

Uttlesford District Council

Chief Executive: John Mitchell

Planning

Date: Wednesday, 12 November 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, J Menell, E Oliver, 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 the meeting held on 15 October 2014** 5 - 12
To approve the minutes of the last meeting

- 3 Matters arising.**
To consider matters arising from the minutes

- 4 Planning Applications**

- 4.01 UTT/14/2812/OP Takeley** 13 - 22
To consider application UTT/14/2812/OP

4.02	UTT/14/2655/FUL Henham To consider application UTT/14/2655/FUL	23 - 36
4.03	UTT/14/2333/FUL Debden To consider application UTT/14/2333/FUL	37 - 46
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5	Tree at South Street Saffron Walden To consider an application for works to a tree	105 - 106

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| 6 | Appeal Decisions
To receive recent appeal decisions | 107 - 112 |
| 7 | Planning Agreements
To receive the schedule of outstanding S106 agreements | 113 - 114 |
| 8 | Any other items which the Chairman considers to be urgent
Chairman's urgent items. | |

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**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 15 OCTOBER 2014**

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

Officers in attendance: N Brown (Development Manager), M Cox (Democratic Services Officer), M Jones (Planning Officer), L Mills (Planning Officer), C Oliva (Solicitor), M Shoemith (Development Management Team Leader) A Taylor (Assistant Director Planning and Building Control) and C Theobald (Planning Officer).

PC32 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Cheetham.

Councillor Menell declared a non - pecuniary interest in application 14/2569/FUL Great Chesterford as her grandchildren attended the academy.

Councillors Perry, Ranger, Menell and Loughlin declared a non- pecuniary interest in application UTT/14/2514/FUL Saffron Walden as members of the Housing Board.

Councillor Davey declared a non-pecuniary interest in application UTT/14/2003/FUL Saffron Walden as he knew the agent for the application.

Councillor Hicks declared an non- pecuniary interest in application UTT/14/2412/HHF Felsted as he knew the applicant.

PC33 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the meeting held on 17 September 2014 were received, confirmed and signed by the Chairman as a correct record.

PC34 BUSINESS ARISING

In answer to a question from Councillor Perry it was confirmed that an appeal had not yet been lodged in relation to application UTT/14/1108/FUL Saffron Walden.

PC35 PLANNING APPLICATIONS

(a) Approvals

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

UTT/14/2358/LB Thaxted – demolition of existing porch and erection of one and a half storey rear/side extension. Internal alterations – Coldhams Fee Pottery, Bardfield Road for Mr G Baines.

UTT/14/2357/HHF Thaxted – demolition of existing porch and erection of one and a half storey rear/side extension. Erection of cart shed – Coldhams Fee Pottery, Bardfield Road for Mr G Baines.

Subject to the addition of word to condition 2 to read 'the windows in the north elevation.

Ian Abrams spoke in support of the application.

UTT/14/2359/FUL Thaxted –Demolition of outbuildings and erection of detached dwelling with cart shed and store– land south south of Bardfield Road for Mr G Baines.

Subject to an amendment to condition 15 to read ' the windows in the western elevation'

John Fahy and Karen Williams spoke against the application. Lucy Carpenter spoke in support of the application.

UTT/14/2426/DFO Thaxted - Details following outline approval of UTT/13/0108/OP - details of the layout, access, scale, landscape and appearance (Reserved Matters) - Land East Of Barnards Field for Matthew Homes Ltd

UTT/14/1726/FUL Takeley – change of use from African cultural centre to guest house and conference centre – Takeley House, Brewers End, Dunmow Road for Mr M Girolami.

UTT/14/2569/FUL Great Chesterford - 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 - Great Chesterford Primary Academy, School Street for Great Chesterford Primary Academy

The Assistant Director Planning and Building Control left the meeting for the consideration of this item.

UTT/14/2570/LB Great Chesterford - 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 - Great Chesterford Primary Academy, School Street for Great Chesterford Primary Academy.

The Assistant Director Planning and Building Control left the meeting for the consideration of this item.

(b) Approvals with legal obligations

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.

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

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the 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% of dwellings shall be bungalows.
 - (ii) A provision of at least 5% of dwellings shall be wheelchair accessible standards.
 - (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
 - (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 16 October 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% dwellings shall be wheelchair accessible.
 - (ii) A provision of at least 5% of dwellings which shall be built to wheelchair accessible standards.

- (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 on site.
- (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.

Councillor Redfern, Victoria Choat and Neil Gregory spoke against the application. Paul Sutton spoke in support of the application.

The Assistant Director Planning and Building Control left the meeting for the consideration of this item.

UTT/14/2003/FUL Saffron Walden – demolition of existing building, erection of mixed use building for flats, shops and office use with associated parking and landscaping – Moores Garage, Thaxted Road for Ford Wells Development Ltd.

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

- (I) The applicant be informed that the committee would be mindful 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 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
 - (iv) Pay Council's monitoring charge
- (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 by 21 November 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) No financial contributions received for affordable housing
 - (ii) No financial contributions received towards education provision

Paul Gadd spoke against the application. Brian Christian spoke in support of the application.

(c) District Council development

UTT/14/2514/FUL Saffron Walden – demolition of existing 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 – garage site at Catons Lane for Uttlesford District Council

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.

Nick Green spoke in support of the application.

(d) Refusals

RESOLVED that the following applications be refused

UTT/14/2234/DFO Newport – 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-Carnation Nurseries, Cambridge Road, Newport for Bloor Homes Eastern.

Reason: The proposed development by reason of its layout, scale and design is unacceptable by reason of its substandard parking layout resulting in on-street parking to the detriment of the pedestrian and highway safety, contrary to Policies GEN8 and GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Trevor Faulkner spoke in support of the application.

(e) Site visit

RESOLVED to visit the sites of the following applications.

UTT/14/2412/HHF Felsted – proposed demolition and replacement of two storey extension – the Old Post House for Mr Alan Mills.

Ruth Jenkinson spoke against the application.

UTT/14/2413/LB Felsted – proposed demolition and replacement of two storey extension – the Old Post House for Mr Alan Mills.

UTT/14/2333/FUL Debden – erection of 2 detached dwellings with associated access and garaging – land south of Hill House, Church Lane for Mr and Mrs Cahill.

Councillor Knight, Henry Blackie, Judith Forster, Jane Pearce, Ray Pedler and Ilse Pedler spoke against the application.

PC36 CARNATION NURSERIES NEWPORT

The Development Manager presented a report which suggested an amendment to the current Section 106 agreement. This stipulated that 40% of the development should be designated for affordable housing and that no more than four affordable houses could be built in any single cluster.

The variation suggested an option to offer gifted units to the local planning authority and to allow the affordable housing to be built in a cluster.

It was clarified that the variation only gave the council the option of the gifted units, if it decided against this the development would default to the traditional 40% affordable housing. A decision on which option in the obligation would be pursued would be made based on housing needs. It was considered that the proposed variations would still result in the appropriate delivery of affordable housing in line with the Council's housing strategy and planning policies. .

RESOLVED that the proposed variations be accepted and an appropriate Draft of Variation be prepared to cover the proposed changes.

PC37 TPO 14/2748 – 53 LANDSCAPE VIEW SAFFRON WALDEN

Councillor Perry raised a point of order. He had received legal advice that he could not read out a letter about the application from a neighbouring property.

The Assistant Director Planning and Building Control advised members the past site history was not relevant. The site had been inspected by a County Council arboriculturist who had stated in the report that the tree was of high amenity value, but suggested the tree's dominance in the garden could be seen as unreasonable. Given the tree was in reasonable health and would not be adversely affected by a small reduction, a 2 metre linear crown reduction was recommended. The crown should also be thinned by up to 20% by removing suppressed secondary growth and any deadwood.

The Solicitor read out part of a statement on behalf of the applicant.

Councillor Perry proposed the recommendations outlined in the report. This was seconded by Councillor Salmon. Members discussed the proposal.

The Assistant Director Planning and Building Control said the Council could not designate a person to carry out the works. The conditions were standard conditions for such an application and complied with national legislation. Any failure to adhere to the conditions would be unlawful.

Councillor Perry withdrew his proposal and subsequently proposed the refusal of the application. This was seconded by Councillor Davey. A new substantive proposal had been made and members discussed the grounds for refusal.

The Assistant Director Planning and Building Control said specific reasons for refusal would be needed as the arboriculturist had said works would not harm the tree. Also, the Inspector's decision dated 4 December 2013 was for another application.

Councillors Perry, Mackman and Loughlin stated that the Inspector's decision was still relevant given the similarities between the two applications and how recently the decision was made. The Inspector had stated the tree was not excessively large. This was still a relevant consideration for the new application.

Councillor Cant spoke against the proposal. She noted that for other similar applications the Committee had always voted in line with the recommendations outlined in the report.

RESOLVED that the application be refused.

PC38 **TPO 14/2749 – 53 LANDSCAPE VIEW SAFFRON WALDEN**

Members' received information about an application to fell a walnut tree at 53 Landscape View, Saffron Walden.

RESOLVED that the application be refused.

PC39 **APPEAL DECISIONS**

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

The meeting ended at 6.00 pm.

UTT/14/2812/OP - TAKELEY

MAJOR

PROPOSAL:	Outline application with some matters reserved for the development of a hotel comprising 8,670 sqm of accommodation space (329 bedrooms) and associated parking and vehicle access
LOCATION:	Land south west of Enterprise House, Stansted Airport
APPLICANT:	Stansted Airport
AGENT:	Stansted Airport (Mr A Andrew)
EXPIRY DATE:	22 December 2014
CASE OFFICER:	Karen Denmark

1. NOTATION

- 1.1 Within Development Limits/Policy AIR1: Development in the Terminal Support Area.

2. DESCRIPTION OF SITE

- 2.1 The application site is located to the south west of Enterprise House. It comprises the majority of what is currently the upper section of the staff car park, which currently accommodates 339 car parking spaces. There are some small trees planted within the car parking area but these are still very immature. To the North West boundary is the operational airfield. To the north east are Enterprise House, a glazed office building, and then the terminal building. To the south west is the lower section of the staff car park and the control tower beyond. To the south east are Bassingbourn Road and Coopers End Road/Terminal Road North, with the railway line running between the two roads. There is a grassed area and footpath along the south eastern side of Bassingbourn Road. There is a "temporary" staircase providing pedestrian access to the operational level of the terminal building and the bus station.

3. PROPOSAL

- 3.1 The proposal relates to an outline application for the erection of a 329 bedroom hotel with associated parking and vehicle access. The matters to be reserved are appearance and landscaping. The matters to be considered now are access, scale and layout.
- 3.2 The drawings indicate that the proposed scale of the hotel would be approximately 34.25m to the road frontage. It is indicated as having a depth of around 72.5m and a maximum height of 23.9m. The proposed height would match that of the existing terminal building.
- 3.3 The proposed layout of the site indicates that the proposed hotel would be located adjacent to Enterprise House. It would be a U-shaped building with the recessed area forming the frontage to the hotel. The depth of the building would be slightly greater than Enterprise House with the hotel sitting slightly forward and beyond the side elevations of Enterprise House. The proposed service yard would be located to the

rear of the building, adjacent to Enterprise House. The layout indicates that there would be 170 car parking spaces, including 10 disabled spaces.

- 3.4 The proposed ground floor would accommodate a gym, 5 meeting rooms and a break-out meeting room, administration areas, linen and housekeeping, kitchen and stores, staff dining and changing areas, plant room, toilets, lifts, a lounge, reception and public areas (restaurant). It is proposed that there would be 7 additional floors, each with 47 bedrooms. Each floor would also have a linen store.
- 3.5 The access is shown as being at the north-western corner of the site ensuring that the entrance and exit to the site are located prior to the barriers controlling vehicular access to the front of the terminal building.
- 3.6 Appearance is a matter that will be reserved until such time an operator has been selected. The Design and Access Statement includes images from other hotels within the airport boundary as an indication of potential appearance approaches.
- 3.7 Landscaping is also a matter to be reserved and indicative details indicate replacement tree planting within the car park.

4. APPLICANT'S CASE

4.1 The application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Preliminary Ecological Appraisal Report
- Drainage Rationale
- Transport Statement
- Travel Plan

4.2 Summary and Conclusion of Planning Statement:

- It is proposed to develop the hotel to add supply to the on-site airport stock in order to meet an identified need and to provide additional competition and choice for passengers. There are no sequentially preferable locations for a hotel that is terminal linked. Given the airport is planned to grow to 35 million passengers and it has returned to annual passenger growth, the hotel will add much needed ancillary infrastructure capacity, without having a significantly adverse impact on any local centre.
- It has been demonstrated that the development has no significant environmental effects. Some short term impacts of lost landscaping will be redressed by replacement landscaping, designed to reflect the high quality development proposed.
- The parameters of the design, set by the scale and layout of the details submitted as part of this outline application, provides for a building that will fit within the scale and visual setting created by the existing buildings close to the application site; namely the terminal. Although appearance and landscaping remain reserved, significant design cues have been adopted into the proposal to ensure compliance with the relevant design conditions that apply.
- The development of the hotel is therefore wholly consistent with adopted and emerging local policy and reflects the aims of the airport as set out in its emerging Sustainable Development Plan.

- As such, with respect of the planning policies contained within the adopted 2005 Local Plan and the submission draft 2014 Local Plan as well as the policies and principles of the NPPF, outline planning permission should be granted.

5. RELEVANT SITE HISTORY

- 5.1. There are numerous planning applications relating to Stansted Airport. In terms of this particular site, planning permission has been granted on appeal for an office building under reference UTT/0717/06/FUL (Generation 1). This has a condition restricting the height to no more than 18m above existing ground levels.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S4: Stansted Airport Boundary
- Policy GEN1: Access
- Policy GEN2: Design
- Policy GEN3: Flood Protection
- Policy GEN7: Nature Conservation
- Policy GEN8: Vehicle Parking Standards
- Policy E3: Access to Workplaces
- Policy ENV10: Noise Sensitive Development and Disturbance from Aircraft
- Policy LC2: Access to Leisure and Cultural Facilities
- Policy AIR1: Development in the Terminal Support Area

6.3 Uttlesford District DRAFT Local Plan

- Policy SP4: Land within the Airport
- Policy SP12: Accessible Development
- Policy DES1: Design
- Policy EN6: Minimising Flood Risk
- Policy EN7: Surface Water Flooding
- Policy SP11: Protecting the Natural Environment
- Policy NE1: Protecting and Enhancing the Natural Environment
- Policy TA1: Vehicle Parking Standards
- Policy EN5: Noise Sensitive Development
- Policy Stansted Airport 2: Development in the Terminal Support Area

7. PARISH COUNCIL COMMENTS

- 7.1 Takeley Parish Council would advocate further consideration to be made regarding parking provisions. Will existing parking facilities be replaced and additional spaces created for the increase in visitors. Staff parking should be provided before the hotel is in operation.

8. CONSULTATIONS

Environment Agency

- 8.1 The site is less than 1 hectare and is not in a flood zone. Assessment of the surface water management is therefore for the lead local flood authority.

Airside OPS Limited

- 8.2 Proposed development could conflict with safeguarding criteria unless any planning permission granted is subject to conditions requiring the submission of a Construction Management Strategy, and a Bird Hazard Management Plan.

Natural England

- 8.3 No objections in relation to potential impacts on Elsenham Woods Site of Special Scientific Interest. Refer to Standing Advice for Protected Species.

Thames Water

- 8.4 With regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Network Rail

- 8.5 No observations to make.

ECC Highways

- 8.6 Proposals are acceptable subject to membership of the existing airport wide travel plan.

ECC Ecology

- 8.7 The site has little ecological value, comprising mostly of hard standing. Therefore have no objections.

NATS

- 8.8 The development as proposed is predicted to have a detrimental impact on the operation of the NERL air-ground-air communications systems at Stansted Airport. Accordingly NATS objects to the proposal.
- 8.9 Response from 24 October: NATS (En-Route) PLC objected to the proposal as a preliminary assessment showed that the development had the potential to cause an adverse impact. This impact was upon its aeronautical communications equipment located at Stansted but used to provide a service from the London Control Centre based at Swanwick in Hampshire. The objection was based on the standard CAA guidance and a number of assumptions around the Stansted installation which was only recently transferred to NATS. Following confirmation of characteristics of the specific installation and a recent site visit, a further technical assessment was carried out. This assessment has shown that the impact of the development is acceptable. As such, NATS (En Route) PLC wishes to withdraw its objection to the proposed development.

Access and Equalities Officer

- 8.9 Usual requirements to comply with Part M of the Building Regulations and to ensure level access into the site.

ECC Education

- 8.10 Financial contributions will be required for early years and childcare education provision.

Highways Agency

- 8.11 Directs that planning permission not be granted until after 21 November 2014.

9. REPRESENTATIONS

- 9.1 This application has been advertised and 2 letters of representation have been received. Notification period expired 23 October 2014.
- 9.2 Vice Chairman of Uttlesford Area Access Group: In the Design and Access Statement it is said that the developers and/or their agents would be willing to meet with and discuss design in relation to accessibility with any nominated access group. UAAG as the local group would welcome this opportunity and would ask that the planning authority make the applicants aware of this.
- 9.3 Holiday Inn Express wish to register a holding objection. There are serious consequences for local employment within existing hotels serving the airport at a time when there is questionable need for additional hotel capacity. Also have concerns about the substance of the application and the extent to which it is valid.

10. APPRAISAL

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

- A The development of a hotel in this location is appropriate (ULP Policies S4, AIR1, ENV10; NPPF; DLP Policies SP4, Stansted Airport 2, EN5)**
 - B The scale and layout of the proposals is acceptable (ULP Policy GEN2; DLP Policy DES1)**
 - C Access and parking issues are acceptable (ULP Policies GEN1, GEN8, E3, LC2; DLP Policies SP12, TA1)**
 - D Whether there are any potential flood risk issues (ULP Policy GEN3; DLP Policies EN6, EN7; NPPF)**
 - E Whether there are any potential ecological issues (ULP Policy GEN7; DLP Policies SP11, NE1; NPPF)**
 - E Any other material conditions**
- A The development of a hotel in this location is appropriate (ULP Policies S4, AIR1, ENV10; NPPF; DLP Policies SP4, Stansted Airport 2, EN5)**
- 10.1 The application site is located within the airport boundary adjacent to Enterprise House. Policy S4 permits development directly related or associated with Stansted Airport. Policy AIR1 sets out the types of development that would be acceptable in the Terminal Support Area, including a hotel. Draft Local Plan Policy SP4 supports airport related

development where the land is used efficiently. Draft Policy Stansted Airport 2 reiterates the adopted policy AIR1.

- 10.2 The proposal relates to the erection of a hotel, a use clearly associated with the airport and its operations. It is intended that the airport would be “terminal linked” by a pedestrian walkway and lift. The walkway would utilise an existing grass verge adjacent to the site and Enterprise House, running alongside Bassingbourn Road.
- 10.3 The scale of the proposed hotel is indicated as being 23.9m, the same height as the existing terminal building, but 8m higher than Enterprise House. Planning permission has previously been granted for an office building on this site, subject to a height restriction of 18m.
- 10.4 Although there is an 8m difference in height between Enterprise House and the terminal building, due to the scale of the buildings and the separation distance this is not immediately apparent in views of the buildings. It is acknowledged that a taller structure immediately adjacent to Enterprise House will appear noticeably taller in some views. However, given the scale of the buildings this should not appear to be overbearing or dominant. In addition, the taller structure allows for a more efficient use of land and allows the hotel to have a smaller footprint.
- 10.5 The site is located in very close proximity to the boundary with the airside section of the airport. As such the location is subject to significant noise levels. This would not preclude the construction of a hotel in this location. However, the design and construction of the building would need to be led by an appropriate acoustic report to ensure that users would not be adversely affected by noise.

B The scale and layout of the proposals is acceptable (ULP Policy GEN2; DLP Policy DES1)

- 10.6 As discussed in paragraph 10.3 above, the proposed building would be 8m taller than Enterprise House. There would be approximately 11m separation distance between the two buildings. Enterprise House is an office building and therefore there are no habitable rooms that would be adversely affected by the proposals. The scale of the building is therefore considered appropriate.
- 10.7 Appearance is a reserved matter until such time an operator has been selected. The indicative information in the Design and Access Statement shows the range of styles incorporated into the existing hotels within the airport. It is considered that the proposed development should be in keeping with Enterprise House and the terminal.

C Access and parking issues are acceptable (ULP Policies GEN1, GEN8, E3, LC2; DLP Policies SP12, TA1)

- 10.8 Access to the site would be via a new access point prior to the barriers on Bassingbourn Road. No objections are raised in respect of the location or design of the access point.
- 10.9 The building will be required to have level access and full access for all potential users, including those with limited mobility. The plans indicate a level access from the car parking area. Disabled car parking spaces are proposed within 5m of the main entrance to the building. Lifts are shown to each floor and there are disabled toilets and hotel rooms included within the scheme. The Design and Access Statement states a desire to work with the Uttlesford Area Access Group in drawing up the final details and it has been confirmed that UAAG would welcome the opportunity to do so.

10.10 The application site currently forms part of the staff car park and this would result in the loss of 340 spaces, although 170 would be retained for use for the proposed hotel. The loss of staff car parking is an issue that is proposed to be addressed by creating a decked car park on the lower section of the existing car park. These details have been submitted under permitted development. Subject to the works under permitted development being carried out prior to the commencement of work on this proposal it is considered that there are no issues in relation to parking and the proposals comply with policy.

D Whether there are any potential flood risk issues (ULP Policy GEN3; DLP Policies EN6, EN7; NPPF)

10.11 The existing site is hardstanding, except for a few immature trees. The proposed development would not significantly increase the flood risk within the site or on adjoining land. The airport has its own integrated drainage system and there is adequate capacity within this to accommodate the surface water drainage. It is considered that the proposals are acceptable.

E Whether there are any potential ecological issues (ULP Policy GEN7; DLP Policies SP11, NE1; NPPF)

10.12 The proposals would involve the loss of trees within the site. These are immature trees and do not provide any potential habitat for protected species. The existing site is hardstanding and as such is unlikely to provide any suitable habitats. The proposals are in accordance with policy.

E Any other material conditions

10.13 The Highways Agency has placed a Holding Directive on the application stating that no decision can be made before 21 November 2014. However, following conversations with the Highways Agency it is understood that there are no objections in principle to the proposals.

11. CONCLUSION

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

- A The principle of a building on this site has previously been agreed, subject to a condition restricting the height to 18m. Whilst this proposal would be for a taller building it is considered that the visual impact would be acceptable and it allows for more efficient use of land.
- B The scale of the building is acceptable and the design concepts shown in the Design and Access Statement are likely to be appropriate, but appearance is a reserved matter.
- C The access and parking arrangements are considered appropriate, subject to the works to the staff car park, which are permitted development, are carried out prior to work commencing on site.
- D There are no flood risk issues arising from the proposals.
- E There are no ecological issues arising from the proposals.

RECOMMENDATION subject to the removal of the Holding Objection from the Highways Agency – CONDITIONAL APPROVAL

Conditions/reasons

1. Approval of the details of the 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 no 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. Prior to the commencement of the development hereby permitted a construction management strategy shall be submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:
 - *details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 ‘Cranes and Other Construction Issues’(available at www.aoa.org.uk/policy-campaigns/operations-safety/).*
 - *control of activities likely to produce dust and smoke etc.*
 - *details of temporary lighting – Such details shall comply with Advice Note 2 ‘Lighting Near Aerodromes’ (available at www.aoa.org.uk/policy-campaigns/operations-safety/).*
 - *control and disposal of putrescible waste to prevent the attraction of birds*

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON: To ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Stansted Airport and to ensure that the development does not endanger the safe movement of aircraft or the operation of Stansted Airport through interference with communication, navigational aids and surveillance equipment.

4. Prior to the commencement of the development hereby permitted a Bird Hazard Management Plan shall be submitted to and approved in writing by the local planning authority. The submitted plan shall include details of the management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and “loafing” birds. The management plan shall comply with Advice Note 8

'Potential Bird Hazards from Building Design' (available at www.aoa.org.uk/policy-campaigns/operation-safety). The Bird Hazard Management Plan shall be implemented as approved on completion of the development and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the local planning authority.

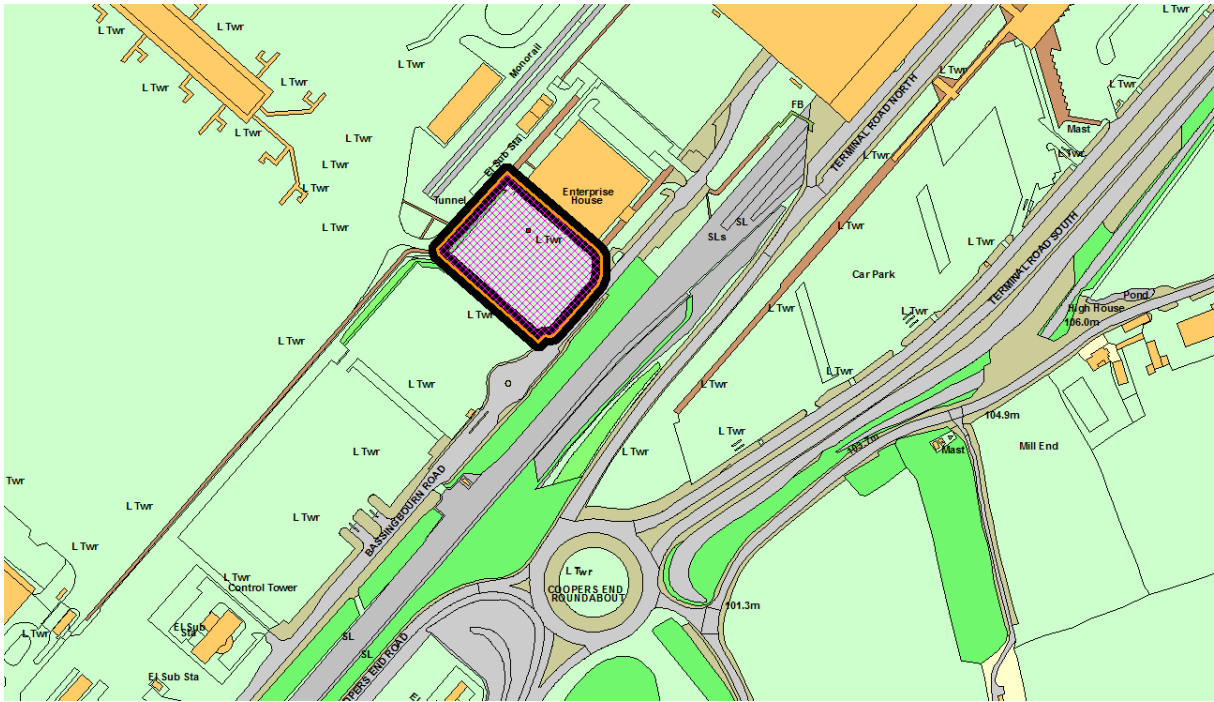
REASON: It is necessary to manage the site in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Stansted Airport.

5. No works relating to the construction of the hotel hereby permitted shall be commenced until such time the works to the staff car park as shown on drawing no 7369-L(00)80A, dated 24 September 2014, contained in the document "Design Proposals for the Vertical Circulation Core and Horizontal Walkway" have been carried out and made available for staff use.

REASON: To ensure there is adequate parking within the airport boundary in the interests of highway safety, in accordance with Uttlesford Local Plan Policy GEN1.

Application No.: UTT/14/2812/OP

Address: Land South West of Enterprise House Stansted Airport



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Organisation: Uttlesford District Council
 Department: Planning
 Date: 30 October 2014
 SLA Number: 100018688

UTT/14/2655/FUL HENHAM

PROPOSAL: **Erection of 21 dwellings with associated garages, parking and landscaping with two vehicular accesses to highway.**

LOCATION: **Land South of Chickney Road Henham.**

APPLICANT: **Crest Nicholson Eastern**

AGENT: **Strutt and Parker LLP**

EXPIRY DATE: **10 December 2014**

CASE OFFICER: **Lee Smith-Evans**

1. NOTATION

1.1 Allocated Site in the Draft Local Plan

2. DESCRIPTION OF SITE

2.1 The predominantly flat site consists of a former farm of approximately 0.74 hectares, located to the south of Chickney Road on the eastern edge of the village. The site comprises of two grazing fields and a group of small agricultural buildings with a small yard. The site is separated from the village by the allotment gardens and village cemetery which like the site itself appear arcadian and undeveloped from Chickney Road.

2.2 The triangular site has a mature boundary of trees to the northern side where it meets a drainage ditch adjacent to Chickney Road. To the south a similarly mature tree edge meets open agricultural fields and the western boundary abuts the village cemetery and allotment gardens. This boundary is a younger hedge of between 1 and 1.5m in height. A single entrance to the site is in the northeast corner where the existing buildings are located.

2.3 Chickney Road provides the only access to the village centre. This road is a small lane, without pavements, which has a 60mph speed limit at the site boundary and does not become 30pmh until past the entrance to the cemetery.

2.4 There is a residential development of 16 houses currently under construction on the north side of Chickney Road to the west of the application site. This site was granted permission by the committee under UTT/14/0065/FUL

2.5 Both sites are within the draft local plan site allocations for Henham

3. PROPOSAL

3.1 The applicant seeks a full planning permission to erect 21 dwellings on the site in two Cul-de-sacs, each served by a separate vehicular entrance. There is a mix of houses consisting of 13 Market houses and 8 Affordable houses. The market units comprise of 2 two bedroom units, 8 three bedroom units, 1 four bedroom unit and 2 five bedroom units. The affordable provision consists of 2 one bedroom units, 5 two bedroom units and 1 three bedroom unit.

- 3.2 The layout provides an new entrance street at 90 degrees to Chickney Road which passes two houses on each side then becomes a T junction which takes the internal street both west, where it terminates against the hedge to the cemetery and east. The eastern end of the internal road terminates behind two affordable houses and becomes a footpath linking into the second Cul-de-sac. Also on the eastern arm of the estate road is a second T junction/turning head which terminates behind the mature hedge and trees on the Chickney Road boundary a carport is proposed as a visual end stop to the street scene. At this location a small parking court is provided for the one bedroom flats and visitors. The market houses and the 2 one bedroom affordable flats all face on to this internal estate road.
- 3.3 6 of the affordable houses face onto a parking court served of a separate entrance at the eastern end of the site. This entrance is close to the existing entrance to the farm at the eastern point of the site, furthest from the village. A pedestrian access connects the two Cul-de-sacs which runs between the side gardens of two houses that face onto the parking court. The 6 houses on this parking court have parking provided in a combination of on plot and in the parking court. Three of these parking spaces are proposed in grasscrete, a reinforced grass surface that is designed for occasional car parking. This is to give the impression of the space being greener than if the parking spaces were all hard surface and being a porous surface become part of the SUD system.
- 3.3 The market houses are provided with parking in the curtilage of each plot with at least one open parking space and a garage, the 4 and 5 bedroom houses have two open spaces and a double garage. The number and size of spaces and garages complies with the ECC standards and 5 visitor parking spaces are also provided. Only one visitor space is provided from the eastern access for the six homes that use this access. The other spaces are provided across the site, three are provided in the central parking court and two are provided in the drive ways to the largest houses at the western end of the site.
- 3.4 The external finishes proposed are red brick, renders of cream and white and weatherboarding in black or white for the wall finishes. The roofs are proposed in clay plain tiles or blue/black slate or similar. The windows and joinery are proposed in white UPVC. The boundary treatments are proposed as hedging and close boarded fences.
- 3.5 The vehicular access and estate road is provided as shared surfaces of 5.8m in width. The access to the east end of the site is a short shared surface which becomes a car parking court with an 8m turning head provided in the centre with parking provided on three sides of the court. Highways have confirmed that the required sight splays can be achieved at both entrances. No Footpath access to the village is proposed.
- 3.6 There is a requirement for a sewage pumping facility within the site. The application drawings show this to have a large 10m easement within the centre of the site.

4. APPLICANT'S CASE

- 4.1 The application is accompanied by a planning statement and a design and access statement. The site has been identified in the Uttlesford Draft Local Plan as a residential site and has a specific policy (Henham Policy 1). The principle of development is therefore established by this policy.

- 4.2 The layout has followed the advice of planning officer through a pre application stage, details of which are included as appendices to the planning statement in the application submission.
- 4.3 The layout has responded to the constraints of the site by keeping the hedgerows and trees on the boundaries. This has justified the inward facing development which will be hidden from the street by the retained landscape. An arboricultural report submitted as part of the application categorises the majority of trees as C category but it is considered that the trees form the intrinsic character of the site. The DAS suggests the developer has considered the root and crown spreads of the trees when designing the layout of houses. The internal streets that do not have visual end stops are justified by achieving views into the open countryside and the allotment gardens to the west
- 4.4 The Design and Access Statement justifies the choice of materials and finishes in relation to typical traditional homes of the area in a local character study.
- 4.5 Several drawings within the DAS illustrate how the internal layout will function for waste collection and emergency vehicles with other drawings illustrating vehicle parking places, movement diagrams and the landscaping strategy.
- 4.6 The proposals includes 8 affordable units which is the correct number of units requested by the Councils affordable housing officer but the mix of dwelling sizes does not match the requested range.
- 4.7 The drainage proposals for the site incorporate a swale to the southern boundary adjacent to plot 11 which is shown running into the private garden of this plot. The swale becomes a French Drain through the backs of plots 11 to 17 and is shown as dug within the root protection areas of trees on this boundary. The drainage system takes water from the private drives and hard standing areas on the southern side of the site. A receptor tray, to slow the flow of water for the drainage northern side is shown under the visitor parking in the centre of the site. The water from this side will run into the existing ditches along Chickney Road.

5. RELEVANT SITE HISTORY

- 5.1 There is no history relevant to the actual site but members should have regard to the pre application information that has been included as appendices to the planning statement. Members should be aware of UTT/14/0065/FUL an application approved earlier this year that gave permission to 16 new dwellings to the north of this site, on the other side of Chickney Road.

6. POLICIES

6.1 National Policies

- The National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S7 - The Countryside
- GEN1 - Access
- GEN2 – Design
- GEN6 – Infrastructure Provision to Support Development
- GEN7 - Nature Conservation

- GEN8 - Vehicle Parking Standards
- ENV 3 – Open Space and Trees
- ENV 8 – Other Landscape elements of importance for nature conservation
- H9 - Affordable Housing
- H10 - Housing Mix

7. PARISH COUNCIL COMMENTS

7.1 I write as Chairman of Henham Parish Council in relation to the site proposed for residential development under application reference UTT/14/2655/FUL (“Henham Policy 1” in UDC’s Local Plan).

We fully support all aspects of the application proposals submitted by Crest Nicholson.

This includes the omission of a LEAP onsite. As previously raised in an email to you in June 2014, UDC’s emerging Local Plan requirement for a LEAP to be provided onsite is simply not appropriate.

The site has been identified through the Local Plan process following the publication of UDC’s Position Statement in March 2013. Pre-application discussions have taken place between Crest Nicholson and UDC since this time. At no time during discussions with UDC and Crest Nicholson has a requirement for a LEAP been evidenced as essential to enable the development of the site.

The Council’s evidence base for the Local Plan does not therefore provide a robust case for the requirement of a LEAP within this site. In deciding whether a play space could be required or appropriate in this case, guidance is available from the Fields in Trust publication: *Planning and Design for Outdoor Sport and Play*. This describes a LEAP as an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently, usually within 5 minutes walking time (approximately 400m). The guidance continues that a LEAP is best provided ‘beside a pedestrian route that is well used’ with a minimum activity zone of 400sqm and a buffer of 10m from any dwelling, 20m from any habitable rooms.

The above design guidance confirms that the provision of a LEAP within the Henham Policy 1 site is inappropriate and harmful to the effective delivery of suitable, much needed housing. Inclusion within this small, narrow parcel would therefore prevent the delivery of 21 well designed homes required to serve the needs of the village.

When I wrote to you in June, I suggested that a more central village location could be considered to accommodate a LEAP to which the Parish would be willing to make a contribution to. However, to-date, a suitable, available site has not been identified. It would therefore be difficult to justify seeking contributions towards such provision from Crest Nicholson at this moment in time.

To conclude, the application proposals submitted are sustainable and policy-compliant. The affordable housing element is supported. Overall the scheme is inclusive, well designed and will have a positive impact on the village.

The Parish therefore fully support the application and we look forward to attending Planning Committee on December 10th.

8. CONSULTATIONS

Health and Safety Executive

- 8.1 HSE does not advise on safety grounds, against the granting of planning permission in this case.

Environment Agency

- 8.2 As the proposed development site is less than 1 hectare in size, and located in Flood Zone 1, the main flood risk issue to consider is the management of surface water run-off. This is covered by our Flood Risk Standing Advice (FRSA)

Affinity Water

- 8.3 Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Newport 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.

NB Affinity Water incorrectly designated the site within the groundwater Source Protection Zone; this has been clarified by EA

Thames Water

- 8.4 Waste Comments

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

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

Supplementary Comments

It is noted that the developer's initial proposals for surface water disposal do not impact on the existing public sewerage system.

ECC Education Services

- 8.5 Education Contribution Guidelines supplement published July 2010. For information purposes only, on the basis of the units referred to the above the primary school contributions would be £68,248 and the school transport contribution would be £15,970.50 indexed linked to April 2014 using the PUBSEC index.

UDC Environmental Health

- 8.6 The findings of the noise survey are accepted

The potential exists for the presence of contaminative material requiring planning conditions to be placed on any grant of permission

UDC Housing

- 8.8 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 of 15 or more units; 20% on schemes 5-14 units and a commuted sum on schemes of 2-4 units.

The affordable housing provision on this site will attract the 40% policy requirement which amounts to 8 units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

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

This scheme has several elements which I consider discriminatory to the residents living in the affordable housing, yet it would appear from the plans that my concerns and advice have not been acted upon.

I find this scheme discriminatory on the following four points;

- 1) The affordable housing is separated from the market housing.
- 2) The affordable housing is separated from the open market housing by a 'pinch point' which is designed to prevent motorised vehicles to pass through.
- 3) There is a second vehicular entrance for the open market housing.

I am also concerned that the parking court arrangement will attract children to use it as a playground, bringing them into conflict with drivers and car owners. The Council has previously received complaints about parking courts throughout the district.

I would expect to see these points designed out satisfactorily before I can support this scheme.

ECC Highways

- 8.9 The proposal is acceptable to the Highway Authority subject to conditions.#

Access and Equalities Officer

- 8.10 I have reviewed the application submitted and looked at the Design and Access Statement and house types for each plot.

- 8.11 Although there are statements within the Design and Access Statement which advises that the requirements for Lifetime Homes and Wheelchair Accessible Housing has been met, this unfortunately is incorrect. Whilst Plot 19 has been allocated as the Wheelchair Accessible Dwelling the layout does not comply. A revised drawing needs to be submitted to demonstrate how the standard will be met. In addition, to comply, the applicant would need to market the dwelling as a Wheelchair accessible dwelling and enter into a Section 106 agreement to pay up to £8,500 to adapt the property if required to by the purchaser. Christine Oliva has the relevant wording for this undertaking.
- 8.12 In general the WC at entrance level does not comply with the Standard and will require amendment. Only Plot 9 and the two bedroom properties comply, as with two bedroom properties the Part M standard is acceptable. There has been no provision for the through floor lift space to be shown, so again within the internal layout, this makes it difficult to see where access to such future provision would be made.
- 8.13 In addition, I have concerns about the parking arrangements in both the affordable locations and the market housing and the compliance with the Lifetime Homes Standards.
- 8.14 If this application is to be approved a revision of the internal layout would be required to ensure compliance and this could only be either by condition or by a revised layout for each plot at this stage.

Essex County Ecology

- 8.15 No objection subject to conditions

9. REPRESENTATIONS

- 9.1 The full representations made regarding this site are available for members to view on line. Five letters of objection and comment were received. A summary of the principle objections and comments is provided below.
- Why did the Parish Council object to the development on the north side of Chickney Road but support this application
 - Chickney Road is very dangerous, cars travel too fast past this site with an entrance proposed on a blind corner.
 - The overlooking and general estate noise will disrupt funerals in the village cemetery. The site won't be available for cemetery expansion in the future.
 - Impacts on wildlife in the ditches around the site
 - Entrance near a dangerous bend in Chickney Road
 - Safe access to the village requires a footpath to Chickney Road
 - The application should be deferred until the outcome of the Elsenham Enquiry

10. APPRAISAL

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

- A The principle of development (NPPF chapter 6, ULP Policy S7, Draft Local Plan April 2014 Henham Policy 1)**

- B Design and appearance NPPF chapter 7, ULP Policies GEN2, Gen6, GEN8, ENV3, SPD Accessible Homes and Playspace, Lifetime homes, the Essex Design Guide,**
- C Access (ULP Policy GEN1), (ULP Policy GEN8 and ECC Parking Standards);**
- D Landscaping and Nature Conservation (ULP Policies GEN7, ENV8).**
- E. Section 106 affordable housing mix is not as requested, does a mechanism exist for the delivery of contributions.**

A The principle of Development

- 10.1 The application site is currently within the countryside and as such is considered against ULP Policy S7. Under this policy the countryside is protected for its own sake and development will only be permitted that needs to take place there or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 if the Housing Chapter of the ULP. There will be a strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.
- 10.2 A material consideration for the principle of development on this site is the emerging policy of the Draft Local Plan April 2014. The process of site allocations and identification of suitable sites that provides new homes over the plan period has identified this site. The relevant detail of the emerging plan is Policy Henham 1 of the Draft Local Plan April 2014 allocates the application site for 25 dwelling, with the following criteria to be met;
- The development provides for a mixed and balanced community
 - The development provides for a children's play space (LEAP)
 - The Development is designed to mitigate adverse impacts upon existing residential and community interests and may require, by legal obligation, to provide or contribute towards wider and longer term planning benefits reasonably associated with the alleviation of any such impact.
 - The application should be accompanied by a Transport Assessment, Approved Drainage Strategy and other required documents and any recommended improvements/remedial works will be controlled through legal obligation.
- 10.4 The criteria of Henham policy 1 has been the subject of negotiation during pre-application meetings with UDC and with the Parish Council. Consequently the provision of a Local Equipped Area of Play has been removed from the site and a developer's contribution towards play space in the village will form part of the legal agreement. It should be considered that the current local plan has no mechanism to secure open space and that the mechanism within the emerging local plan, Policy INF1 would correctly identify that this site should supply a LAP and not a LEAP.
- 10.5 The application is for 21 residential dwellings which does not meet the policy requirement of 25 houses. The Planning Policy Team of UDC acknowledges this and has no objection to the proposed number of dwellings.

B Design and Appearance

- 10.6 The arrangement of dwellings on the site is based on the creation of two Cul-de-sacs, whilst there is a pedestrian link provided between the two distinct areas the distribution of tenure is clearly separated between two separate access points. Six of the

affordable houses all face onto the eastern Cul-de-sac. Five of the affordable units have their parking provision within the parking court that forms the eastern cul-de-sac with the 6th (plot 7) having its parking in the street which it served from the other proposed entrance.

- 10.7 The Developers Contributions Guidance Document (UDC 2014) requires affordable dwellings to be grouped in clusters of no more than 10 units and in this regard the application has appropriately clustered the 8 units proposed.
- 10.8 The NPPF in Chapter 7 – Requiring Good Design states that development should be inclusive. It should be considered that providing separate accesses for different tenures is non-inclusive and is affectively the segregation of tenures.
- 10.9 Parking provision had originally been proposed that is also different by tenure. The open market housing is provided on plot with garages and spaces in front for each. The affordable provision was initially provided in the street in one of two parking courts. Amended drawings received late in the application process have subsequently provided affordable 3 of the affordable units with on plot parking and a cart lodge has been placed at the end of the turning head in the centre of the site for plots 5 and 6 which are one bedroom dwellings and require 1 space each.
- 10.10 These amendments to the provision of the affordable parking areas are created within tree root protection areas which were previously undisturbed and safeguarded in the original layout. The developer has made an attempt to create a more inclusive design but the introduction of measures to achieve this are at the expense of the character of the site through construction in the root protection areas and expanding development boundaries under the canopies of the trees which is visually cramming the development into the site. These amendments have not been addressed in the Arboricultural Assessment provided with the application and represent potential harm to the retained trees on the site.
- 10.11 There are physical distinctions between tenures which are most notable in the provision of chimneys. 11 of the 13 market houses have well designed traditional chimneys that are a strong feature of the house design. The developer has provided amended drawings that show a single chimney between the semidetached affordable plots 9 and 10. The design of all the units on the site is based on the local vernacular, having a uniform and appropriate vocabulary for a north Essex village. The omission of an important aspect of the appearance solely on the affordable houses is discriminatory and can be considered non-inclusive design and not tenure blind development.
- 10.12 The layout of houses creates issues of amenity and overlooking in three private gardens. Plot 20 looks directly into the rear garden of plot 19. Plots 14, 15 and 16 also look into the rear garden of plot 4. The rear garden of plot 12 is at the visual termination of the proposed road through the site. The amenity to this, the smallest garden on the site, is very poor. Plot 9 has its parking provided to the front of the house but will have traffic movements from the other part of the scheme up to the boundary of the rear wall.

The Essex Design Guide sets a minimum distance of 25 metres for back to backs as part of the protection of sitting out areas and private amenity. The sitting out area of plots 4 is within 12 metres of the front window of plot 14 and 20 metres of the front window of plot 16. To address this issue the developer has proposed that the front bedroom window of plot 20 and plot 15 will be obscured glass. This is not considered an adequate resolution to an issue of poor layout and poor amenity created within the

layout. As such the layout contravenes policy GEN2 of the ULP. The proposal would also contravene one of the core principles of the NPPF, set out in paragraph 17, that development should provide a good standard of amenity for all existing and future occupants of land and buildings.

- 10.13 The design of the houses has been considered against the current Lifetime Homes standards. Plot 19 is proposed to be the Wheelchair Accessible Dwelling required by Policy GEN2 and the Councils SPD for Accessible Homes and Playspace however the home is not considered suitable for this purpose. The Access and Equalities Officer has also stated that the two bedroom units and Plot 9 are able to reach the appropriate standards but generally the WC at the entrance to homes does not reach the standard and there is no space allocated for a lift between floors. It should be considered an aspect of design that is non-inclusive and fails to comply with the criteria of the chapter 7 of the NPPF – Requiring Good Design. This would also fail to comply with GEN1 and GEN2 of the ULP 2005
- 10.14 The provision of remote parking for some units would also fail to meet lifetime home standards. This is applicable to the affordable houses only because the private market homes all have provision of parking on plot. Whilst this fails to comply with the Policies as described in 10.13 it should also be considered an aspect of design that is non-inclusive and fails to comply with the criteria of the chapter 7 of the NPPF – Requiring Good Design
- 10.15 There are no cycle parking facilities shown on the drawings for houses that do not have garages. The two flats, plots 5 and 6, are provided with cycle parking in the communal garden. Although mentioned in the Design and Access Statement the drawings do not show any provision. The Essex Parking Standards 2009 state that a minimum of 1 secure, covered space should be provided within the curtilage of the dwelling. This lack of provision only affects the affordable homes on the site and contravenes UDC Policy GEN8. It should also be considered an aspect of design that is non-inclusive and fails to comply with the criteria of the chapter 7 of the NPPF – Requiring Good Design

C Access

- 10.16 The proposed development includes a transport assessment which states that the new accesses onto Chickney Road provide visibility splays that have been agreed with Essex County Council Highways. The Transport Assessment also demonstrates that the existing road network will support the amount of traffic generated by the proposal. As such the proposal complies with UDC Policy GEN1.
- 10.17 The Transport assessment identifies the site as within walking distance of the facilities within the village and bus routes that provide wider connections to the facilities of the larger settlements of Elsenham, Stansted Mountfitchet and Bishop's Stortford with rail connections available at the larger towns.
- 10.18 Essex County Highways do not object to the application subject to the imposition of highways conditions in respect of:
- Details of all estate roads and footways and means of surface water drainage.
 - Details of sight splays and carriageway width for the second (eastern) access.
 - Stopping up of the existing access.
 - Completion of carriageway and footpaths prior to occupation.

- The provision of Residential Travel Packs prior to occupation.

10.19 The transport assessment suggests that the applicant is in ongoing negotiations with Essex County Highways to relocate the 30mph zone beyond the site to improve safety for the development. It should be noted that the Traffic regulation Order cannot be put in place until the development is complete and that there is no guarantee that the TRO can be put in place at that time.

D Landscaping and Nature Conservation

10.20 The layout of the proposal has recognised that the site is characterised by the mature trees and hedging that define the north and south boundaries of the site. The retention of these features and the visually impermeable nature of the boundary to Chickney Road have justified the inward facing scheme that does not relate to the village and longer street scene of Chickney Road

10.21 There are aspects of the proposal that the developer has incorporated in revised drawings that have been placed in root protection areas. In particular built structures to improve the parking provision for affordable units have been incorporated with the root protection areas of trees on the northern boundary this can give rise to potential harm the retained

10.22 The drainage strategy proposes a 550mm deep French drain through the root protection areas of the trees on the southern boundary. This drain is intended to take surface water runoff from gardens and private drives away from the site in a controlled manner that alleviates the risk of flash flooding. The position of this drain is close to the trunks of trees on the southern boundary of the site and clearly within the root protection areas identified in the Arboriculture Report that accompanies the application. The developer has not demonstrated that this amount of excavation is acceptable within the root protection areas and therefore the drainage strategy which is a requirement of emerging Policy Henham 1 (Draft Local Plan 2014) cannot be deemed suitable. The need to protect important groups of trees is an aspect of UDC Policy ENV3, the inability to demonstrate protection from a 550mm by 400mm excavation within the Root Protection Zone is considered to be not in compliance with this policy. The Arboricultural Impact Assessment by D F Clark Bionomique Ltd that accompanies the application states in its recommendations that

'The underground services and soakaway plans are located outside of the Root Protection Areas of the trees to be retained' paragraph 7.7 page 9

10.23 The landscaping plan shows two distinctly different treatments of the two entrances. The entrance that serves the private houses has a curved post and rail enclosure from the edge of Chickney Road to define the entrance to the site. The second proposed entrance that serves the affordable homes at the eastern end of the site has no demarcation or boundary treatment. This is a further aspect of the design that creates distinctions between tenures and cannot be considered inclusive or tenure blind.

10.24 It is proposed that the trees on the Chickney Road Boundary in the northeast corner of the site will be require crown spread reduction to allow sufficient daylight to enter the garden of plot 9 which would be entirely within shadow from the trees. This would suggest that the layout cannot be appropriately accommodated on the site to comply with all the applicable polices of the council. In this instance the attempt to make appropriate amenity space would contravene policies that relate to nature conservation and the protection of the sites assets, notably policies ENV3 and ENV8.

It should also be noted the garden of plot 9 is entirely within the root protection area of these trees and that an amendment has also been received that places a carport within the root protection area of these trees.

10.25 Several of the houses proposed are placed within 2 metres of the Root Protection Areas which does not accord with the Arboricultural Report's recommendations to provide adequate space for scaffolding. This would suggest that the layout cannot be appropriately accommodated on the site to comply with all the applicable policies of the council. This potential harm to the characteristics of the site has been further exacerbated by the amendments that make a more socially inclusive layout which include the covered parking for the affordable homes that is all placed within root protection areas identified on the layout plan. This would contravene policies ENV3 and ENV8 that relate to nature conservation and the protection of the sites assets.

E Legal Agreements

10.26 The applicant has agreed to enter a Section 106 Agreement for the following provisions;

- 40% affordable housing via the onsite provision in accordance with Policy H9
- A contribution towards Education to mitigate the development's impact on primary education provision. The formula is calculated as outlined in ECCs Developers Guide to Infrastructure Contributions 2010 Edition.
- A contribution towards a playspace as required by UDC SPD Developers Contributions 2014.
- A contribution for the conversion of the Wheelchair Accessible unit.

10.27 At this time the mechanism to secure these contributions is not in place

11. CONCLUSION

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

- A The layout, design and distribution of tenures through separate access points create the segregation of affordable homes from private homes. There are visual differences between the detailing of tenures, notably the lack of chimneys on the affordable units. This is not inclusive design as required by the NPPF and will not create a cohesive community within the development also a requirement within chapter 7 of the NPPF – requiring good design.
- B The provision of tenure specific parking arrangements and lack of cycle parking for the affordable homes is not considered to be inclusive design as required by chapter 7 of the NPPF – requiring good design. The lack of secure cycle parking provision fails to meet the criteria of ULP Policy GEN1 and Policy GEN2
- C The layout and arrangement of dwellings does not provide good amenity for all the proposed homes as such does not meet the requirements of Paragraph 17 of the NPPF
- D The 1, 3, 4 and 5 bedroom homes do not achieve the current lifetime homes standards which does not constitute inclusive design as required by Chapter 7 of the NPPF. This aspect of the design fails to meet the criteria of ULP policy GEN2
- E The natural assets of the site are potentially harmed by the proposed layout. The amendments proposed that improve the environment of the affordable houses are placed in root protection areas. The Arboricultural report and the Drainage Strategy contradict each other in their safeguarding of trees and proposed soakaway/ drainage

locations within root protection areas. This demonstrates that the development cannot be achieved on site without harm to the retained trees that give the site its character and sense of place. The potential harm to trees contravenes policies ENV3 and ENV8 and GEN2

RECOMMENDATION – REFUSAL

Reasons

1. The layout and segregated accesses with different tenures served off each access is non-inclusive design. The layout and a design of houses incorporate tenure specific designs for parking and house style. The proposal fails to meet the requirements of Chapter 7 of the NPPF.
2. The houses do meet the current Lifetime Homes Standards and Plot 19 is proposed to be the Wheelchair Accessible house but does not achieve the standards required by Policy GEN2 and the Councils SPD for Accessible Homes and Playspace.
3. There is no covered cycle parking proposed for the affordable homes on the site. As such the application fails to comply with Policy GEN8 ULP 2005 and is be considered non-inclusive design as required in Chapter 7 of the NPPF
4. The developer has failed to demonstrate that the layout can be accommodated on the site with good amenity standards for residents and without harm to the intrinsic character of the site and its features. As such the layout fails to meet the requirements of the NPPF paragraph 17. The proposed drainage to the southern boundary and the location of houses contradicts the Arboricultural Report submitted as part of the application by placing drainage systems and additional development in the root protection areas of retained trees. As such the proposal fails policies GEN2, ENV3 and ENV8.
5. No Mechanism exists to secure the Section 106 contributions and as such fails to comply with policy GEN6 of the ULP 2005.

UTT/14/2333/FUL (DEBDEN)

(Deferred by Committee for site visit)

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

LOCATION: **Land south of Hill House, Church Lane, Debden, Essex CB11 3LD.**

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 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. 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:

- A 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.

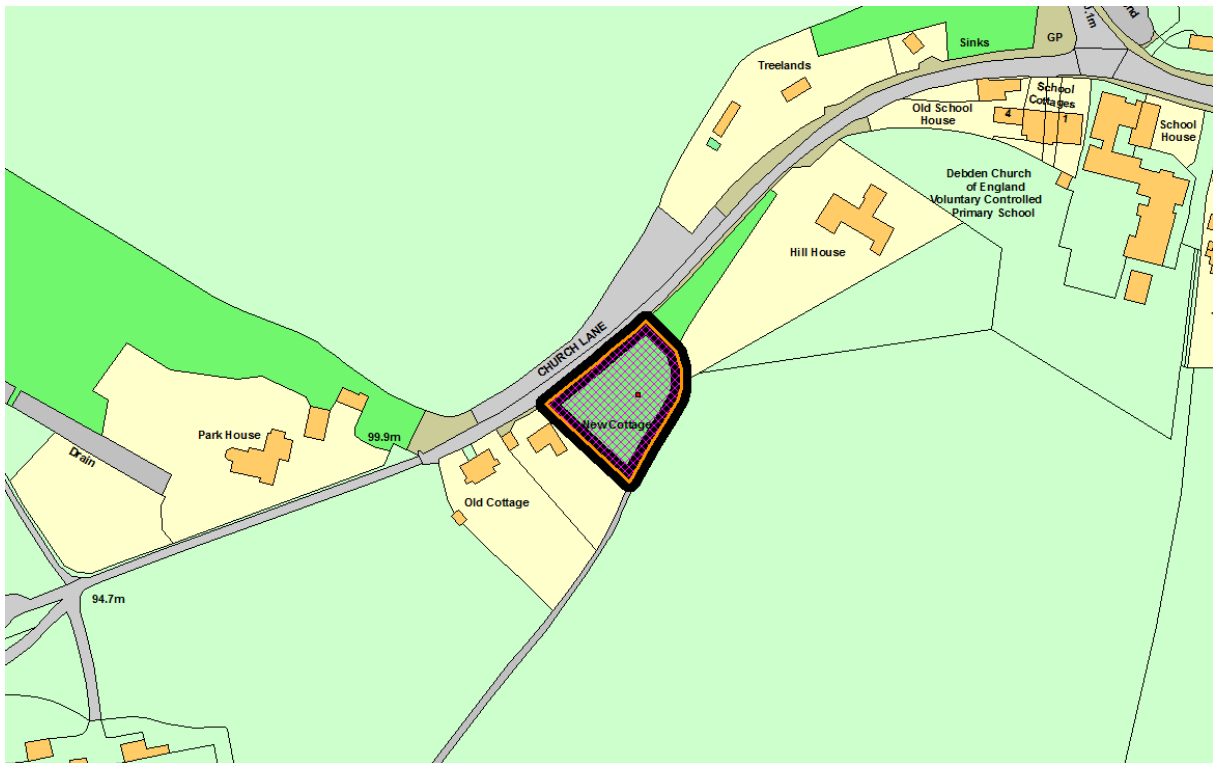
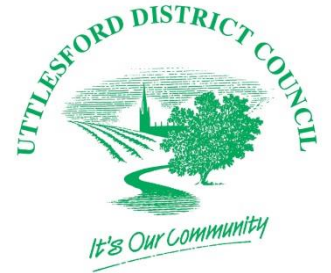
8. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - 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 Church Lane Debden



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Organisation: Uttlesford District Council
Department: Planning
Date: 30 October 2014
SLA Number: 100018688

UTT/14/2948/FUL (Saffron Walden)

Minor

PROPOSAL: Proposed additional sheltered residential unit, extensions and external alterations to the existing building with associated alterations to the external areas

LOCATION: Hatherley Court Chaters Hill Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: Ingleton Wood LLP

EXPIRY DATE: 28 November 2014

CASE OFFICER: Maria Shoemith

1. NOTATION

1.1 Within Development Limits, Conservation Area, adjacent to The Slade outside Flood Zone 2 and 3, Ancient Monument Located North East of the site

2. DESCRIPTION OF SITE

2.1 The application site is Hatherley Court which is Council owned sheltered accommodation. The building forms a rough 'S' shape. Attached to the building located to the north is Hatherley House, which is an independent care home.

2.2 The site is located on the north eastern corner of Chaters Hill /Radwinter Road. The Slade is located running through the site along the southern boundary. There is heavy landscaping along this boundary consisting of hedges and trees, many of which are covered by a Tree Preservation Order. The site is located within the Saffron Walden Conservation Area. There is an Ancient Monument located to the northeast of the site, adjacent to Chaters Hill, on the edge of The Common. There are open views of The Common from Chaters Hill. There are residential properties to the north, south, southwest and east of the application site. There are gardens of properties that front Hollyhock Road located adjacent to the site's access road and car park area.

2.3 There is a distance of 38 to 52m in terms of a back to back relationship from the proposed works to the nearest rear elevation of properties on Hollyhock Road. There is a distance of 43m from the works on the southern elevation to the gardens of properties on Vanoli Close. However, trees interfere with the above views which are located on the boundaries.

2.4 The ground levels on the site fall away from north to south, having a rough ground level difference from the northern element of the building to Radwinter Road of 2 to 3m.

3. PROPOSAL

- 3.1 The application is for one additional sheltered residential unit, extensions and external alterations to the existing building with associated alterations to the external areas. This would be in the form of a conservatory, a two-storey rear extension on the west elevation to provide a net gain of one new unit, two differing types of extensions to existing units and the insertion of Juliet balconies in order to provide more light and improved living space to the existing flats. Internal alterations are proposed creating a new defined entrance with canopy, a buggy store, a new general store, and a relocated refuse bin (2.6m deep x 7.2m length x 3.5m high). Internal reconfiguration would result in the relocation of a flat from the ground floor to the new two storey element and the creation of a new main lounge room area.
- 3.2 The proposed two storey extension would be 7.4m x 8.7m, consisting of a pitched roof, and having a height of 7.6m. The proposed single storey conservatory would be located also along the western elevation and having the dimensions of 5.6m depth with an additional 0.8m projection and a width of 6.6m. The conservatory would provide additional accommodation and an extension to the new main lounge area. Extensions to the existing flats would be of 4/6 square metres. This is proposed in order to increase and improve living accommodation to all the flats, whilst some are proposed to have internal alterations to create a through lounge/kitchen/dinner and with Juliet balconies.

4. APPLICANT'S CASE

- 4.1 As part of the application submission the following supporting statements have been submitted;
- Planning Statement with Design and Access Statement;
 - Biodiversity Statement;
 - Arboriculture Report
- 4.2 A tree survey has been submitted as part of the application. No tree removal is proposed, a part from possible two small rose trees in the rear garden. A protective barrier is proposed during the proposed construction works in order to protect the root areas.
- 4.3 A Biodiversity Statement has been submitted as part of the application which identifies The Slade, hedgerows and trees as important habitats. The statement outlines that these important features would not be affected by the development. Immediately around the perimeter of the building is currently mowed and managed lawn which has a low biodiversity level.
- 4.4 The submitted Planning Statement provides a breakdown of what the scheme would provide; this would be in the form of;
- Formation of a new main entrance in the east elevation utilising the current refuse area;
 - Erection of 10 two-storey extensions plus 2 at first floor only around the building, to provide modest additional floorspace to the existing flats;
 - Construction of a two storey extension to the south west corner of the building, containing two new one bedroom flats;

- Removal of Flat 1 and the creation of a new residents lounge on the ground floor (opposite the new entrance);
- Construction of new conservatory on the west elevation adjacent to the new residents lounge;
- Minor alteration to the existing second floor lounge to provide French windows and Juliette balconies and the additional of sun pipes to improve natural lighting;
- Provision of a new external refuse store;
- Provision of a new internal buggy store;
- Creation of a new terrace area adjacent to new conservatory

4.5 It is emphasised within the Planning Statement that *“the main driver for the proposed alterations is to bring the existing accommodation up to current standards; the building is largely unaltered from its original design, and the majority of existing flats provide poorly sized bedroom facilities that fall short of current standards. All of the flats also have very small, poorly designed kitchen areas. The building has poor physical attributes that add to its unsuitability for modern life; the interior is very dated with no reception area or easily identifiable entrance to the scheme. The residents lounge is located on the second floor and whilst large, it is a gloomy space, with poor natural light and therefore not conducive for socialising. There is no purpose built scooter store/charging point....”*

4.6 The Planning Statement makes reference to appeals for retirement apartments on Former Bell Language School, South Road and on Station Road which provide fewer car parking spaces, measuring 2.4m x 4.8m. It is also stated that the Parking Standards whilst it requires a minimum of 1 space per retirement dwelling plus 0.25 spaces per visitor it also accepts that a reduction in parking provision maybe support if sufficient evidence can be provided to justify a reduction. It had been resolved at these appeals that due to the average age of the residents being above 78 years of age then there would be less reliance on the need for private mode of transport.

4.7 Two consultation events are stated to have taken place for existing residents in June and residents were taken to visit Beaumont House in Coggeshall, where a similar programme of improvements has taken place. A Public Consultation event was held on 23 September 2014 for surrounding neighbouring residents located on Hollyhock Road and Radwinter Road. Whereby only one resident attended raising concerns about external lighting, and ensuring that existing trees along the shared boundary would be retained.

5. RELEVANT SITE HISTORY

5.1 The planning application history is listed below relates to a recent extension to Hatherley House to the northeast of the application building;

- UTT/1412/07/FUL - Two storey rear extension – 3 October 2007
- UTT/1512/10/REN - Renewal of planning approval UTT/1412/07/FUL for two storey rear extension – granted 13 October 2010

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy ENV1 Design of Development within Conservation Area
- 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 HE1 Design of Development within Conservation Area
- 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 Highways

- 8.1 No comments as the proposal is not contrary to transportation policies. The highway authority is satisfied that the current parking provision is adequate for this proposal.

UDC Landscape Officer

- 8.2 No objection (verbal comments)

ECC Ecology

- 8.3 The site is in an urban area, mostly surrounded by residential housing and a large playing field. The surroundings are not particularly conducive to bat foraging or commuting and the adjacent streets will be lit; a deterrent to bats.

The building itself is modern and of a construction style where crevices leading to internal spaces would be unlikely. Further, the proposed alterations are largely external and are considered unlikely to affect any potential bat roosting habitat. Of course bats are transient and highly mobile and seek out new roost spaces all the time so their presence can never entirely be ruled out. However, I consider the building to show at best negligible-low potential for bats (in accordance with current guidance) and do not feel that the intended works warrant bat surveys. However, recommend an informative.

Conservation Officer

- 8.4 No objections subject to conditions.

Environment Agency

- 8.5 Although our maps show that part of the application site is located in Flood Zone 3, all of the proposed development is located in Flood Zone 1, therefore we will not be commenting, as the site is less than 1 hectare in size.

9. REPRESENTATIONS

- 9.1 The neighbouring properties have been consulted of the current application, 117 in total. The application has been advertised on site and within the local press. To date no letters of representation have been received.

Consultation Expiry 8th November 2014. Any comments which shall be received will be verbally reported.

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. 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. The proposed extensions would provide an improved quality of life to the residents who occupy Hatherley Court through a modest increased in living accommodation, a defined improved entrance, a new communal main lounge area and conservatory with terrace area for all the residents. 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 no additional landscaping is proposed due to the high level of existing landscaping which would

be largely unaffected. However, the improvement to the living accommodation not only provides a social role, there is a direct correlation with environmental role, and the effect that the surrounding environment has on health and wellbeing. The site is located within a sustainable town which facilitates the reduce need to travel via private mode of transport. 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 existing premises. The proposed development would provide an additional Council built sheltered accommodation 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 thrust 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 Polices SP1 and DES1.
- 10.9 The proposed extensions in terms of their design, size, scale and siting are acceptable and in keeping with the main building. These together with the introduction of rendering would help provide relief by reducing the existing bulky appearance of the building and remove the buildings current monolithic appearance. This is in accordance with Policies GEN2, SP1 and DES1. The design of the proposal would facilitate in preserving and protecting the character and appearance of the Conservation Area in accordance with Policies ENV1 and HE1, and will have no impact upon the Ancient Monument, located opposite on The Common, or its setting. The Council's Conservation Officer has raised no objection to the development subject to conditions.
- 10.10 The new entrance would be wheelchair accessible as well as the proposed two new flats. An internal storage for 6 mobility scooters would also be created, in accordance with Local Plan Policies GEN1 and GEN2. 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.
- 10.11 The proposed development has been designed to get effective use of the site and to create minimal impact upon existing neighbouring occupiers. The proposed heights of the scheme and the choice of materials have been sensitively designed

to respect the existing building, the neighbouring dwellings and the change in ground levels, having consideration for the site's constraints.

- 10.12 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. There is an excess of 25m back to back and at least 38m. There would also be trees along the eastern shared boundary, which would be retained continuing to provide screening between the dwellings. Even though windows would be enlarged incorporating Juliet Balconies minimal additional overlooking would be incurred. Due to the distances with neighbouring properties no adverse infringement of privacy would result from the scheme, in accordance with Policy GEN2.
- 10.13 The materials proposed have been identified on the elevational plans in the form of red facing brick with white render, red clay plain tiles to match existing and white UPVC windows to match existing. This choice of materials is considered sensitive to the existing building and the surrounding area, however providing an improvement by softening the overall appearance of the building, in accordance with Policies GEN2 and ENV1.
- 10.14 The landscaping consisting of a number TPOs would be retained on site, apart from two small no protected rose trees in the rear garden.
- 10.15 The proposed development would not result in impact upon residential amenity due to the proposed nature, design, the siting and orientation of the extensions/works. 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

- 10.16 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. There is also a requirement of 0.25 visitor parking spaces. The proposal currently provides 19 car parking spaces for 26 x 1 bedroom units, at a ratio of 0.7. The scheme would provide a net increase of 1 x 1 bedroom dwelling. At the time of visiting the site the car parking spaces were predominately occupied by construction vehicles and a steel container, with still some spaces vacant. No objection has been raised by Highways regarding the level of proposed parking due to the nature of the use of the building and the low level of car ownership. It is also considered to be acceptable based on the sustainable location of the site, also a similar lower parking provision has been accepted on other similar schemes within the District and Saffron Walden. The scheme therefore accords with the above parking space requirement.
- 10.17 No objections have been raised by the Highways Authority in terms of highway or pedestrian safety, access/road layout, vehicle movement, or parking due to the general minor nature of the proposed development. 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

- 10.18 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.
- 10.19 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.
- 10.20 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".
- 10.21 The Biodiversity Statement which has been submitted as part of the application outlined the trees, hedgerows and river to be of ecological importance. However, the immediate areas around the building which would be affected by the proposal are maintained lawn and therefore a sterile area. Comments have been received back from ECC Ecology raising no objection subject to an informative being added should planning permission be granted. ECC have also stated "*The site is in an urban area, mostly surrounded by residential housing and a large playing field. The surroundings are not particularly conducive to bat foraging or commuting and the adjacent streets will be lit; a deterrent to bats. The building itself is modern and of a construction style where crevices leading to internal spaces would be unlikely. Further, the proposed alterations are largely external and are considered unlikely to affect any potential bat roosting habitat. Of course bats are transient and highly mobile and seek out new roost spaces all the time so their presence can never entirely be ruled out. However, I consider the building to show at best negligible-low potential for bats (in accordance with current guidance) and do not feel that the intended works warrant bat surveys.*" The scheme is therefore considered to accord with Local Plan Policy GEN7
- 10.22 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. Nonetheless, due to the nature of the application no financial

contribution is required in accordance with Local Plan Policy GEN6 and SDP.

- 10.23 Even though the application site has The Slade running through and along the southern boundary the proposed works would fall within Flood Risk Zone 1, where there is low probability of flooding from tidal or fluvial sources, thereby a Flood Risk Assessment was not required to be undertaken, also due to the fact that the site falls below the 1 ha area. No objection is raised in this respect 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, protecting and preserving the character and appearance of the Conservation Area, in accordance with Policies GEN2, ENV1 and HE1. 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, and HO1.
- 11.3 Sufficient parking is provided in accordance with parking standards. No objections have been raised by the Highways Authority. 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 No financial contribution is required towards affordable housing or education due to the nature of the proposed development, in accordance with Local Plan Policy GEN6.
- 11.6 There are no flood risk issues which are raised as part of this application, in accordance with Local Plan Policy GEN3. No ecological issues arise from this application in accordance with Local Plan Policy GEN7.

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. No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with Clause 7 of British Standard BS5837 - Trees in Relation to Construction - Recommendations has been submitted to and approved in writing by the local planning authority. The scheme shall include:

(a) All tree work shall be carried out in accordance with British Standard BS3998 - Recommendations for Tree Work.

(b) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within [1-5 years] from [the date of the occupation of the building for its permitted use], other than in accordance with the approved plans and particulars, without the prior written approval of the local planning authority.

(c) If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such size and species and planted, in accordance with condition (), at such time as may be specified in writing by the local planning authority,.

(d) No fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree.

(e) No equipment, machinery or structure shall be attached to or supported by a retained tree.

(f) No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area.

(g) No alterations or variations to the approved works or tree protection schemes shall be made without prior written consent of the local planning authority.

The development shall be carried out in accordance with the approved details.

REASON: To ensure the protection of trees within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

3. The hereby permitted Juliet Balconies shall be for matt metal railings, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of the appearance of the development and the character and appearance of the surrounding Conservation Area, in accordance with Policy GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

4. The clay pantiles to be used on the roof of the development hereby permitted shall match those used in the existing building unless otherwise first agreed in writing by the local planning authority. Subsequently, the external surfaces shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and the character and appearance of the surrounding Conservation Area, in accordance with Policy GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

5. The specified walls to the development hereby permitted shall have a smooth rendered surface.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and the character and appearance of the surrounding Conservation Area, in accordance with Policy GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

6. 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).

7. 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.

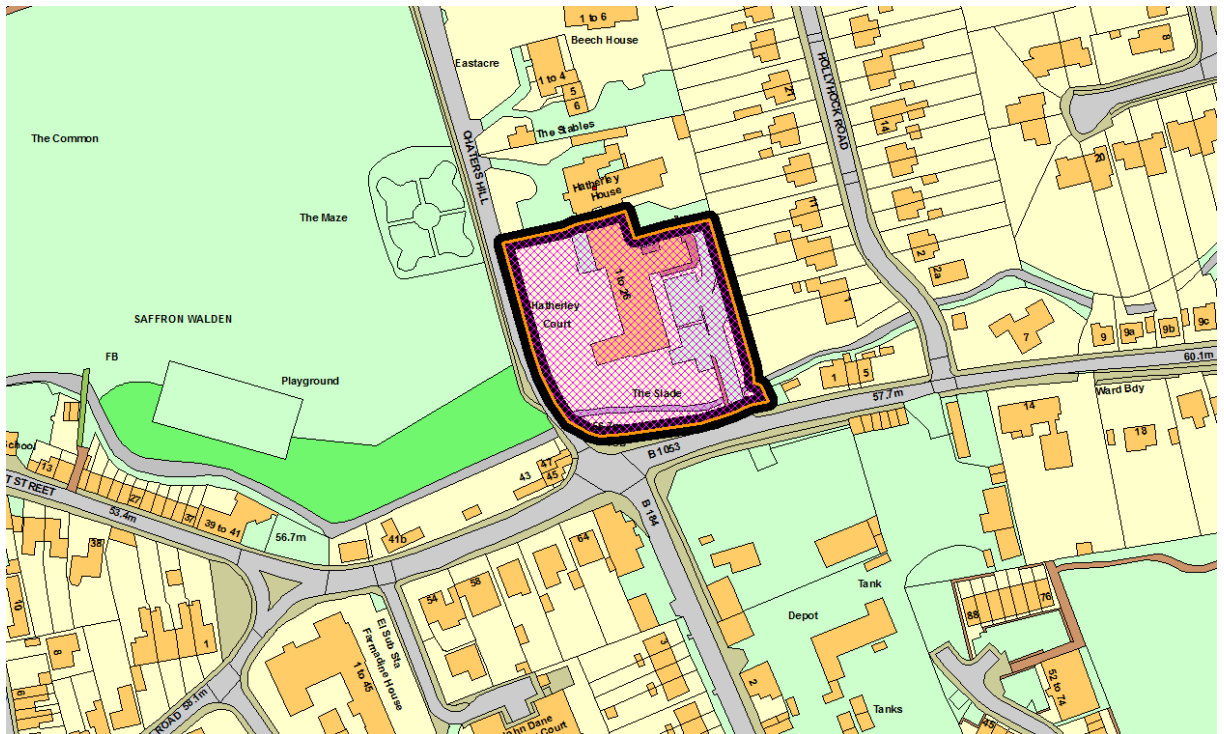
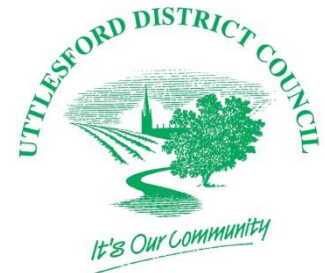
REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.

Informative:

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.

Application No.: UTT/14/2948/FUL

Address: Hatherley Court Chaters Hill Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

Date: 30 October 2014

SLA Number: 100018688

UTT/ 14/2370/FUL (Berden)

(Referred to Committee by Cllr Janice Loughlin. Reason: The scale, design and size of the development and the effect on the surrounding area and neighbouring properties)

PROPOSAL:	Removal of existing storage buildings and erection of 1 new residential dwelling (alternative proposal to that approved under UTT/13/2888/FUL).
LOCATION:	Land at Frances Farm Pelham Road, Berden
APPLICANT:	Mr John Poulter
AGENT:	Pelham Structures Ltd
EXPIRY DATE:	07 October 2014
CASE OFFICER:	Emmanuel Allannah

1. NOTATION

- 1.1 Rural Restraints Area, outside the defined development limits of Berden.

2. DESCRIPTION OF SITE

- 2.1 The application site is a rectangular area of some 0.13 ha on the northern edge of Berden. It is occupied by an aged "tin" barn like structure - with the benefit of a Lawful Development Certificate enabling its use as a transport yard. It is accessed via a narrow semi-surfaced Lane that is shared with a number of adjacent and nearby properties. A total of some 16 existing homes on this northern fringe of Berden are excluded from the defined "development limit" defined on the Proposals Map of the ULP - (to which ULP Policy H3 applies). The application site appears to be the only non-residential use in the northern part of the village. That adjacent Lane is also in use as Public Footpath 41.

3. PROPOSAL

- 3.1 The proposal is to replace the existing storage building, containers and open storage, and all commercial use, with a single detached dwelling. As with the previously approved building, the dwelling would have 4 bedroom (or 3 bedrooms plus study). An attached part-single/part two storey wing would contain an open-fronted parking cartlodge for two vehicles, and additional parking spaces would be to the front and / or side.

4. APPLICANT'S CASE

- 4.1 The building has been designed to replicate the form, scale and fenestration of a 'converted' barn. Its appearance would be enhanced by good quality vernacular materials, including black-painted featheredged timber windows. The roof of the barn would be clad with slate. The overall effect would be that of a traditionally designed building that is appropriate to its setting near listed buildings in a rural area. This part of Berden for example contains buildings which vary significantly in terms of design, size and scale. Frances Farm is a substantial two-storey dwelling, with a steeply-pitched barn conversion to its rear. The proposed dwelling would therefore complement the

range of dwellings in the vicinity. In particular, the modifications proposed would provide a building with a more traditional roof pitch that better reflects other buildings in the locality, in contrast to the somewhat 'squat' roof form previously approved.

- 4.1 The key factor in the design of this revised application is the aim to create a carbon neutral property. This is set out in greater detail in the accompanying sustainable construction statement.

5. RELEVANT SITE HISTORY

- 5.1 UTT/13/2888/FUL- New residential development. Approve with condition subject to the completion of Section 106 Agreement for the provision of affordable housing. The Section 106 Agreement has been agreed.
- 5.2 UTT/0839/CL-Lawful Development Certificate, for the storage of commercial goods and the parking of a heavy goods vehicle.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy S7- The Countryside
- ULP Policy GEN1-Access
- ULP Policy GEN2- Design
- ULP Policy GEN7-Nature Conservation
- ULP GEN8-Vehicle Parking Standards
- ULP H3-New Houses within Development limits

6.3 Guidance

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

7. PARISH COUNCIL COMMENTS

7.1 Objection, for reasons relating to:

- The current application proposes a larger footprint and more substantial elevation having regard to the amenity of the neighbouring residents. The two neighbouring residents have both objected separately to this application.
- The proposed new dwelling will present an unacceptable physical and visual intrusion into the adjacent countryside.
- The proposed new building is of scale that is far beyond a rural barn conversion and is intrusive to the view and outlook of the neighbouring residents.
- The proposal in terms of its scale and mass would be greater than the previous approved scheme.
- The additional built form will be overbearing on the neighbouring properties and affect the visual amenity of the area and intrusion into the countryside side setting.

8. CONSULTATIONS

Access and Equalities

8.1 Application meets the requirements of the SPD on Accessible Homes and Playspace.

ECC-Ecology Advice

8.2 No objection but recommended an informative in order to protect and safeguard nest of wild life.

ECC-Education and Highways

8.2 No objection subject to recommended planning condition.

Thames Water

8.3 No objection regarding sewerage infrastructure capacity.

9. REPRESENTATIONS

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

- The proposal would be overbearing.
- It would have a detrimental effect on neighbouring properties
- Overlooking
- Intrusion of privacy
- No justification for the increase of the revised proposed development

10. APPRAISAL

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

A Design and Visual impact (ULP Policies H3 AND GEN2

B Impact on residential amenity (ULP Policies H3 and GEN2)

C Traffic impact

A Design and Visual impact

10.1 The principle of a new residential development has already been considered acceptable during the assessment of the previous approved scheme registered as UTT/13/2888/FUL. For example; the fact that the application site is within the Rural Restraints Area and beyond the defined development limits of Berden. The defined development limit illustrated on the Proposal Map is very tightly drawn and a substantial proportion of Berden's built up area is similarly beyond that development limits to which UPL policies H3 and S7 apply. Although on the urban fringe" of Berden, given the pre-existing barn structure, the proposed approved scheme was considered acceptable because it is comparable in visual and physical scale with the surrounding built environment. And as the previous app[roved scheme would not harm the character of the area and the living conditions of the adjoining properties it was considered

acceptable subject to Section 106 Agreement and such legal agreement for the provision of affordable housing has been completed but the approved scheme is yet to be implemented. And as “previously developed land” (i.e. “brownfield land”), the clear presumption in favour of “sustainable development” in paragraphs 14 and 28 of the NPPF applies to this case as it would lead to sporadic residential development within such “Rural Restrain Area”. Hence; one of the main determining planning issues in the current revised planning application relate to the design and visual impact which are also part of the concerns raised by Parish Council and neighbouring properties..

- 10.1 The application site and its surroundings are characterised by different scale, form, layout, materials, appearance and design of residential buildings and there is a mixture of single and two storey dwellings. There are dwellings either side but the application site is fairly located at far rear end.
- 10.2 As indicated in the planning statement the key factor in this proposed revised design scheme is the aim to create a carbon neutral residential building. The layout of the development has been considered carefully in order to prevent any overlooking. For example; by minimising its impact on the adjacent dwellings to the south and west; the proposed building has been oriented so that the closest upper floor openings directly facing the southern boundary would be high level secondary windows under to the ridge, in order to provide sun/day light only.
- 10.3 The topography of the site or ground level is slightly lower when compared with the buildings to the south, and the existing frontage housing would screen views of the proposed revised scheme from the road.
- 10.4 And given that much of the site is currently covered with buildings and containers and open storage of materials. By locating the building towards the east of the site, provided opportunity for further space which has been used to introduce green space and sizeable garden for the rived residential building. It should also be note that the siting of the revised proposed scheme is unaltered compared from the approved scheme. Having incorporated features of the surrounding area, the proposed scale, form, layout, appearance and design approach would not adversely harm the character and visual amenity of the area. The design approach would also involve the retention boundary planting which would be also be reinforced where necessary, with domestic-scale shrub and herbaceous planning to lawn garden areas.
- 10.5 The adjacent open paddock land is also owned by the applicant it has been confirmed by the applicant that it would be retained to provide a soft green edge to the village, the open countryside and to provide managed coppice for log-burning heating. And the ample space within the site would be used for siting and recycling facilities. Overall, having considered all representations in design terms the revised scheme would not adversely harm the character and visual amenity of the area, the approach of taken in designing such carbon neutral residential dwelling is not considered to be in conflict with policies H3 and GEN2.

B Impact on residential amenity

- 10.6 Concerns have being raised in connection with the scale, mass, location, height and length of the revised development in terms of its impact on the amenity of the adjoining occupiers.
- 10.7 Having considered the orientation of the revised scheme in the above paragraphs; the impact on residential amenity of the neighbouring properties is protected in terms of overlooking, overbearing and overshadowing impact.

- 10.8 The proposed revised scheme rear projection would only be increased by 2m in length. And the approved ground floor width was 14.7m and the revised proposed scheme rear ground extension width would be 14m which reduced by 0.7m following the additional rear projection of 2m in length. And as result the distance to the nearest residential building to the south west is 4.4m and to the south east is 8m; whilst the distance in terms of approved scheme is 4m to the adjoining property at south west and the distance to the south east adjoining property remains at 8m. As the width of the ground floor rear projection has minimised any impact; the orientation of the revised proposed scheme would not induce overbearing or overlooking from the first floor windows from bedrooms 1 and 2 of the proposed revised scheme. And the new proposed bathroom/en-suite at the southern upper floor with their respective proposed windows would not harm the living condition of the nearest properties.
- 10.9 And the height of the approved scheme was 7.15m and the current proposed height as a result of this revised scheme has increased to 8.7m with a traditional pitched roof. And roof pitch has been raised from 30degree to 45 degree as 30degree was considered too shallow for a barn. And the principal elevation is extended at first floor over the approved home office and extends out by 2.5m as the same as the one below. Having considered the height, mass, form, scale, layout, appearance and the design approach of the revised scheme, on balance it is considered acceptable as it would not adversely lead to overbearing, or overshadowing or overlooking. Hence, the proposed revised scheme is not contrary to Policies GEN2, H3.

C Traffic impact

- 10.10 The revised application is considered that it would not have any highway implications. And having consulted Highway Authority they have confirmed they do not wish to raise any objection to the revised development and have instead recommended standard planning conditions to protect and safeguard traffic in the area. And this is in accordance with Policy GEN1.

11. CONCLUSION

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

- A The revised proposed development is considered to be in accordance with the relevant Uttlesford Local Plan policies and the application is recommended for approval.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/ reasons

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

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

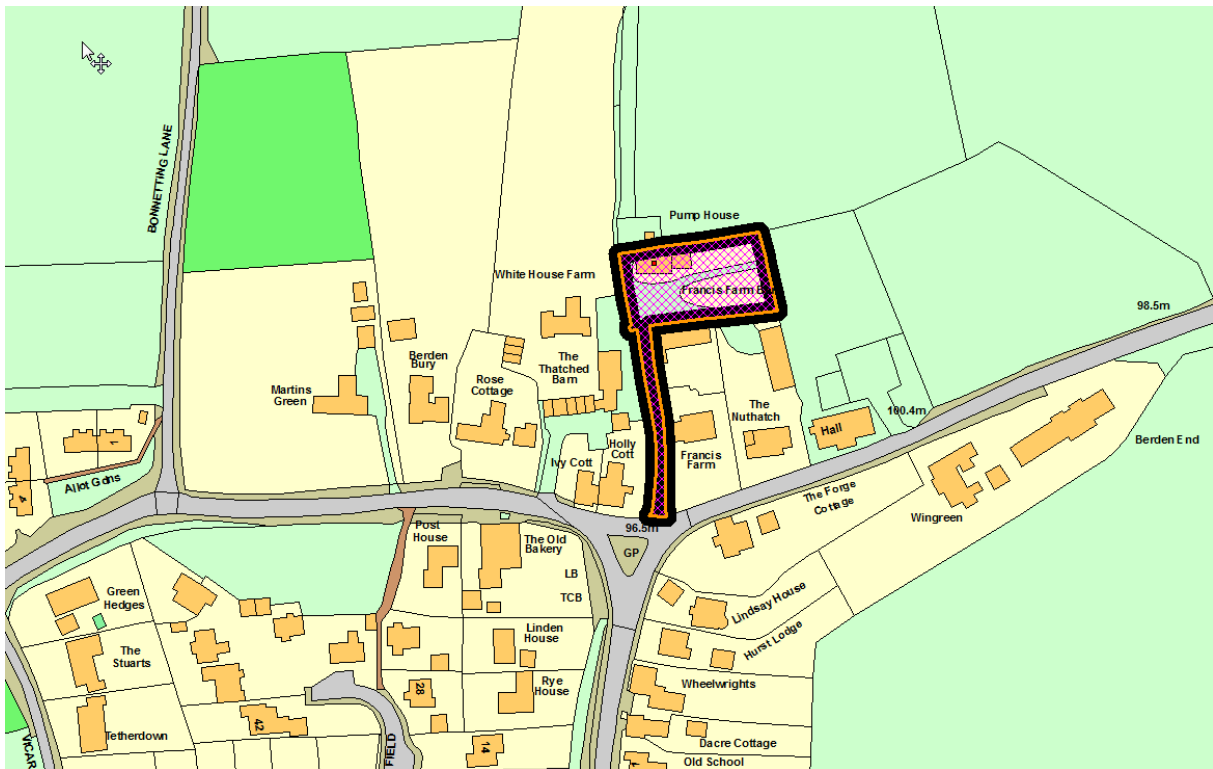
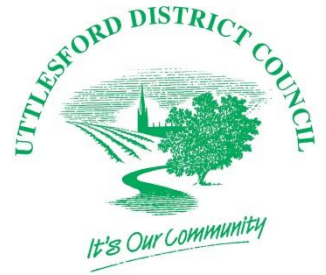
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those in the existing building unless otherwise agreed in writing by the Local Planning Authority.

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

3. The public's rights and ease of passage over public footpath 41, Berden shall be maintained free and unobstructed at all times.

REASON: The above condition is required to ensure that the development accord with Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Application No.: UTT/14/2370/FUL
Address: Land at Francis Farm Pelham Road Berden



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Organisation: Uttlesford District Council
Department: Planning
Date: 30 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: 15 October 2014

CASE OFFICER: Chris Tyler

Update: This application was deferred from the previous meeting for a site visit to enable Members to consider the concerns in relation to overlooking and loss of privacy. Since the last meeting the applicant has submitted additional plans which swap the positions of the bathroom and bedroom 4. This would result in the window adjacent to the boundary of Jasmine Cottage would be obscure glazed. The officer's recommendation in respect of the original plans still stands as detailed in this report. The revised plans overcome any concerns regarding the issues of overlooking and loss of privacy. Therefore officers would recommend the approval of the revised drawing numbers 14/04/03C and 14/04/04/C.

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 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)
- 5.2 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

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.
- 10.4 However, should Members be minded to refuse the original plans due to overlooking and loss of privacy, the applicant has submitted addition plans which swap the position of the bathroom and bedroom 4. This would result in the bathroom window being adjacent to the boundary with Jasmine Cottage and this would be obscure glazed.

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).

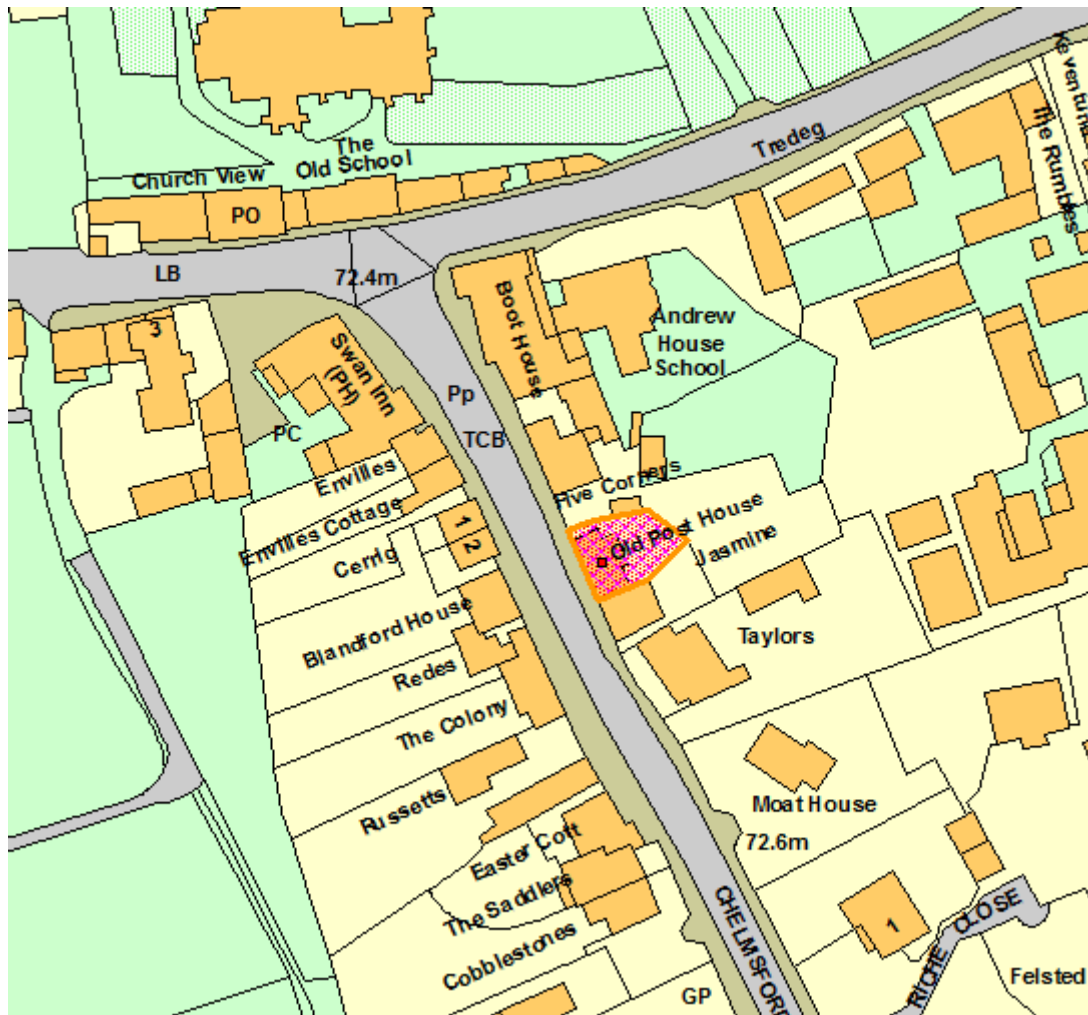
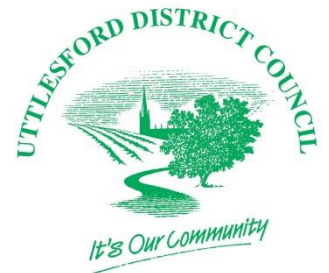
*If Members are minded to approve the additional revised layout plans this drawing number should read 14/04/04 REV C

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).

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

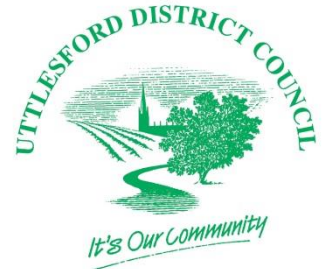
4. There shall be no cutting or removal of elements of the historic timber frame other than as indicated on the approved plans.

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/14/2545/FUL (Little Bardfield)

(MAJOR)

PROPOSAL: Site security system for monitoring The Hydes solar park comprising 23 No. wooden poles and CCTV cameras (retrospective).

LOCATION: Hydes Farm, Thaxted

APPLICANT: Lightsource Renewable Energy Ltd.

EXPIRY DATE: 10 December 2014

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site is situated at Hydes Farm to the south of the Thaxted to Bardfield Road and comprises an approved solar farm in the advanced stage of construction on former arable farmland comprising 18.65 ha. The site is accessed by a long private farm drive from Bardfield Road and is traced by public footpaths along its north-west and north-east boundaries and a public bridleway which leads southwards from the south-west corner of the site down to Bustard Green. The development site comprises a relatively flat plateau beyond a ridge and is open in character with drainage ditches.

3. PROPOSAL

3.1 This retrospective application relates to the erection of 23 No. CCTV cameras which have recently been installed on the top of 3 metre high timber poles at 70 metre space intervals around the perimeter of the site inside stock perimeter fencing to form a site security system for the solar park during commissioning and once operational. The cameras installed are light grey in colour, are set at a slightly inward angle along the site boundaries for trespass detection and are motion sensor activated. The CCTV system installed does not involve any form of external lighting.

4. APPLICANT'S CASE

4.1 The application is accompanied by a Design and Access Statement, which states the following:

“On 9 May 2014, planning permission was granted for an 18.65 hectare solar park at The Hydes (UTT/14/0621/FUL). The original planning application stated “*Low level infrared CCTV cameras will be mounted on transformer/inverter housings and support framework of the PV arrays*”. However, upon taking over the development of The Hydes Solar Park, Lightsource Renewable Energy Ltd has found that this would be insufficient to cover and protect the full extent of the solar park area. The changes to the location and number of transformers/inverters covered by a subsequent Non-Material Amendment application (UTT/14/1952/NMA) means the system would not meet operational and insurance requirements”. In order to detect any unauthorised

access and to ensure that the solar park would be fully insurable against theft and damages, CCTV monitoring which is able to cover the full perimeter of the site will be required both during construction and for the life of the solar park. The cameras are directed into the solar farm to avoid impinging on the privacy of nearby properties. They employ motion sensor and infrared technology so no lighting is required. It is considered that the CCTV cameras would not be intrusive in the landscape and new hedges along the eastern and western boundaries will be planted as part of the Landscape Strategy of planning permission UTT/14/0621/FUL. This landscaping is expected to sufficiently mitigate any effects associated with the wider development, including the cameras associated with this application. The installation of CCTV cameras around the perimeter of The Hydes Solar Park will not result in a significant increase in vehicles accessing the site. All vehicle access will be by way of the farm track from Bardfield Road to the north. A maintenance check will be carried out approximately once a year, which will require a van (able to carry a ladder) accessing the site. Additional maintenance visits may be required if a CCTV camera is malfunctioning. However, such incidents are expected to be rare”.

5. RELEVANT SITE HISTORY

5.1 Planning permission was granted by the Council in 2013 for the construction of an 18.65ha solar renewable energy scheme with associated equipment and works at Hydes Farm when the principle of the solar park was considered acceptable subject to appropriate planning conditions, including those to protect rural amenity (UTT/13/2207/FUL). Revised solar scheme for the site approved in May 2014 where these revisions related to the relocation of the sub-station, adjustment of the route of the grid connection and change in design of the inverter and transformer housings (UTT/14/0621/FUL). Conditions 2, 5 and 6 of UTT/14/0621/FUL relating to submission and approval of landscaping details, external colour specification of plant and equipment and also details of boundary treatment discharged in July 2014 (UTT/14/1737/DOC). Non-material amendment to UTT/14/0621/FUL relating to the increase in number of solar panels by 1.27% from 41,472 to 42,000 and decrease in side elevation height, change from single substation into group of 3 no. buildings, change from 5 no. large containers to 3 no., groupings of 2 no. inverters, transformer and small junction box, together with new internal road layout approved in August 2014 (UTT/14/1952/NMA).

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (NPPF).

Government advice:

- DCLG - “Planning practice guidance for renewable and low carbon energy” (July 2013)
- DE&CC - “UK Solar PV Strategy Part 1: Roadmap to a Brighter Future (Oct 2013)
- DE&CC – “UK Solar PV Strategy: Part 2: Delivering a Brighter Future (April 2014)

6.2 Uttlesford District Local Plan 2005

- ULP Policy S7 - The Countryside
- ULP Policy GEN2 – Design

6.3 Uttlesford District DRAFT Local Plan (Pre-Submission Document, April 2014)

- Policy SP9 - Protection of the Countryside
- Policy C1 - Protection of Landscape Character
- Policy DES1 – Design

7. PARISH COUNCIL COMMENTS

7.1 Comments not received.

8. CONSULTATIONS

Natural England

8.1 Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes.

9. REPRESENTATIONS

9.1 3 representations received. Neighbour notification expired 1 October 2014. Advertisement expired 9 October 2014. Site notice expired 9 October 2014.

- The wooden poles for the CCTV cameras have been erected prior to the outcome of the current application;
- Was the CCTV security system now proposed specifically excluded from the original application for the solar park to avoid a prejudicial outcome for that previous application?;
- The security system would be significantly higher than the highest point on the proposed solar park site and will be visible from much further away;
- There are other ways in which the applicant/operator could secure the site which would not involve 23 No. cameras on tall poles. Other security systems would be more expensive, although the applicant/operator should have considered this;
- Would wish to see a continuous hedge line planted around the site and not “*Simple Perimeter Hedge Planting*” as set out in the applicant’s “Land and Visual Appraisal” document which was included in application UTT/14/0621/FUL for the solar farm in order to reduce the impact of CCTV.

10. APPRAISAL

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

A Design / countryside protection (NPPF, ULP Policies GEN2 and S7).

A Design / Countryside protection (NPPF, ULP Policies GEN2 and S7).

10.1 Planning permission was granted by the Council in 2013 and again on revision in May 2014 for a 18.65ha solar park at this greenfield site location when it was considered that the scheme accorded with relevant government advice on renewable energy and would not by reason of its selected location, site layout and design cause demonstrable harm to the particular rural character and amenities of the area when assessed against the countryside protection aims of ULP Policy S7 of the adopted local plan subject to the imposition of various planning conditions to help mitigate against its visual impact within the local landscape.

- 10.2 It is stated in the current application that it was the intentions of the original applicant to install low height level infra-red site security CCTV cameras on the PV solar array frames and plant apparatus further within the site, although the subsequent taking over of development of the site by Lightsource Renewable Energy Ltd and subsequent approved amendments to the scheme has meant that this original security system has been considered insufficient to cover and protect the full extent of the solar park area, hence the revised CCTV arrangements now proposed. It should be noted that no specific mention was made to the type of security system proposed for the site in the officer report for UTT/13/2207/FUL, although reference was made to the DCLG document "Planning practice guidance for renewable and low carbon energy" (July 2013) where it is stated at paragraphs 26-28 of that document that a number of factors are needed to be considered by LPA's when considering solar farms, including the need for and impact of security measures, such as lighting and fencing.
- 10.3 Given the statement made by the applicant, there would appear to be a well-reasoned case for the revised CCTV site security system as now proposed to ensure that both operational and insurance requirements are met and where a failure to install the revised system could jeopardise the commercial viability of the approved solar scheme in view of the substantial cost associated with the project. It therefore falls to be considered whether (i) the system as already installed at the site by reason of the perimeter positioning, size and cumulative number of the CCTV cameras proposed would be detrimental to rural character when read against the backdrop of the solar farm at this relatively remote rural location (ULP Policy S7) and (ii) the degree to which the CCTV security system by reason of its perimeter positioning would be intrusive to walkers of the two public footpaths (Nos.10 and 11) which trace the north-west and north-east boundaries of the site respectively (ULP Policy GEN2) .
- 10.4 As previously described, the proposal involves 23 No. light grey CCTV cameras installed on 3 metre high timber poles at approximately 70 metre space intervals around the perimeter of the solar park site. The cameras/poles are small in size specification and would stand immediately behind 1.5 metre high continuous site perimeter stock proof fencing as recently approved under the discharge of condition process for revised application UTT/14/0621/FUL for the solar park scheme, whilst continuous native hedgerow planting would be planted outside this fencing along the north-west and south-east boundaries of the site, together with new tree planting to the northern corner of the site to reduce the impact of the solar park on Markswood Farm to the north as also approved by way of discharge of condition for the same application.
- 10.5 The previous applicant's Design & Access Statement accompanying the application for UTT/14/0621/FUL states at paragraph 5.7.5 that:

"Simple field hedging on the edge of the site and to a height of around 2.5m could readily screen the more vulnerable views to the proposal. This would be entirely in keeping with the character of the area and in fact would reinstate old field hedge lines to the enhancement of the local landscape character. It is suggested that field hedging be included along the north-west edge of the site field and the south-east edge. Hedge planting to the north-west edge will provide screening and a further degree of separation from the development for Markswood Farm. Hedge planting to the south-east edge will provide screening of the solar farm from the nearest road likely to give any view of the development. This is a short section of the Dunmow Road just south of Oxen End around 1km to the south-east. During establishment, any specimen tree failures will be replaced and any significant sections of hedge failure will be replanted until a continuous and consistent hedge is achieved. The maturing hedge will be pruned back each year by half the length of that year's growth to encourage a dense structure until the desired height of 2.5m has been achieved. Thereafter, it will be

pruned each year to maintain that height within reasonable tolerances. A fully detailed planting scheme with specification and maintenance plan will be submitted for approval pursuant to an appropriately worded planning condition”.

- 10.6 The approved planting to be carried out to these site boundaries would be a specified native field mix planted as a double staggered row. Whilst it is accepted that this planting would take several years to properly establish, it would nonetheless once established and if allowed to grow to a yearly pruned height of 2.5 metres help to screen most of the height of the perimeter timber CCTV support poles, but not the cameras themselves, for the operational period of the solar farm. Whilst the 23 No. cameras would therefore be visible from outside of the site, their presence (and the timber poles until they are screened by the perimeter hedging) would not be unduly harmful to the visual amenities of the countryside at this rural location when viewed against the constructed solar array installation itself across this 18.65 ha site where they have the appearance of a series of small telegraph poles with small apparatus when viewed from a distance, such as from Bustard Green which lies on lower ground terrain to the south. The proposal would not therefore by reason of the design of the revised site security arrangements be contrary to the countryside protection aims of ULP Policy S7 (ULP Policy GEN2).
- 10.7 As previously stated, the perimeter CCTV cameras would be set at a slight angle pointing into the site along the site boundaries approximately 70 metres apart from each other and would be motion sensor activated when and if any movement occurred on the inside of the site boundaries. The operator has confirmed to the Council that the cameras would not in any circumstances be set at an angle where they would be pointing outside of the site boundaries where they could otherwise interfere with the privacy of walkers of the adjacent public footpaths, adding that this would not be necessary in any event for the normal security operations of the site.
- 10.8 Whilst acknowledging that the CCTV site security system as proposed has been designed to protect the operations of a commercial installation and is not intended to deter or detect crime in the public interest, ULP Policy GEN2 states that development will not be permitted unless amongst other things it helps to reduce the potential for crime. The proposal would therefore comply with this policy in this respect where trespass may possibly be an issue, hence the security requirement, subject to the imposition of a condition requiring the cameras to be inward facing only during operation to avoid any potential privacy issues for walkers using the adjacent public footpaths.

11. CONCLUSION

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

- A The revised CCTV site security system as already installed for this approved and constructed solar park would not have a significantly detrimental impact on rural amenity and would not give rise to privacy issues for walkers of the adjacent public footpaths for the reasons stated where the revised security arrangements have been identified as being an operational and insurance requirement by the applicant. The proposal would therefore comply with ULP Policies GEN2 and S7 of the adopted local plan.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions

1. The CCTV cameras as installed shall be positioned so that they are inward facing only from the site boundaries to serve their intended security purpose whilst operational and shall not under any circumstances be outward facing during operations beyond the site boundaries.

REASON: To protect the privacy of users of the adjacent public footpaths nos.10 and 11, Little Bardfield in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

2. No sources of external lighting shall be erected as part of the perimeter site security system hereby permitted without the prior written agreement of the local planning authority.

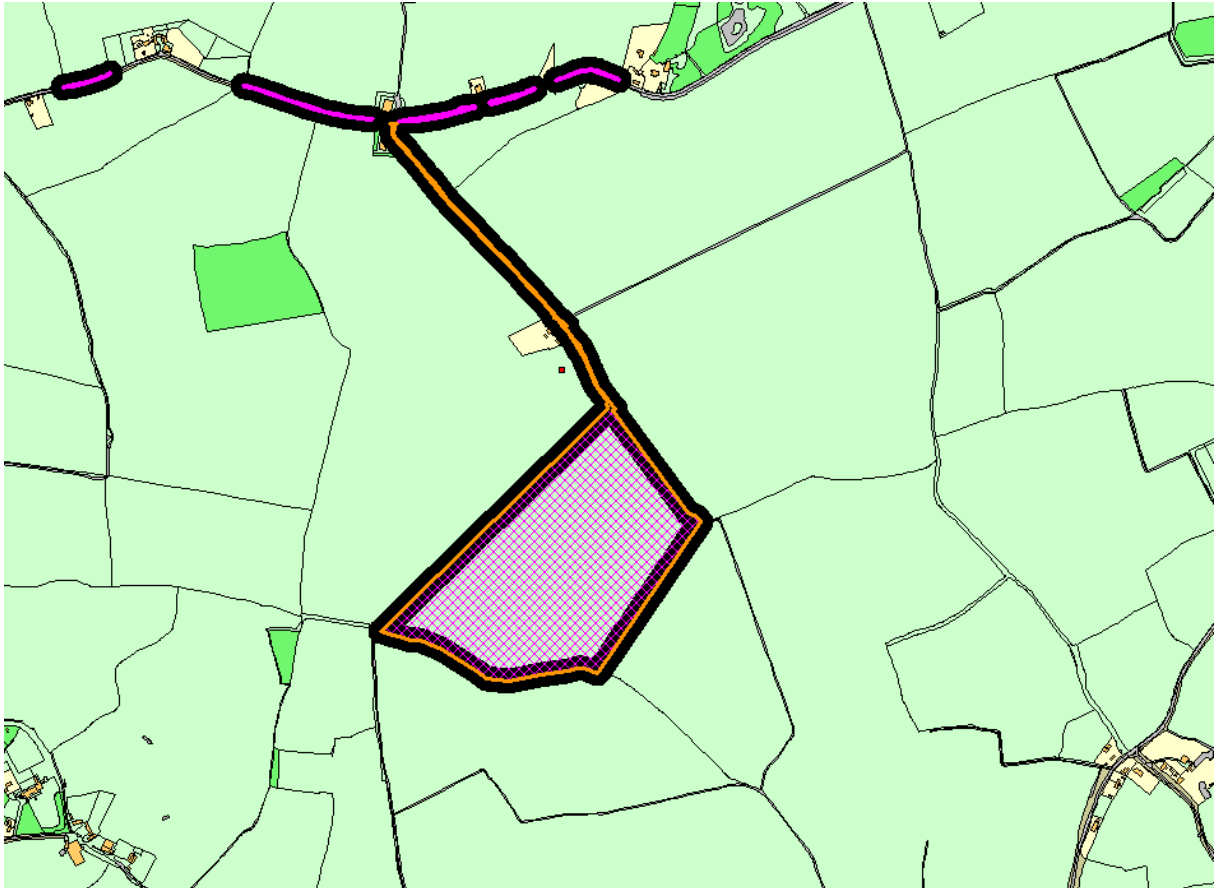
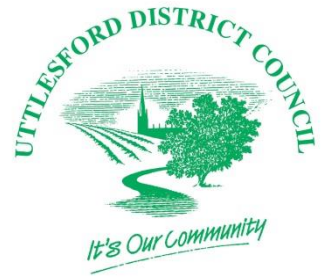
REASON: To avoid light pollution at this rural location and to minimise the environmental impact of the proposal on neighbouring residential properties in accordance with ULP Policies S7, GEN2 and GEN5 of the Uttlesford Local Plan (adopted 2005).

3. The CCTV cameras shall be dismantled and permanently removed from the site upon the cessation of solar farm activities at this site.

REASON: To safeguard the character and appearance of the countryside in accordance with ULP Policy S7 of the Uttlesford Local Plan (adopted 2005).

Application No.: UTT/14/2542/FUL

Address: The Hydes Thaxted



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Organisation: Uttlesford District Council

Department: Planning

Date: 30 October 2014

SLA Number: 100018688

UTT/14/2951/HHF (ASHDON)

(Applicant Employee of UDC)

PROPOSAL: Replacement single storey side extension

LOCATION: 1 Crown Hill Bartlow Road Ashdon CB10 2HA

APPLICANT: Ms Rachel Linton

AGENT: Mr Ernie Spencer

EXPIRY DATE: 24 November 2014

CASE OFFICER: Rosemary Clark

1. NOTATION

Within Development Limits, Grade II Listed Building, Conservation Area

2. DESCRIPTION OF SITE

The application site comprises a two storey end of terrace C17 Cottage. It is lath and plaster on an oak timber frame with a natural slate roof. The property has been previously extended at the rear and the side. It is slightly elevated from the road and sits on the corner of Bartlow Road and Rectory Lane.

3. PROPOSAL

- 3.1 This proposal relates to the proposed replacement of the existing single storey side extension with a larger single storey side extension to provide a larger entrance hall and downstairs cloakroom. The walls will be rendered to match the existing dwelling with natural slates tiles to the roof. The door and window will be timber to match the existing and there will be two conservation roof lights inserted in the roof slope.

4. APPLICANT'S CASE

- 4.1 The Design and Access Statement that was submitted with the application states the proposal enlarges the existing side extension by 1m towards the front and 1.5m towards the side. This will enable a ground floor WC to be installed. The height will be increased by 0.6m

5. RELEVANT SITE HISTORY

N/A

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2 – Design
- H8 – Home Extensions
- ENV2 – Development Affecting a Listed Building
- ENV1 – Development within the Conservation Area
- SPD1 – Home Extensions

7. PARISH COUNCIL COMMENTS

7.1 Parish consulted – expires 31.10.14 – no comments received as at 27.10.14

8. CONSULTATIONS

Conservation Officer

8.1 The Council's Conservation Officer has no objections to the proposed design and is not concerned that the proposal would be detrimental to the Listed Building or Conservation Area, subject to conditions regarding the materials.

9. REPRESENTATIONS

9.1 5 Neighbours consulted – no responses received

10. APPRAISAL

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

A Whether the proposals would be of an appropriate design and scale, respecting the Listed Building and the character and appearance of the Conservation Area (ULP GEN2, H8, ENV1 and ENV2)

B Whether the proposals would have any adverse impact on neighbouring residential amenity (ULP Policy GEN2 and H8)

A Whether the proposals would be of an appropriate design and scale, respecting the existing Listed Building and the character and appearance of the Conservation Area (ULP GEN2, H8, ENV1 and ENV2)

10.1 Policy H8 and GEN2 of the Uttlesford Local plan, as well as the Supplementary Planning Document (SPD) Home extensions, state that any works or extensions will be permitted if their scale, design and external materials respect those of the original building and the surrounding buildings. Policy ENV2 states that development should not be harmful to the character and setting of the Listed Building. ENV1 seeks to allow development that preserves or enhances the character and appearance of the Conservation Area. The proposed extension is a small increase in footprint to the current side extension. The outward appearance will remain the same, with the position of the door and window identical to that in the existing side extension. It is therefore considered that the proposal would be in character with and would not be detrimental to the Listed Building or the Conservation Area and meets the criteria of the relevant Local Plan Policies.

B Whether the proposals would have any adverse impact on neighbouring residential amenity (ULP Policy GEN2 and H8)

10.2 Policies H8 and GEN2 of the Uttlesford Local Plan state that development should not have a materially adverse effect on the reasonable occupations and enjoyment of any

nearby property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

Due to the location of the proposed development there would be no adverse impact on the amenity of any neighbouring properties and using materials to match the existing dwelling would not be harmful to the street scene.

11. CONCLUSION

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

11.1 The proposals 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

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

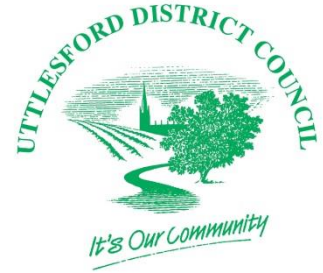
REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be constructed with materials to match the existing dwelling 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 and ENV2 of the Uttlesford Local Plan (Adopted January 2005).

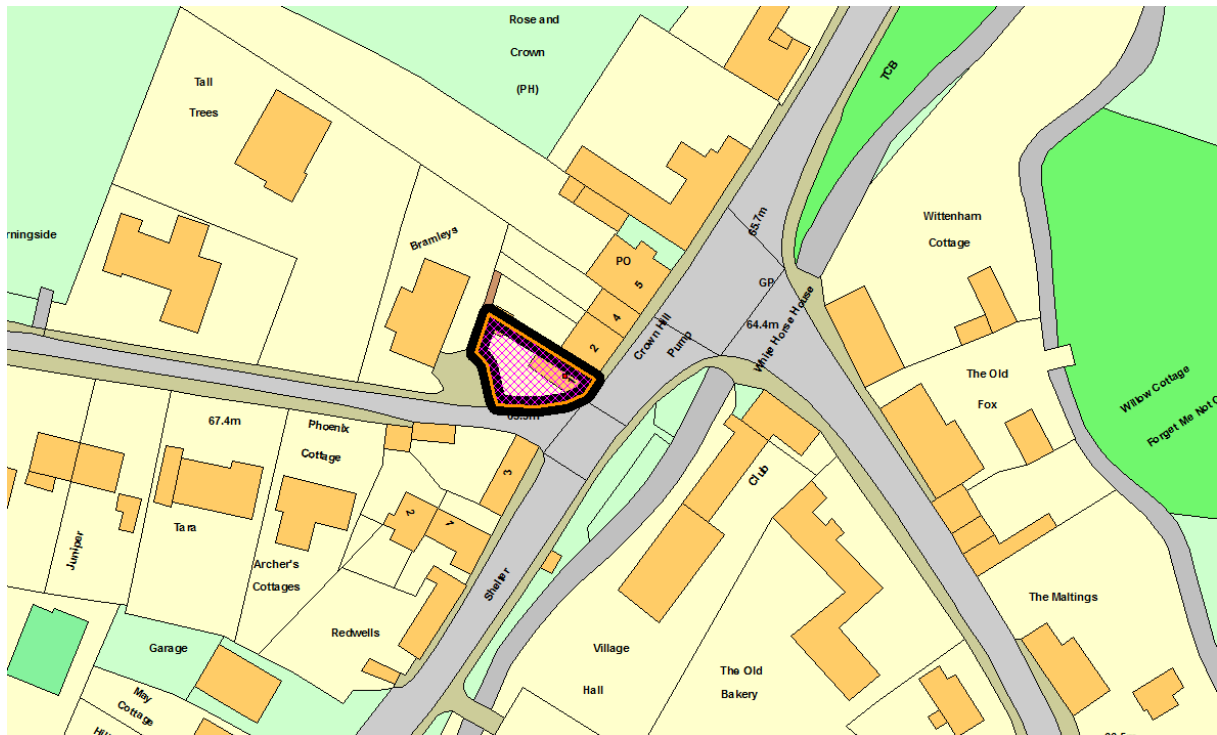
3. All new rooflights shall be of a conservation range and details of all the new rooflights shall be submitted to and approved in writing by the local planning authority before development commences and installed in accordance with those details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2, ENV1 and ENV2 of the Uttlesford Local Plan (Adopted January 2005).



Application No.: UTT/14/2951/HHF

Address: 1 Crown Hill Bartlow Road Ashdon



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Organisation: Uttlesford District Council
Department: Planning
Date: 30 October 2014
SLA Number: 100018688

UTT/14/2952/LB (ASHDON)

Reason: Applicant UDC Employee

PROPOSAL: Proposed replacement single storey side extension

LOCATION: 1 Crown Hill, Ashdon, Essex CB10 2HA

APPLICANT: Ms Rachel Linton

AGENT: Mr E Spencer

EXPIRY DATE: 24 November 2014

CASE OFFICER: Rosemary Clark

1. NOTATION

Within Development Limits, Grade II Listed Building, Conservation Area

2. DESCRIPTION OF SITE

The application site comprises a two storey end of terrace C17 cottage. It is lath and plaster on an oak timber frame with a natural slate roof. The property has been previously extended at the rear and the side. It is located on a slightly elevated site from the highway and sits on the corner of Barlow Road and Rectory Lane.

3. PROPOSAL

The proposal relates to the replacement of the existing single storey side extension with a larger single storey side extension to provide a larger entrance hall and downstairs cloakroom. The walls will be rendered to match the existing dwelling with matching natural slate tiles to the mono-pitch roof. The door and window will be timber to match the existing and there will be two conservation range roof lights inserted in the roof slope.

4. APPLICANT'S CASE

- 4.1 The design and Access Statement that was submitted with the application states the proposals enlarges the existing side extension by 1m towards the front and 1.5m towards the side. This will enable a ground floor WC to be installed. The height will be increased by 0.6m.

5. RELEVANT SITE HISTORY

N/A

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ENV2

7. PARISH COUNCIL COMMENTS

7.1 Parish consulted – expires 31.10.14 – no comments received as at 27.10.14

8. CONSULTATIONS

Conservation Officer

8.1 The Council's Conservation Officer has no objections to the proposed design and has no concerns that the proposal would be detrimental to the Listed Building or Conservation Area, subject to conditions regarding the materials

9. REPRESENTATIONS

9.1 5 Neighbours consulted – no responses received

10. APPRAISAL

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

A Whether the proposals would have a detrimental impact on the historic fabric, character or appearance of the Listed Building (ULP Policy ENV2, NPPF)

A Whether the proposals would have a detrimental impact on the historic fabric, character or appearance of the Listed Building (ULP Policy ENV2, NPPF)

10.1 The NPPF and Uttlesford Local Plan Policy ENV2 seeks to protect the historic character and appearance of Listed Buildings as outlined in Section 16(2) & 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This proposal to extend the existing side extension is a minor alteration and after consultation with the Conservation Officer it is considered that it would not have a detrimental impact to the historic fabric, character or appearance of the Listed Building and therefore complies with the relevant national and Local Plan Policies.

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 – APPROVE LISTED BUILDING CONSENT

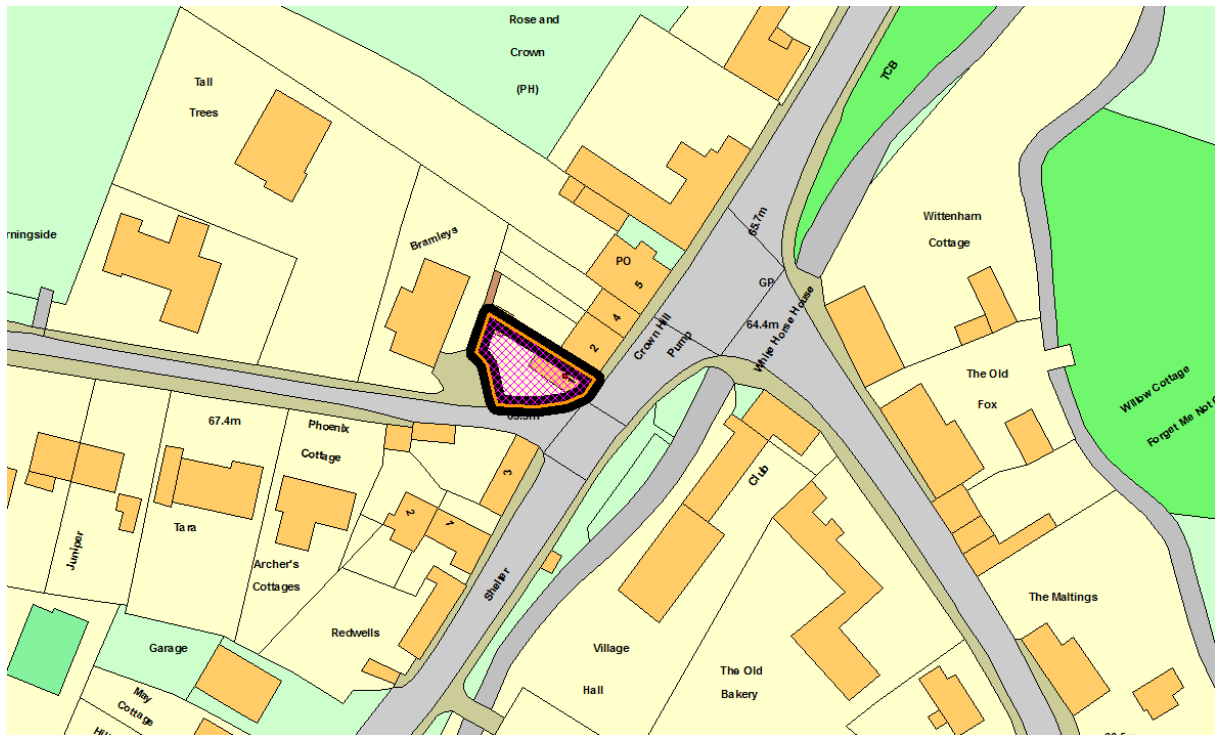
Conditions

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.

Application No.: UTT/14/2952/LB

Address: 1 Crown Hill Bartlow Road Ashdon



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Organisation: Uttlesford District Council
Department: Planning
Date: 30 October 2014
SLA Number: 100018688

UTT/14/3121/NMA – SAFFRON WALDEN

(Applicant Employee of UDC)

PROPOSAL: Non Material Amendment to UTT/14/1111/HHF – All elevations changed to render, existing window to study (south elevation) blocked up, lean to roof front and side elevations reduced in height and separated from main roof on north side

LOCATION: 31-33 Thaxted Road Saffron Walden Essex

APPLICANT: Ms Swain and Mr Harvey

AGENT: Mr A Weaver

EXPIRY DATE: 17 November 2014

CASE OFFICER: Samantha Heath

1. NOTATION

1.1 Within Development Limits.

2. DESCRIPTION OF SITE

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

3. PROPOSAL

3.1.1 This application relates to a Non Material Amendment to application UTT/14/1111/HHF in respect of the approval to demolish the conservatory and to convert the loft to form first floor accommodation, the applicant wishes to change all elevations to render (previously a mix of brick and render), existing window to study (south elevation) blocked up, lean to roof front and side elevations reduced in height and separated from main roof on north side.

4. APPLICANT'S CASE

4.1 To improve appearance of the building.

5. RELEVANT SITE HISTORY

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

Road (UTT/13/0062/FUL). Application refused September 2013 for two detached dwellings (including replacement) due to harm to residential amenity and impact on trees (UTT/13/2043/FUL).

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

UTT/14/2461/NMA - Non Material Amendment to UTT/14/1111/HHF - Widening of 1no. ground floor and 1 no. 1st floor window. – Approved 25.09.14.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2

7. PARISH COUNCIL COMMENTS

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

8. CONSULTATIONS

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

9. REPRESENTATIONS

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

10. APPRAISAL

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

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

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

The proposed alterations are considered to be acceptable, render was already proposed as a material and there are other residential dwellings in the near vicinity that utilise render. The proposal to block up an existing ground floor window on the south elevation causes no amenity issues. The lowering in height of the lean-to roof on the front and side elevations again is considered to be acceptable and will not have a detrimental impact to the appearance of the dwelling. The proposed alterations would not have an adverse impact on the locality's surroundings or the visual amenity of neighbouring residential occupiers.

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

11. CONCLUSION

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

A The proposed amendments consisting of the following:-

- All elevations changed to render
- Existing window to study (south elevation) blocked up
- Lean to roof front and side elevations reduced in height and separated from main roof on north side

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

RECOMMENDATION – APPROVE MINOR AMENDMENTS

Application No.: UTT/14/3121/NMA

Address: 31 -33 Thaxted Road Saffron Walden



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Organisation: Uttlesford District Council
Department: Planning
Date: 30 October 2014
SLA Number: 100018688

UTT/14/3181/NMA – SAFFRON WALDEN

(Applicant UDC Cllr)

PROPOSAL: Non Material Amendment to UTT/1633/12/FUL - Additional window to ground floor front elevation, removal of internal wall in kitchen and installation of RSJ to support. Installation (Temporarily prior to rear extension) of a velux window to current, rear extension, kitchen roof

LOCATION: 53 Landscape View Saffron Walden Essex

APPLICANT: Mr Ketteridge

EXPIRY DATE: 18 November 2014

CASE OFFICER: Samantha Heath

1. NOTATION

1.1 Within Development Limits.

2. DESCRIPTION OF SITE

2.1 The application site comprises a two storey semi-detached dwelling with enclosed front porch located amongst similar dwellings, on the eastern side of Landscape View. There are semi-detached dwellings to the north and south and the land is level with neighbouring properties. There is a rear single storey extension that covers the width of the rear elevation and tall hedging to both side boundaries. Also in the rear garden is a walnut tree that has been made the subject of a TPO. There is off road parking to the frontage of the dwelling for 2 cars.

3. PROPOSAL

3.1.1 This application relates to a Non Material Amendment to application UTT/1633/12/FUL in respect of the approval to demolish the rear extension and erect single storey and two storey front and rear extensions. The applicant wishes to install an additional window to the front elevation, remove an internal wall and install a RSJ and install a velux window in the existing kitchen roof.

4. APPLICANT'S CASE

4.1 To allow better use of the ground floor living space.

5. RELEVANT SITE HISTORY

5.1 UTT/0175/95 FUL Erection of front porch and single storey rear extension. Approved 31.03.95.

5.2 UTT/1633/12/FUL Demolition of rear extension. Erection of single storey and two storey front and rear extensions. Approved 19.10.12.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2

7. PARISH COUNCIL COMMENTS

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

8. CONSULTATIONS

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

9. REPRESENTATIONS

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

10. APPRAISAL

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

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

The principle of this development has been established in the approval of application UTT/1633/12/FUL. This application relates to alterations to that application as approved.

The proposed additional window to the front elevation is considered to be acceptable, a single three paned window was originally approved on this elevation and the applicant wishes to replace this with one single paned window and one double paned window. This causes no amenity issues and is in keeping with the existing dwelling and neighbouring residential dwellings. It will not be detrimental to the appearance of the dwelling and will not have an adverse impact on the locality's surroundings or the visual amenity of neighbouring residential occupiers.

The proposal to remove an internal wall and install a RSJ is not a minor amendment to the approved application but is a Building Control matter.

The proposal to install a velux window in the existing kitchen roof is not a minor amendment to the approved application; this is acceptable under the applicants' permitted development rights and does not require planning consent.

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

11. CONCLUSION

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

A The proposed amendment consisting of the following:-

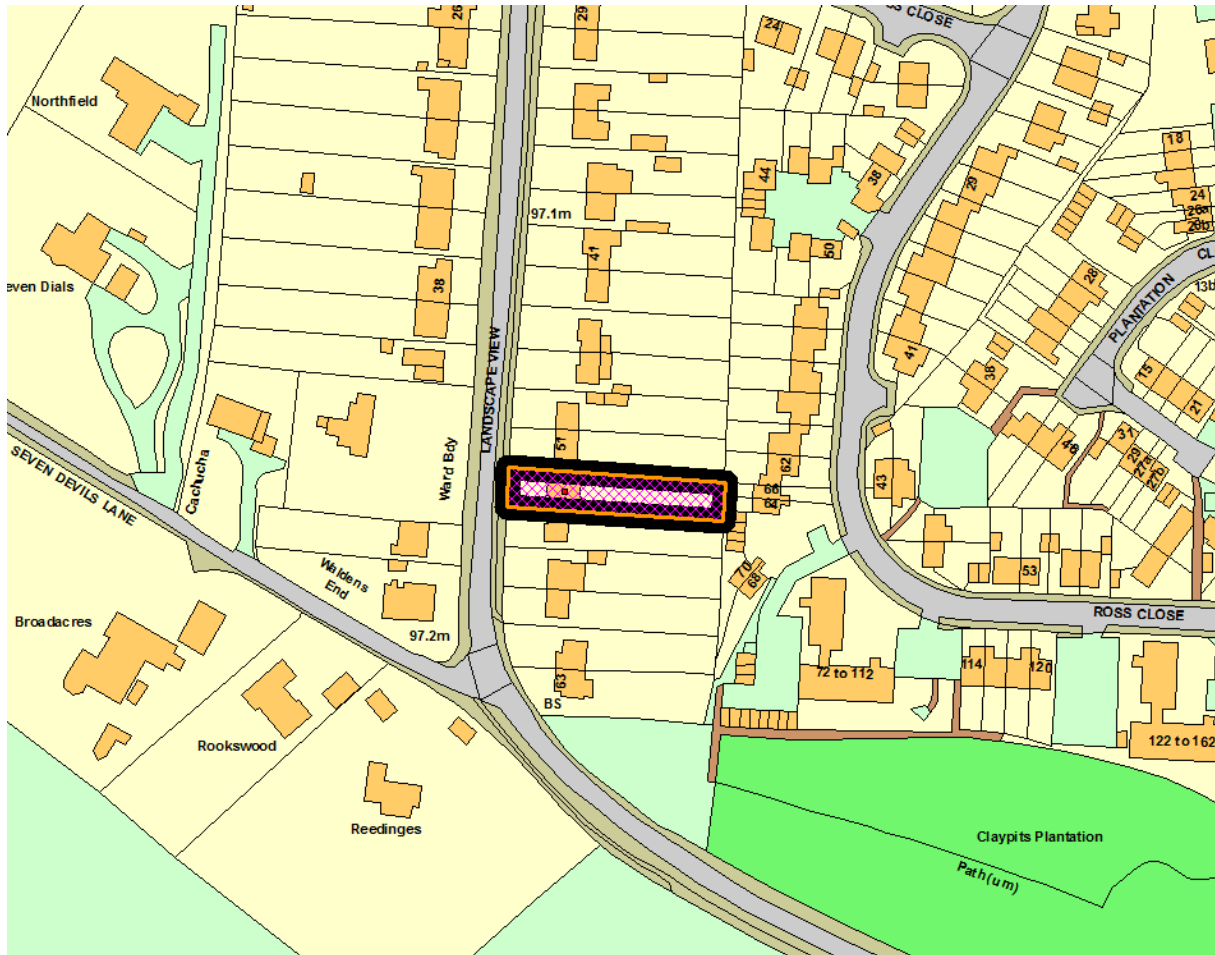
- Install an additional window to the front elevation

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

RECOMMENDATION – APPROVE MINOR AMENDMENTS

Application No.: UTT/14/3181/NMA

Address: 53 Landscape View Saffron Walden



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Organisation: Utlesford District Council
Department: Planning
Date: 30 October 2014
SLA Number: 100018688

Committee: Planning

Agenda Item

Date: 12 November 2014

5

Title: UTT/14/3000/TCA South Street, Saffron Walden

Author: ECC Place Services

Item for decision

Summary

This item seeks the Committee's consideration of a request to reduce in overall size and height 1 no. Rhus tree located at 1 Alpha Place, South Street, Saffron Walden.

The tree is located within Saffron Walden Conservation Area. The applicant is a UDC employee.

Recommendations

No objection to works.

Financial Implications

None

Background Papers

UTT/14/3000/TCA application file.

Impact

1.

Communication/Consultation	Decision published on weekly list.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

Following a site inspection the Rhus was visible from the street. The reduction in overall size and height is requested in order to clear telegraph lines and a public walkway. The works subject to this notification are acceptable and will not be detrimental to the individual tree or the appearance of the Conservation Area.

Risk Analysis

2.

Risk	Likelihood	Impact	Mitigating actions
2. If the pruning work is not undertaken there is a risk that weakly attached growth at the old pruning points will break out. If the work is undertaken there are no associated risks.	2. The likelihood is medium if the pruning is not undertaken within 12-24 months.	3. The location of the tree is such that there is a risk of damage or injury.	Carry out pruning of the tree.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Title: Appeal Decisions

Item 6

Author: Nigel Brown –

SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Land South Of Homestead Bungalow Ashdon Road Radwinter	UTT/13/3451/FUL	Erection of live-work dwelling with link to existing outbuilding to be used as workshop and office with new vehicular access	23/10/2014 Dismissed	The Inspector concluded that the “proposal would cause harm to the character and appearance of the area, albeit that such harm would be limited to the countryside setting within the immediate locality of the site. Furthermore, the proposal would not represent a sustainable form of development by virtue of the social and environmental harm that would stem from the remote location of the proposed dwelling”.	N/A
Land Adj Three Horse Shoes Bannister Green Felsted	UTT/13/3431/FUL	Erection of 1 no. New Dwelling and garage.	13/10/2014 Dismissed	The Inspector considered that although the scale of the development had been reduced from the previously dismissed scheme, “the principle remains the same; that the site is in a location where policies of restraint indicate that the housing development should not take place” This is mainly due to the lack of the sustainability of the location due to the lack of facilities within the hamlet of Bannister Green. The Inspector also added that the site currently provides a soft edge to the settlement, and that the proposed development would not protect the transitional character of this part of the countryside.	N/A

Easterlee Barn Brookend Road Stebbing	UTT/14/1010/FUL	Conversion of redundant cart lodge to provide single storey dwelling with studio/office and proposed garage.	22/10/2014 Allowed	<p>The Inspector accepted that the building was a heritage asset of a sound structural nature, and that alternative business uses had been appropriately considered and investigated. As such “the conversion would accord with the aims of local and national policies on the re-use of such buildings and there would be an enhancement of the immediate setting and the presentation of the building in the public view”. He considered that Policy H6 allowed for the conversion of heritage assets for dwellings and this was in accordance with sustainable development regardless of its remote location. The Inspector was also satisfied that the conversion would sit well in the group of other conversions and residential buildings.</p> <p>The application for costs by the appellant was rejected.</p>	N/A
Land R/O Waltham Hall Industrial Estate Takeley	ENF/102/11/B	Appeal Against Enforcement Notice	29/09/2014 Part allowed/part quashed	<p>The Inspector used her authority to amend the wording of the breach of the notice so it is for the parking of motor vehicles and not the storage of motor vehicles. As a result of the amendments the appellants withdrew the ground B appeal (the breach did not occur).</p> <p>With regards to the ground A appeal (permission should be granted) the main issue is the impact on the character and appearance of the countryside. The Inspector stated that there is “limited visual impact on the rural character and appearance of the area” as the area used for parking is screened and not visible from outside of the site. The Inspector goes on further to say “Whilst I accept that the lack of visibility from public viewpoints is not a justification for the grant of planning permission ... I do not consider that, given the extent of the other activities on the appeal site and the relatively small enclosed area that comprises the land hatched blue that any significant harm arises from the parking use”. She also considered that the benefits of</p>	N/A

				<p>the development outweigh the failure to comply with Policy S8.</p> <p>The Inspector was satisfied that the proposed conditions which required additional landscaping were reasonable and will “protect and enhance the visual character of the area”.</p> <p>The ground E appeal (the notice was not served properly) failed as the appellants, whilst not being served directly, were not prejudiced.</p>	
Land West Of Weaverhead Lane Thaxted	UTT/14/1147/FUL	Demolition of 2 no. garages and erection of 1 no. detached dwelling	13/10/2014 Dismissed	<p>The Inspector stated that proposed development would appear cramped on its plot and contrived in shape. As such it was considered “the design has not reached the standard sought in the Framework and would appear out of place and unattractive, contrary to the aims of Policies S3 and ENV1, such that the test in the 1990 Act of the preservation of the conservation area is not met”.</p> <p>The proposed amenity space provided for this scheme was 38 sq. m, for a one bedroom unit, although still unclear on the whether the size was deficient, the Inspector was not satisfied that due to the dispersed nature of the space, he was convinced that the space provided a readily useable space with sufficient privacy.</p> <p>The Inspector was not concerned specifically on the issue around the size of the proposed parking bay.</p>	N/A
Rear Of 14 Cambridge Road Stansted	UTT/13/1126/FUL	Mixed use development comprising 14 No. dwellings, ground floor retail unit with independent first	21/10/14 Dismissed	<p>The Inspector considered that the proposed garden land/amenity space for five of plots would “be well below the level that could reasonably be expected, even accounting for the urbanised context of the site. The size and internal layout of the dwellings suggests that they are designed to cater for a range of potential occupants, including families, and the urban location of the site does</p>	Officer – Conditional Approval overturned by Committee

		floor office and 2.5 storey commercial building including associated garages, car parking and landscaping		<p>not provide justification for a layout that would provide an unsatisfactory residential environment”</p> <p>He raised with respect of the lack of visitors’ car parking on the site or parking for the proposed commercial units. This coupled with the restricted parking on Cambridge Road, added to the problem. He did not consider that visitors would use the adjacent public car park, instead visitors would likely park on street adding clutter to the street scene.</p> <p>Although three of the units did not comply with Lifetime Homes standards, he was satisfied that the proposal would meet the overarching requirements of Policy GEN2 of the Local Plan.</p>	
Land At Clatterbury House High Street Clavering	UTT/13/2987/FUL	Proposed new dwelling	13/10/14 Allowed	<p>The Inspector considered that the site sits in a continuous built up frontage and that the proposed dwelling would relate well with adjoining properties. He did not consider that the gap in the frontage was too large to be considered an infill plot. He did not consider that the proposed dwelling would be out of place having regard to the variety of architectural styles nearby.</p> <p>He considered that the site is suitably related well to existing services within the village and there would not be an over-reliance on the private car to use some of the services.</p> <p>The Inspector did not consider that the removal of the existing earth bank would have a detrimental effect upon the Conservation Area. Additionally, he did not feel that there would be no harm to the setting of the listed Clatterbury House.</p>	N/A

Land East Of Peggys Walk Littlebury	UTT/14/0347/FUL	Proposed new dwelling	02/10/14 Dismissed	The Inspector concluded that “the site does not represent an underutilised site and would result in a cramped form of backland development that would not reflect the character of the area. The proposal is therefore contrary to LP Policies GEN2 and H4 which seek, amongst other things, to ensure development is of a high quality, is compatible with the form and layout of the area and does not harm the living conditions of the occupants of nearby properties”.	N/A
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Committee: Planning
Date: 12 November 2014
Agenda Item No: 7
Title: PLANNING AGREEMENTS
Author: Christine Oliva (01799 510417)

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

No.	Planning Current Ref.	Approved by Committee	Applicant	Property	Position
1.	UTT/13/1684/OP	23/10/2013	Crest Nicholson (Eastern) and Great Dunmow Estates Ltd	Land at Smiths Farm, Chelmsford Road, Dunmow	Negotiations continuing
2.	UTT/13/3084/FUL	16/01/2014	Ms Vanessa Day	Land Chickney Road, Henham,	Draft sent to applicant 3.4.2014
3.	UTT/13/2839/FUL	16/01/2014	M and Mrs M Jones	Silverdale, The Street, Takeley	106 prepared and sent to applicant for comments
4.	UTT/13/2107/OP	12/02/2014	Barratt Homes, Mr CJ Trembath, Buildings Farm Partnership	Land West of Woodside Way, Dunmow	Negotiations continuing
5.	UTT/13/2340/OP	12/03/2014	Dunmow Skips Ltd	Dunmow Skips Site, station Road, Felsted	Agreement sealed
6.	UTT/14/0174/FUL	09/04/2014	New World Timber Frame Ltd	New World Timber Frame/Gravel dene Nurseries, London Road, Great Chesterford	Engrossment s sent 20.10.2014
7.	UTT/14/0480/FUL	09/04/2014	Mr James Collins	Elsenham Sawmill, Fullers End, Tye Green Road, Elsenham	Application refused
8.	UTT/13/3467/OP	30/04/2014	Manor Oak Homes	Land South of Radwinter	Negotiations continuing

				Road, Saffron Walden	
9.	UTT/13/2423/OP	30/04/2014	Ridgeon Properties Ltd	Ashdon Road, Commercial Centre, Saffron Walden	Negotiations continuing
10.	UTT/14/0481/FUL	07/05/2014	Mr O Hookway	Land adjacent to Warwick Road, Little Canfield	Agreement sealed
11.	UTT/14/0005/OP	26/06/2014	Enodis Ltd and Enodis Property Development Ltd	Land off Tanton Road, Flitch Green	Agreement sealed
12.	UTT/14/0138/FUL	23/07/2014	Pomery Planning Consultants Ltd	Land South of Dunmow Road, Great Hallingbury	Agreement sealed
13.	UTT/14/0122/FUL	20/08/2014	Banner Homes and the Bush Family	Ersamine, dunmow Road, Takeley	Agreement sealed
14.	UTT/14/01779/FUL	20/08/2014	Crest Nicholson Eastern	Windmill Works Aythorpe Roding	Negotiations continuing
15.	UTT/14/1688/FUL	20/08/2014	Hastoe Housing Association	Mill Road, Wimbish	Negotiations continuing
16.	UTT/14/1069/OP	17/09/2014	Mr David Rich-Jones	Land North of Stebbing Primary School	Negotiations continuing
17.	UTT/14/1819/FUL	17/09/2014	Bushmead Homes Ltd	Stansted Motel and 2 Hamilton Road, Little Canfield	Emgrossment s sent 21.10.2014
18.	UTT/14/0425/OP	15/10/2014	Mr Hamilton	Land North of Bartholomew Close, Great Chesterford	Agreement sealed
19.	UTT/14/2003/FUL	15/10/2014	Ford Wells Development Ltd.	Moore's Garage, Thaxted Road, Saffron Walden	Letter asking for undertaking as to costs sent 4.11.2014

Background Papers:

Planning Applications
Files relating to each application

FOR INFORMATION