:

- Church Lane, apart from use by households, is in constant use by rambling associations and walkers using the Harcamlow Way for 400 metres, a National/County Trail and Recreational path, to reach other paths. It is inconsistent to allow additional and maybe heavier and wider vehicles to use this lane when in parts it is 2.1 metres wide and without provision for the safety of walkers and pedestrians.
- In the stretch of lane outside Park House for 75 metres the road has collapsed consequently reducing the metalled road to 1.9 metres. More traffic would cause immense damage to this section and to other parts of Church Lane already eroding.
- The Parish Council is extremely concerned with the difficulties which will be caused by the type of vehicles used in the development of two additional, 3 bedroom houses, and the increase of traffic afterwards. There is no need for us to broach the obvious and evident presence of our Primary School and the constant comings and goings. Lorries turning into Church Lane from the High Street will have to back out into the High Street if vehicles are coming up the hill. The reversing of lorries into the High Street will be a traffic hazard. We cannot, but worry for the safety of our children if permission is given.
- The route through Church Lane, always in use, at the moment is hazardous and more traffic will exacerbate the problem.
- Church Lane is an old road, part of the Harcamlow Way, leading to a historical Church and has a beauty of its own. We wish to preserve its rural character.

We would request that the Planning Committee make a formal visit to the proposed site before this application is considered.

Expired 05.09.14

8. CONSULTATIONS

ECC Ecology

- 8.1 I have no objections. The recommendations provided on Page 2 of the Ecological Report (dated 2nd September 2014) should be adhered to.

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. 73213.01 subject to conditions.

NATS

- 8.3 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Natural England

- 8.4 Statutory nature conservation sites – no objection
This application is in close proximity to the Debden Water Site of Special Scientific Interest (SSSI). 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(I) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Access and Equalities

- 8.5 This will be acceptable on this particular dwelling and this application.

9. REPRESENTATIONS

- 9.1 35 Neighbours were notified. Consultation expired 01.09.14.

24 letters of objection received– outside development limits, Church Lane is very narrow, intensification of use of this substandard lane would be hazardous to highway safety and residential amenity, close proximity to a locally busy junction at the top of the lane, Church Lane is part of Harcamlow Way popular with cyclists and walkers and its character will be spoilt, proposed houses will be out of character, destruction of natural habitat, damage to banks of narrow lane, set precedent for future development, no mains drainage loss of privacy, overlooking, block natural light, Council can demonstrate 5 year housing supply so this is not needed, site was cleared in preparation, construction traffic would cause highway safety issues, proximity to listed buildings.

10. APPRAISAL

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

- A The principle of development of the site. (NPPF and ULP Policy S7).

- B Design and visual impact (ULP Policies S7 and GEN2).
- C Impact on residential amenity (ULP Policy 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 Affordable Housing Contributions (Developer Contributions Guidance Document)

A The principle of development of the site

- 10.1 The site is located outside of the development limits for Debden and as such is within the Countryside where ULP Policy S7 applies. This is a restrictive policy which seeks to protect the character of the countryside for its own sake and planning permission will only be granted for development that needs to take place there or is appropriate to a rural area. The policy normally excludes new residential development unless this relates to allocated or exception sites or comprise rural workers dwellings.
- 10.2 This part of Church Lane is characterised by detached frontage dwellings along the southern side of the lane where such dwellings lie within close proximity to the site, beyond these houses the lane changes to be more open with several other isolated properties and the Church. Past the site and Hill House towards the village the lane is enclosed with trees and hedges. The proposed dwellings would be set back from the lane by 7m to reflect the building line of the adjacent cottages and would have a traditional vernacular design commonly seen in this rural district. Views into the site would be dispersed by existing mature vegetation along the rear boundary which is to be retained by the proposal. It is considered from this that the development would not result in the erosion of the particular rural character of the countryside at this edge of village location.
- 10.3 A review of the Council's adopted policies and their compatibility with the NPPF has been carried out on behalf of the Council by Ann Skippers Planning. 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 simply a protective one, to appropriate development in rural areas. Policy S7 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. Recent case law indicates that the NPPF's focus on the economic aspects of rural growth does not necessarily favour new housing within rural areas. Nevertheless the NPPF arguably reduces the weight given to the restraint implied by Policy S7 and this must be weighed against other and wider sustainability principles.
- 10.4 While Uttlesford can demonstrate an adequate 5 year supply of housing land, it is important for the Council to continue to consider, and where appropriate, approve development which is sustainable, to ensure delivery in the future and to ensure that the level of housing supply is robust and sustained over time in the years to come.
- 10.5 Debden is defined as Type A rural settlement in the emerging Plan, that is a village with primary school with some local services – suitable for a scale of development that would reinforce role as a local service centre. Debden is considered to represent a sustainable location for new development. There is a shop, school, services and bus stops within walking distance to enable travel to neighbouring villages and towns and to

Stansted Airport where there is ease of access to London and beyond. Whilst it is accepted that Church Lane is a single track lane with no footpaths, the site is at reasonable walking distance to the centre of the village and is located within a sustainable village.

- 10.6 Taking into account the pattern of development surrounding the site, the compatible design of the proposed dwellings, the need to maintain a five year land supply and the fact that the site is within a sustainable position, it is considered that the current application proposal cannot reasonably be resisted in this instance and that the proposal is acceptable in principle.

B Design and visual impact

- 10.7 The proposed three bedroom dwellings are moderate in scale. It is not considered that the proposal would be unduly out of keeping with the character of the existing dwellings in this locality. The neighbouring dwellings are of similar size in footprint and scale. The design follows the vernacular characteristics of properties typical of this region, this design would not be out of keeping with the street scene or detrimental to the character and appearance of the surrounding area. The dwellings by their design and layout meet Lifetime Homes Standards, whilst the rear garden areas would meet and exceed Essex Design Standards in terms of private amenity space for a three bedroomed dwellings. Proposed parking provision, which includes a garage on each plot, meets and exceeds adopted local parking standards. Whilst new dwellings would not usually be permitted in a rural location, given the scale of dwellings in the surrounding area, it is not considered that such development could be resisted in this instance.
- 10.8 The external materials of the property are proposed to be brick plinth with painted horizontal timber boarding and painted render. There are many houses in the locality that have a this finish. Supporting information states that the external materials would be of good quality. Views of the new dwelling would be dispersed by existing mature vegetation along the rear boundary which is to be retained and further landscaping to the side and frontage boundaries can be conditioned as part of a landscaping condition to help screen the development.
- 10.9 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

- 10.10 With regard to impact on residential amenity, there is one neighbouring dwelling to the west that has a common boundary to the plot and the proposal has been designed to minimize the impact on this dwelling. The gable end of the proposed dwelling is sited 10m away from the boundary with the neighbour with the rear projecting element sited further away than that, this will ensure that there will be no overshadowing or over bearing impact. In addition the proposal has no openings in the side elevation; it is therefore considered that there will be no significant overlooking impact to immediate neighbours.
- 10.11 The neighbour raises concerns regarding rear windows overlooking the garden, this can be mitigated by a landscaping condition that could ensure appropriate boundary treatment.
- 10.12 In consideration of the above therefore, it is believed that there would be no material significant overlooking, overshadowing or over bearing effect.

10.13 The amenity of neighbouring residents is to be considered with regard to traffic movement, associated noise and disturbance. The land appears to be currently unused but could be used in association with the neighbouring dwelling Hill House with associated activity and disturbance. The introduction of new dwellings would result in vehicle movements closer to neighbouring properties, however, vehicle movements are already associated with the existing dwellings, school and church close by. No objection is therefore raised.

D Whether parking provision is satisfactory

10.14 Access would be via the existing access point and the introduction of an additional point off Church Lane. Neighbours raise concerns over the intensification of use of this road, however as the Highway Authority has no objection to the proposal it is difficult to substantiate any weight to this argument. Neighbours also comment that a previous application using this road was refused in 2004 however Policies have changed since this decision was issued. Adequate parking provision is provided to meet and exceed the parking standard.

10.15 The site is sustainable with regard to the availability of public transport and services within walking distance. The erection of two dwellings would not generate a volume of traffic that would impact on the surrounding transport network.

10.16 Neighbours comment on the congestion issues that exist currently on Church Lane, this is an existing situation that the developer cannot address or indeed be expected to. It is considered that the parking provision provided on site is sufficient and that the provision of additional dwellings in this location will not significantly exacerbate this existing situation.

10.17 Neighbours also raise concerns regarding construction traffic, it is considered that given the narrowness of the lane and the frequent number of users of it that it would be prudent to attach a construction management plan condition to alleviate any issues that may arise during construction.

E Impact of the proposal on Protected Species

10.18 With regard to ecology, the applicant has submitted an Ecological Report and ECC Ecology have no objections providing the recommendations on page 2 of the Ecological Report (dated 2nd September 2014) are adhered to.

F Affordable Housing Contributions (Developer Contributions Guidance Document)

10.19 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. The Strategic Market Area Assessment supports the provision of a range of affordable housing and suggests that a financial contribution should be made on sites of 1-4 dwellings. It states that on a 2 unit development a contribution that equates to 40% of the cost of 1 affordable unit for the locality should be made i.e. £50,000. The applicant has agreed to pay this contribution and a unilateral undertaking has been signed.

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 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 contribution towards affordable housing**
 - (ii) pay Council's reasonable 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 31 October 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 contribution towards affordable housing

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. 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

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. The gradient of the proposed vehicular accesses shall be not steeper than 4% (1 in 25) for the first 6 metres from the highway boundary and not steeper than 8% (1 in 12.5) thereafter.

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.

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. 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 Policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005). 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. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

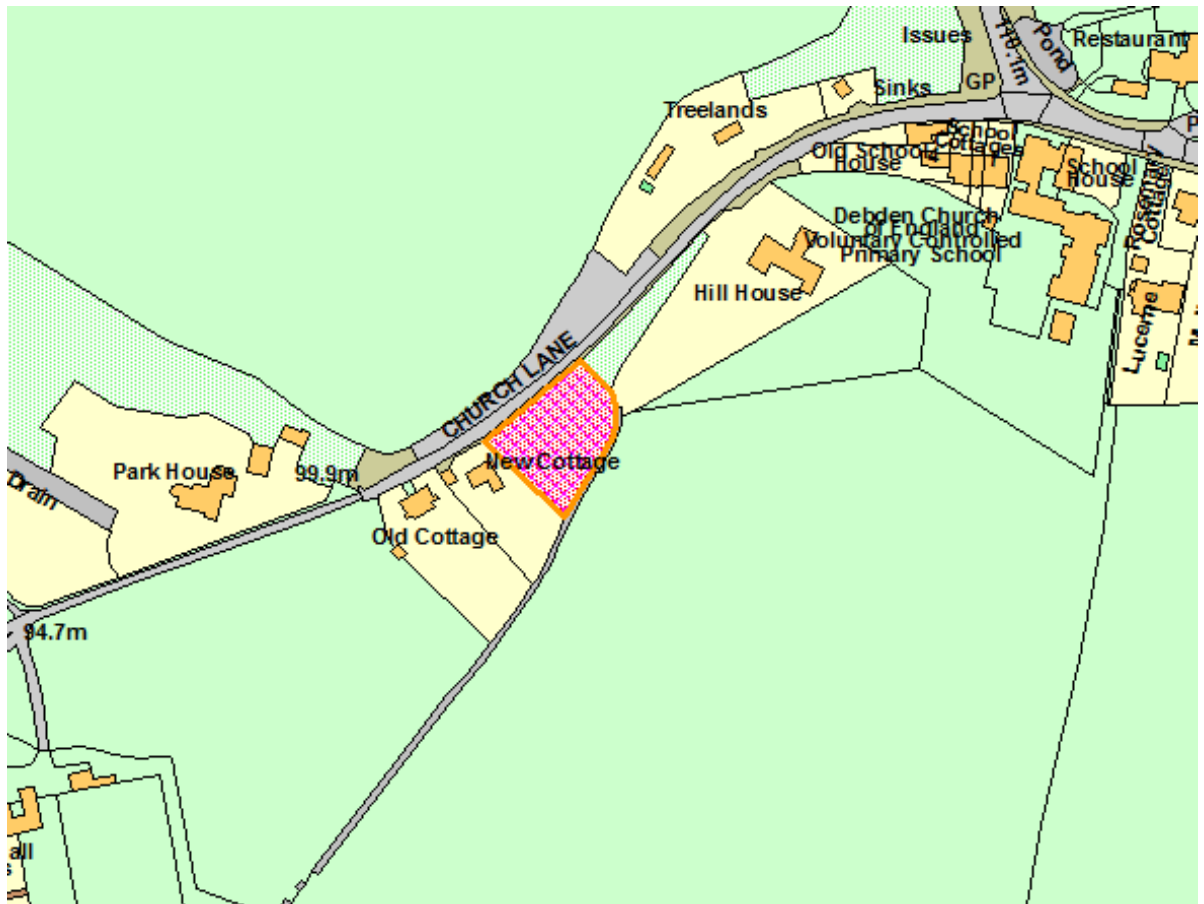
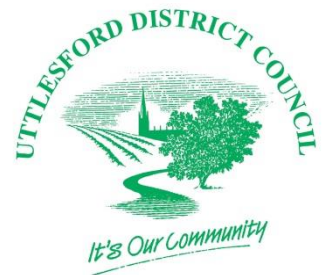
REASON: In the interests of the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

9. The mature trees around the site perimeter should be retained and protected as part of the development and kept unilluminated after dark to maintain their potential value for nocturnal wildlife such as bats and owls.

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 Uttlesford Local Plan Policy GEN7, adopted 2005.

Application No. : UTT/14/2333/FUL

Address: Land South of Hill House
Church Lane, Debden



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2569/FUL (GREAT CHESTERFORD)

Reason: UDC EMPLOYEE GOVERNOR AT SCHOOL

PROPOSAL: Alterations to access points and site walling, including: partial demolition of wall; replacement of fencing with walling; replacement of access gates and works to pedestrian access including path, patio and levelling

LOCATION: Great Chesterford Primary Academy, School Street, Great Chesterford, Saffron Walden, Essex

APPLICANT: Great Chesterford Primary Academy

AGENT: Brian Christian Building Surveyor

EXPIRY DATE: 17 October 2014

CASE OFFICER: Rosemary Clark

1. NOTATION

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

2. DESCRIPTION OF SITE

2.1 The application site is within the curtilage of a grade II knapped flint school building with limestone dressings on gault plinth. It has a steeply pitched clay tile roof with bands of fishscale tiles. Includes crosswings to south and small wings on north end. Gothic style. The playground area wall to the west is gault brick with panels of flint and saddle-back coping. The playground is located to the north of the school building, currently bordered by a mixture of brick and flint wall and ranch style fencing with some metal entrance gates.

3. PROPOSAL

3.1 The proposals relates to alterations to access points to include partial demolition of wall to create a new 'internal' footpath, relocating existing gates to new access closer to the highway including the replacement of existing ranch style fencing with brick and flint walls to match the existing boundary walls. A new gate to pedestrian access to the west of the playground and a sliding gate giving access to parking for the staff.

4. APPLICANT'S CASE

4.1 The scheme seeks to improve the access and safety for school children and parents and siblings in the absence of a public footpath along School Street. The proposal will allow an internal footpath to be created.

5. RELEVANT SITE HISTORY

UTT/14/2570/LB – Alterations to access points and site walling, including: partial demolition of wall; replacement of fencing with walling; replacement of access gates and works to pedestrian access including path, patio and levelling – Awaiting Decision

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2 – Design
- ENV2 – Listed Buildings
- ENV1 – Conservation Area
- GEN1 – Access
- GEN4 – Good Neighbourliness

7. PARISH COUNCIL COMMENTS

- 7.1 Strong support - No Objection

8. CONSULTATIONS

Essex County Council Highway

- 8.1 No objections

Conservation Officer

- 8.2 No objections subject to conditions regarding materials

Landscape Officer

- 8.2 No objections subject to conditions regarding full details of proposed works to existing trees on the site.

9. REPRESENTATIONS

- 9.1 17 Neighbours consulted – No responses received

10. APPRAISAL

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

- A Whether the proposal would be of an appropriate design respecting the existing Listed Building and Conservation Area locality (ULP Policy GEN2, ENV1 and ENV2)
- B Whether the proposal would have an adverse effect on highway safety (ULP Policy GEN1)
- C Whether the proposal would adversely affect residential amenity values (ULP Policy GEN 2 and GEN4)

A Whether the proposal would be of an appropriate design respecting the existing Listed building and Conservation Area locality (ULP Policy GEN2)

- 10.1 The proposed alterations to access points, including the change of the existing fencing to a brick and flint wall is a minor alteration to the boundary treatment that is already in

place. It is proposed to use materials to match the existing flint walls and wooden gates which are considered to be more in keeping with the Conservation Area location and the close proximity with the school building that is Grade II Listed. The Yew tree that is located in a prominent location along the boundary with the highway will be retained but have the crown raised. The Landscape Officer has been consulted and is of the opinion that the proposed works are acceptable and will not be detrimental to the Conservation Area. It is therefore considered that the proposals meet the requirements of the Local Plan Policies, GEN2, ENV1 and ENV2 of the Uttlesford Local Plan (Adopted 2005).

B Whether the proposal would have an adverse effect on Highway Safety (ULP Policy GEN1)

10.2 The proposal will improve highway safety in as much as it will provide an internal footpath for school children, parents and siblings attending the school and remove the need for access to be made along the highway. Essex County Council Highways have been consulted and raised no objections to the proposals. It would therefore meet the criteria of ULP Policy GEN1)

C Whether the proposal would adversely affect residential amenity values (ULP Policy GEN2 and GEN4)

10.3 Due to the minor nature of the proposals there will be no adverse impact on any residential neighbouring properties. The provision of an area for parents to drop off and pick up their children will be an improvement and reduce the number of people having to wait on the public highway. The proposals therefore accord with ULP Policy GEN2 and GEN4.

11. CONCLUSION

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

A, B and C

The proposals are acceptable in terms of design and would not be harmful to the character or appearance of the Conservation Area or the adjacent Listed Building. There would be no adverse harm to residential or visual amenity and highway safety would be maintained. The proposal therefore complies with the relevant Local Plan Policies.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions

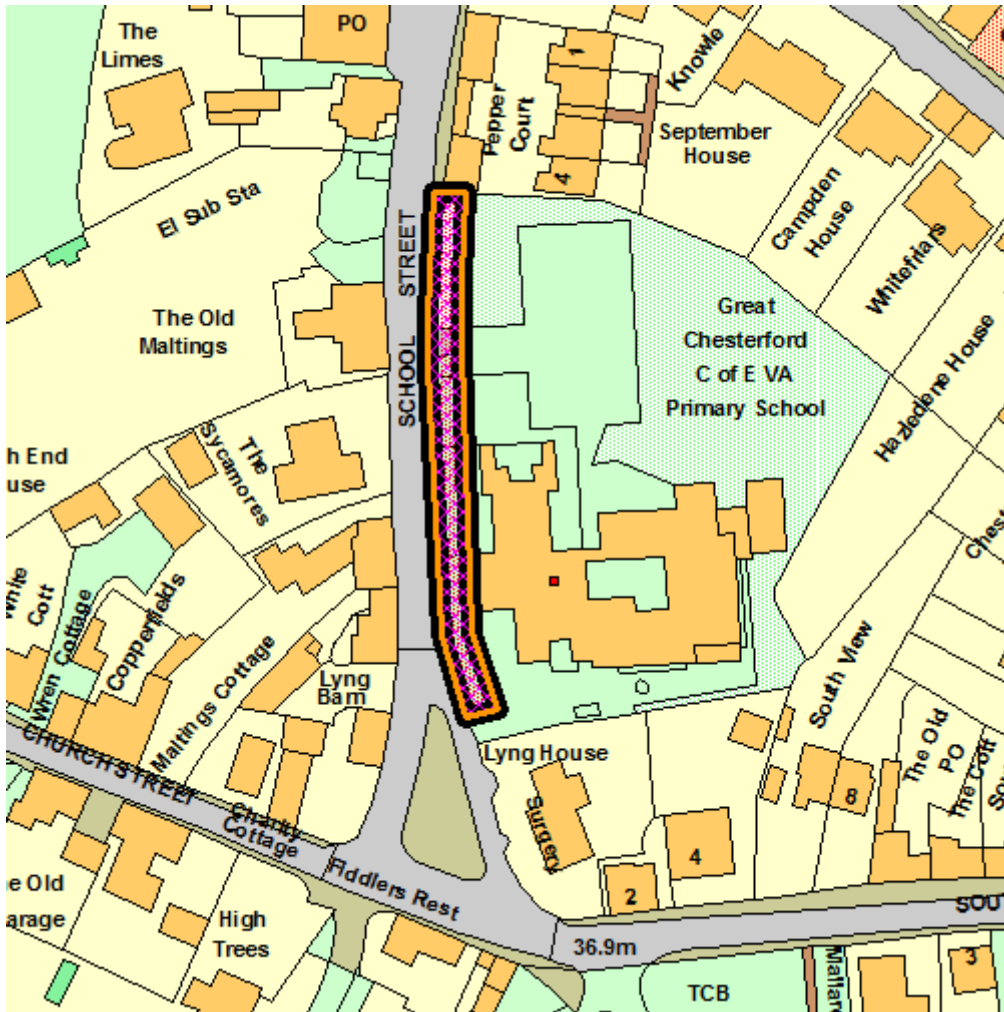
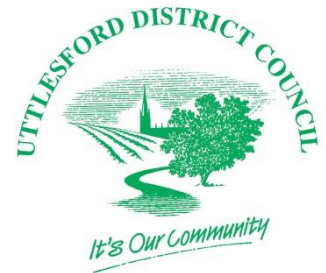
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

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. Before development commences full details of any proposed works to existing trees shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To maintain the health and amenity value of the existing trees on the site in accordance with ULP Policy GEN2.

Application No. : UTT/14/2569/FUL
Address: Great Chesterford Primary Academy
Great Chesterford



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

UTT/14/2570/LB (GREAT CHESTERFORD)

Reason: UDC EMPLOYEE GOVERNOR AT SCHOOL

PROPOSAL: Alterations to access points and site walling, including: partial demolition of wall; replacement of fencing with walling; replacement of access gates and works to pedestrian access including path, patio and levelling

LOCATION: Great Chesterford Primary Academy, School Street, Great Chesterford, Saffron Walden, Essex

APPLICANT: Great Chesterford Primary Academy

AGENT: Brian Christian Building Surveyor

EXPIRY DATE: 17 October 2014

CASE OFFICER: Rosemary Clark

1. NOTATION

1.1 Within Development Limits, Conservation Area, in curtilage of Grade II Listed Building

2. DESCRIPTION OF SITE

2.1 The application site is within the curtilage of a grade II knapped flint school building with limestone dressings on gault plinth. It has a steeply pitched clay tile roof with bands of fishscale tiles. Includes crosswings to south and small wings on north end. Gothic style. The playground area wall to the west is gault brick with panels of flint and saddle-back coping. The playground is located to the north of the school building, currently bordered by a mixture of brick and flint wall and ranch style fencing with some metal entrance gates.

3. PROPOSAL

3.1 The proposals relates to alterations to access points to include partial demolition of wall to create a new 'internal' footpath, relocating existing gates to new access closer to the highway including the replacement of existing ranch style with brick and flint walls to match the existing boundary walls. A new gate to pedestrian access to the west of the playground and a sliding gate giving access to parking for the staff.

4. APPLICANT'S CASE

4.1 The scheme seeks to improve the access and safety for school children and parents and siblings in the absence of a public footpath along School Street. The proposal will allow an internal footpath to be created.

5. RELEVANT SITE HISTORY

UTT/14/2569/FUL – Alterations to access points and site walling, including: partial demolition of wall; replacement of fencing with walling; replacement of access gates and works to pedestrian access including path, patio and levelling – Awaiting Decision

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ENV2 – Listed Building

7. PARISH COUNCIL COMMENTS

- 7.1 Strong support - No objection

8. CONSULTATIONS

Conservation Officer

- 8.1 No objections subject to conditions regarding materials

9. REPRESENTATIONS

- 9.1 17 Neighbours consulted – No responses received

10. APPRAISAL

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

- A Whether the proposal would be detrimental to the appearance and setting of the Listed Building (ULP Policy ENV2)

A Whether the proposal would be detrimental to the appearance and setting of the Listed Building (ULP Policy ENV2)

- 10.1 The proposed alterations involving the changes to gates and boundary treatment are relatively minor and whilst it is regrettable that part of the existing flint and brick wall will be removed to make the opening for the new pathway, the replacement of the existing timber fencing with a brick and flint wall goes some way to improving the overall appearance of the locality and in this instance are considered to be acceptable and will not harm the setting of the Listed Building. By using materials to match the existing wall and the use of timber gates the proposals are considered to be acceptable and meet the criteria of ULP (Policy ENV2).

11. CONCLUSION

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

- A The proposals are acceptable and would not be detrimental to the appearance and setting of the Listed Building. Therefore it is considered that the proposal meets the criteria of the ULP Policy ENV2.

RECOMMENDATION – GRANT LISTED BUILDING CONSENT

Conditions

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

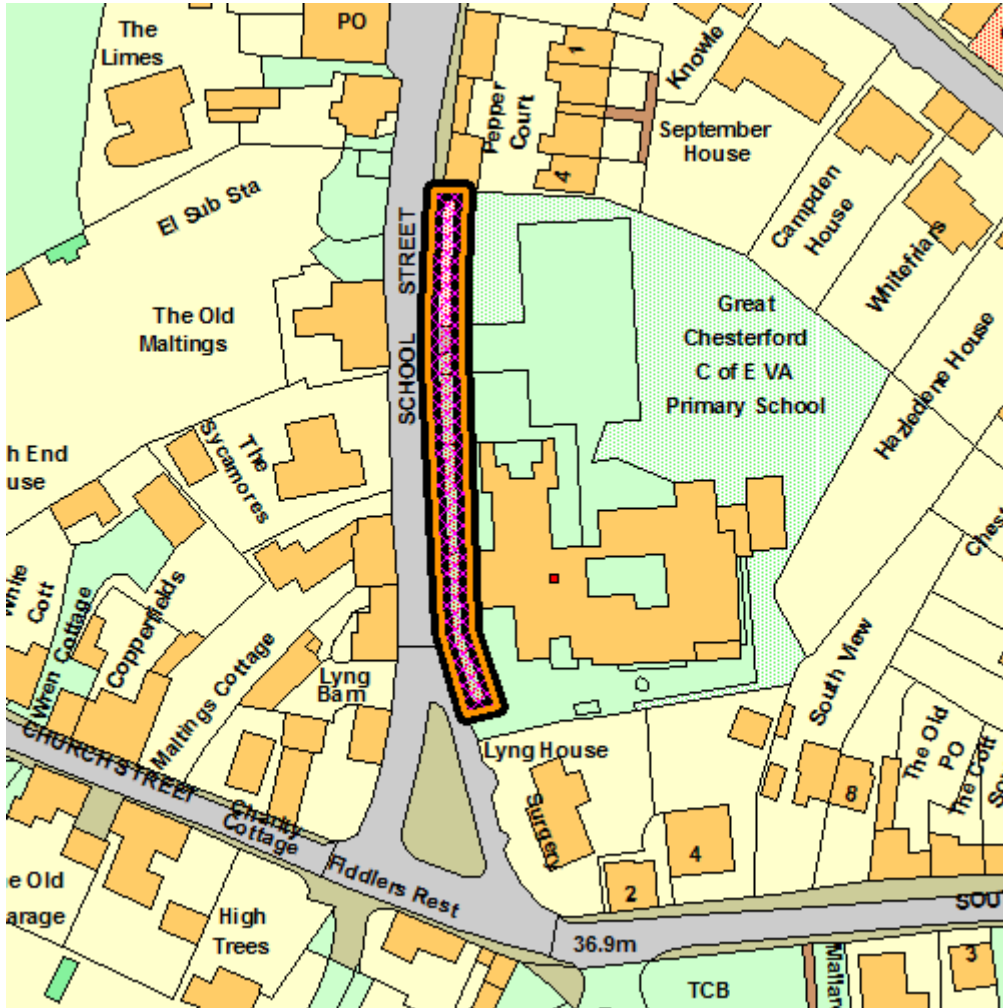
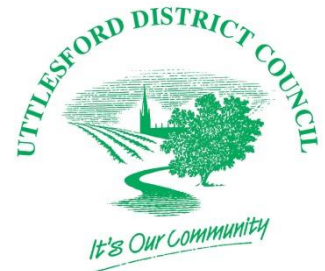
REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials used including all brick types, coping and flint work to match the existing boundary walls unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of the appearance of the development and to protect the historical importance of the Listed Building in accordance with ULP Policy ENV2

Application No. : UTT/14/2507/LB

Address: Great Chesterford Primary Academy
Great Chesterford



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Organisation: Uttlesford District Council

Department: Planning

Date: 2 October 2014

SLA Number: 100018688

Committee: Planning

Agenda Item

Date: 15.October 2014

5

**Title: UTT/14/2891/FUL Application to Vary
Section 106 Agreement dated 9 October
2013 related to UTT/12/5198/OP; Carnation
Nurseries, Cambridge Road, NEWPORT**

**Author: Nigel Brown
Development Manager**

Item for decision

Summary

1. Outline planning permission was approved under reference UTT/12/5198/OP for the Demolition of Existing Buildings, Residential Development for up to 23 Dwellings and Estate Road on 9 October 2013.
2. Planning permission was approved subject to Section 106 Obligation securing the following.
 - Provision of 40% Affordable Housing; to be positioned on the land in two separate groups will not be contiguous and each group will not comprise more than four affordable housing units
 - Financial Contributions to Early Years; Primary and Secondary Education
 - Improvements to the two nearest bus stops in Cambridge Road, Newport.
3. The developers have approached the Local Planning Authority to make two variations to the Section 106 Obligation namely:
 - To provide the option to offer gifted units to the Local Planning Authority in lieu of 40% affordable housing provision. It should be clarified that the amount of gifted units would be less than the amount of 40% (9 units) provision traditionally provided.
 - To allow all of the affordable units to be provided in a single cluster.

Recommendations

It is recommended that the proposed variation be accepted and the Council's Legal Team to be instructed to complete an appropriate Draft of Variation to cover these changes.

Financial Implications

None. There are no costs associated with the recommendation.

Impact

Communication/Consultation	
Community Safety	
Equalities	
Health and Safety	
Human Rights/Legal Implications	None
Sustainability	
Ward-specific impacts	
Workforce/Workplace	

Situation

1. To two variations sought to the extant Section 106 Obligation are:
 - To provide the option to offer gifted units to the Local Planning Authority in lieu of 40% affordable housing provision. It should be clarified that the amount of gifted units would be less than the amount of 40% (9 units) provision traditionally provided.
 - To allow all of the affordable units to be provided in a single cluster.
2. Option For Gifted Units
 - 2.1. For clarification it should be highlighted that this variation only allows the option for the delivery of gifted units and does not commit the Council or the developer in any way for this option. All it allows for is that prior to first occupation the developer can offer the option of gifted units. Within a given period the Council must respond whether it wishes to receive gifted units and if so how many. If the Council opts not accept gifted units then the development defaults to the traditional provision of 40% affordable housing. The ultimate choice of provision remains with Uttlesford District Council.
3. Allowance for a Single Cluster of affordable housing.
 - 3.1 Due to the initial preference of the landowner the Section 106 restricted clustering to no more than four in any one cluster. The move to a single cluster of nine is wholly appropriate and fully compliant with Council's Housing Strategy of no more than ten in a cluster.

Conclusion

It is considered that proposed variations would still result in the appropriate delivery of affordable housing in line with Council's Housing Strategy and appropriate Planning Policies.

Title: Appeal Decisions

Item 8

Author: Nigel Brown –

SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Site A, Land off Parsonage Lane Great Sampford	UTT/13/2981/OP	Outline application for the erection of 2 dwellings with garage/carport/parking provision and access point.	Dismissed 25.9.14	The proposals would fail to conserve or enhance the natural environment and so would conflict with the environmental dimension of sustainable development. There are economic benefits with regards house building sustaining or creating employment and business activity. There would also be contributions to housing land supply securing social benefits. However there would be limited access to local services and facilities, other than by private motor vehicle, for future residents of the dwellings which would represent an adverse social impact. In the balance, I conclude that the adverse impacts would outweigh the benefits for all three proposals. Accordingly, the presumption in favour of sustainable development would not apply.	
Site B Land Rear Of 2-12 Spare Penny Lane South Great Sampford	UTT/13/2978/OP	Outline application the erection of 5 No.dwellings with garages with all matters reserved	Dismissed 25.09.2014	ditto	N/A

Site C Land Adj. to Sparepenny Lane, Great Sampford	UTT/13/2982/OP	Outline application of two dwellings with garage/car port/parking provision and access point.	Dismissed 25.9.14	ditto	
Land Adj Mill House Mill End Green Mill End Green Road Great Easton	UTT/13/1690/FUL	Erection of 1 no. detached house and garage	Dismissed 28.08.2014	The Inspector concluded that the development did not constitute a sustainable form of development. He also concluded that “the proposed dwelling on the site would reduce the open gap between the existing dwellings and the introduction of further buildings and associated domestic paraphilia would in my opinion, result in a more urbanised and dense form of development along the road. This would harm the character and appearance of the open countryside” He rejected the application for costs.	N/A
Land North Of Rose Cottage Latchmore Bank Little Hallingbury Hertfordshire	UTT/14/0374/OP	Outline application with all matters reserved for the erection of up to 3 dwellings	Dismissed 24.09.2014	The Inspector concluded that the development would have significant negative impact on the openness of the Green Belt. As such the proposal would compromise one of the essential characteristics of the Green Belt. The proposal also was generally harmful to the character of the area. Although accepting the need for affordable housing, all that was provided at the appeal was the Guidance Document which itself does not provide adequate information on this point.	N/A

Land Adj Three Horse Shoes Bannister Green Felsted	UTT/13/2010/FUL	Erection of pair semi detached dwellings and 3 No. terraces houses with new vehicle access	Dismissed 27.08.2014	The Inspector concluded that the proposal would represent encroachment into the countryside which would harm its open character and appearance. The amount of development proposed did appear to introduce an urbanised form of development into a countryside setting. On the issue of car parking the Inspector that the development was contrived and that the given the cramped nature of the parking, cars would likely be parked in nearby roads causing ongoing problems to highway safety. The Inspector was satisfied that a contribution to affordable housing would have been necessary had the appeal been allowed.	N/A
Oakamoor Station Road Elsenham	UTT/13/2059/FUL	Change of use from residential property to class D1 (non residential institution) - as a pre- school	Dismissed 12.09.2014	The Inspector raised concerns that the proposal would harm the living conditions of occupiers of the neighbouring properties because of the adverse impact of noise of disturbance on the use of their gardens. Due to the distance between the car parking area and the proposed facility, parents may be tempted to drop of children directly adjacent to the facility causing problems to highway safety.	N/A
Jubilee Works Stickling Green Clavering	UTT/13/3357/DFO	Details following outline application UTT/2149/11/OP for the erection of 23 No. dwellings, garaging and associated development with approval for access, appearance, landscaping, layout and scale	Allowed 26.09.2014	The Inspector concluded that the proposal, when read in the context of the whole scheme would not cause harm to the character and appearance of the area. The Inspector accepted that a single cluster of nine units in one location was acceptable, and in line with the Council's Housing Strategy. He also considered that the design and external materials of the affordable housing would also be reflective of the character and scale of the development as a whole. He concluded that the proposal would provide an acceptable	N/A

				<p>layout and would not preclude social integration.</p> <p>The Inspector considered that the parking court was sufficiently small, in a discreet part of the site adjacent to the adjoining industrial complex at Britannica Works. He was satisfied that the design of parking court would be out of character. In the absence any evidence he concluded that the court would not result in anti-social behaviour. He rejected the application for costs.</p>	
<p>Land Adj To 48/49 Hazel End Hazelend Road Farnham</p>	<p>UTT/13/2522/FUL</p>	<p>Erection of 2 no. semi-detached dwellings</p>	<p>Dismissed 24.09.2014</p>	<p>The Inspector concluded that there is a degree of harm to the openness, in addition to that which has arisen from the inappropriate development in the Green Belt.</p> <p>With regards the impact upon the Hazel End Conservation Area; he added that the proposed building's proximity to both flanking properties would disrupt the established rhythm of the development, which would erode the agricultural context of the hamlet and reduce the spaciousness about the dwelling thus detracting from both the heritage significance of the Conservation Area and the setting of the nearby listed buildings.</p> <p>He dismissed the requirement for affordable housing contribution based only on Guidance Document.</p>	<p>N/A</p>

<p>Land At Sunnybook Farm Braintree Road Felsted</p>	<p>UTT/13/2942/OP</p>	<p>Outline application for the erection of up to 13 no. dwellings and related infrastructure with all matters reserved except access (new access from Braintree Road) and creation of extended domestic garden adjacent 'Moritz'</p>	<p>Dismissed 15.09.2014</p>	<p>The Inspector concluded that the proposal would substantially reduce the gap between Felsted and Watch House Green. Although she accepted that the development limits of the two settlements would not coalesce, she did not accept that the character of the area would be preserved if all the gaps were reduced to a lowest denominator. The proposal would therefore w be seriously detrimental to the character and appearance of the area.</p> <p>On five year land supply, the Inspector was satisfied that the Council can demonstrate a sufficient land supply.</p>	<p>N/A</p>
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