



Uttlesford District Council

Chief Executive: Dawn French

Planning

Date: Wednesday, 02 August 2017
Time: 14:00
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors R Chambers, J Davey, P Fairhurst, R Freeman, E Hicks, M Lemon, J Lodge, J Loughlin, A Mills (Chairman), L Wells.

Substitutes: A Gerard, G LeCount, V Ranger, H Ryles, G Sell.

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest**
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the meeting held on 5 July 2017** 5 - 8
To consider the minutes of the previous meeting.
- 3 UTT-17-1387- FUL, Land To The South East Of Round Coppice Road, Stansted** 9 - 36
To consider application UTT-17-1387- FUL.
- 4 UTT-17-0259-OP, Land between Brocks Mead and The Endway, Great Easton** 37 - 52
To consider application UTT-17-0259-OP.

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| 5 | UTT-17-1163-FUL, Land South of Freshwell Gardens, Saffron Walden
To consider application UTT-17-1163-FUL. | 53 - 64 |
| 6 | UTT-17-1037-FUL, Foxglove Farm, Dunmow Road, Hatfield Heath
To consider application UTT-17-1037-FUL. | 65 - 82 |
| 7 | UTT-17-1311-FUL, Trutons, Ongar Road, Dunmow
To consider application UTT-17-1311-FUL. | 83 - 98 |
| 8 | UTT-17-0486-HHF, 22 Oakroyd Avenue, Dunmow
To consider application UTT-17-0486-HHF. | 99 - 104 |
| 9 | Chief Officer's Report, Appeals Chart
To receive the Chief Officer's report. | 105 - 110 |

MEETINGS AND THE PUBLIC

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

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**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2pm on 5 JULY 2017**

Present: Councillor A Mills (Chairman)
Councillors R Chambers, J Davey, P Fairhurst, R Freeman, A Gerard, E Hicks, M Lemon, J Loughlin and V Ranger.

Officers in attendance: N Brown (Development Manager), K Denmark (Development Management Team Leader), B Ferguson (Democratic Services Officer), M Jones (Planning Officer), L Mills (Planning Officer), L Murtas (Planning Officer), M Shoosmith (Development Management Team Leader), E Smith (Legal Officer) and C Theobald (Planning Officer).

PC07 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Lodge and Wells. Councillor Gerard was acting as a substitute for Councillor Lodge; Councillor Ranger was acting as a substitute for Councillor Wells.

Councillors Freeman and Fairhurst declared a non-pecuniary interest as members of Saffron Walden Town Council, and Councillor Gerard declared a non-pecuniary interest as a District Councillor for Newport. Councillor Ranger declared a non-pecuniary interest as he was friends of the neighbours to the applicant in Item 11.

PC08 MINUTES

The minutes of the meeting held on 14 June 2017 were approved and signed by the Chairman as a correct record.

PC09 UTT/17/0335/DFO, ELSENHAM NURSERIES, ELSENHAM

The application was for the approval of the details of layout, scale, landscaping and appearance reserved under condition 1 of outline planning permission reference UTT/14/2991/OP for the construction of 40 dwellings.

RESOLVED that the application be approved subject to the conditions in the report and the Supplementary List of Representations.

Dr Graham Mott spoke against the application on behalf of Elsenham Parish Council.

Sean Harris spoke in support of the application.

PC10 UTT/17/0712/DFO, LAND AT THORPE LEA

The application was for the approval of reserved matters, following a grant of outline planning permission in June 2016 for a residential development of up to 31 dwellings (UTT/15/2310/OP). The outline planning permission included the approval of 'access', whilst the approval of all other reserved matters was the subject of the current application.

RESOLVED that the application be approved subject to the conditions in the report.

*Cllr Julie Redfern spoke against the application.
Peter Stocking spoke in support of the application.*

PC11 **UTT/16/2024/FUL, LAND SOUTH OF BURY GROVE, WHITEDITCH LANE
NEWPORT**

The application sought consent for the construction of 20 dwellings and a private access road on the site. The proposed houses were mainly clustered in attached pairs, with detached dwellings towards the street-front and rear corners of the site. The site had the benefit of outline planning permission for 15 dwellings, granted on appeal in June 2015 against UTT/14/1794/OP. Reserved matters for the 15 units were approved in December 2016 under UTT/16/0786/DFO.

RESOLVED that the application be approved subject to the conditions in the report.

Bill Bampton spoke in support of the application.

PC12 **UTT/17/0462/FUL, SITE ADJACENT TANDANS, CANFIELD DRIVE, GREAT
CANFIELD ROAD, TAKELY**

The full application related to the construction of 4 day rooms in connection with the authorised travellers accommodation at the site, comprising one day room for each respective traveller pitch. Each day room would comprise an identical kitchen/dining/sitting area, bathroom, utility and storage facility having a rectangular plan form.

RESOLVED that the application be approved subject to the conditions in the report.

Cllr Keith Artus, James Kellerman and Julie Barlow on behalf of Great Canfield Parish Council spoke against the application.

PC13 **UTT/17/0924/FUL, CASTLE MALTINGS, LOWER STREET, STANSTED**

The application sought to vary condition 15 of the application UTT/1522/12/FUL and condition 12 of UTT/16/1242/FUL. The variation was to allow the pre-

commencement condition to be altered to a post-completion condition, as the condition had not been complied with to date, and therefore was in breach. As a result, application UTT/17/0924/FUL had been submitted to remedy the situation.

Members were concerned with the prospect of the surrounding ground water environment being contaminated by remnants of a recently removed oil tank. Councillor Ranger said that the site should be monitored quarterly for the first year, and then for the Environment Agency to evaluate the situation before proposing further monitoring conditions in the years that followed. Councillor Chambers formally proposed this condition, which was duly seconded by Councillor Fairhurst.

RESOLVED that the application be approved subject to revisions to Clause (vi) of the recommended Section 106 Obligation.

vi.) Quarterly monitoring in the first year for contamination of the site and the adjacent Stansted Brook, with any required remediation. At the end of the first year, the Environment Agency to review the monitoring process and to recommend conditions for further monitoring.

PC14 **UTT/17/1311/FUL, TRUTONS AT TRUTONS FARM**

The application was for the conversion of an existing tractor store into a single storey two bedroom dwelling with amenity space.

Members discussed how the application did not conform with the NPPF guidelines which informed their decisions. Councillor Loughlin said she could see no problem with the application and, to do the applicant justice, suggested a site visit be arranged. Councillor Ranger formally proposed for the application to be deferred and to arrange a site visit, which was duly seconded by Councillor Fairhurst.

RESOLVED to defer the application in order for members to visit and assess the site to evaluate the impact of the building's conversion.

Martin Ranner spoke in support of the application.

PC15 **UTT/17/1124/FUL, HAYDENS END, GREEN STREET, GREAT CANFIELD**

The application sought retrospective planning permission for the works carried out in breach of application UTT/14/0141/FUL.

RESOLVED deferred to further consider the application in the context of the effective Enforcement Notice on the property

Cllr Keith Artus and Julie Barlow on behalf of Great Canfield Parish Council spoke against the application.

PC16 UTT/17/1191/HHF, HAYDENS END, GREEN STREET, GREAT CANFIELD

Retrospective planning permission was sought for the alterations and to confirm the finished floor levels of the existing residential annex which was granted planning permission under planning reference UTT/15/3687/FUL.

Members expressed concern that the applicant had shown disregard for the conditions outlined in the initial application, and had deviated in a number of ways from the design and layout initially proposed.

RESOLVED that the application be refused for the following reason:

1) The development would result in a form of development of poor design, causing harm to the setting of the Grade II Listed Building contrary to Policy GEN2 & ENV2 of the Adopted Uttlesford Local Plan 2005.

Julie Barlow on behalf of Great Canfield Parish Council spoke against the application.

PC17 UTT/17/0486/HHF, 22 OAKROYD AVENUE, GREAT DUNMOW

The application related to the demolition of an existing single storey rear extension, which was a bathroom and an outbuilding, and the erection of a two storey side and rear extension.

Members discussed the issue of overshadowing and if the construction of a two-storey extension would be detrimental to those living in the adjacent property. Concerns were also raised with regards to the impact on the parking situation on Oakroyd Avenue.

RESOLVED to defer the application in order for members to visit and assess the site to evaluate the impact of a two-storey extension.

The meeting ended at 5.25pm.

UTT/17/1387/FUL (STANSTED)

(MAJOR)

PROPOSAL: Construction of a two storey Professional and Technical Skills Centre (2,281 sqm GEA) to provide up to 10 classrooms, workshop, skills kitchen and ancillary facilities. Construction of a single storey storage building (150 sqm GEA). The provision of an external training area, entrance plaza, 38 car parking spaces, cycle shelter and associated landscaping.

LOCATION: Land To The South East Of Round Coppice Road Stansted

APPLICANT: London Stansted Airport

EXPIRY DATE: 8 August 2017

CASE OFFICER: Maria Shoesmith

1. NOTATION

1.1 Within Development Limits of the Airport, contamination, Safeguarding Area (bird strike, transmitter, building heights restricted), Noise Sensitive Area, 2km of SSSI, 100m/250m Local Wildlife Site

2. DESCRIPTION OF SITE

2.1 The application site is located within the airport boundary, southwest of the main airport operations. The site is an irregular shaped parcel of land located adjacent to and between Round Coppice Road, the Long Stay car park, Coppice roundabout and Inflight. It covers an area of 0.8 hectares.

2.2 The site is predominately screened by landscaping from the main road, northwest direction. Southwest of the site is a large landscape bunding and wooded area. The airfield has a 3m wide clearance strip located to the eastern boundary of the site with a mesh security fence.

2.3 The ground levels are relatively flat with a gradual rise from south to northwest.

3. PROPOSAL

3.1 The application is for the erection of a two-storey technical skills college covering an area of 2,281sqm. The proposed building would provide up to 10 classrooms, workshop to be used for fabrication, electrical and mechanical engineering, and aircraft maintenance, there would also be a skills kitchen and ancillary facilities (smoking shelter, electricity and gas substations, waste storage, and plant enclosure). A single storey storage building is proposed covering an area of 150sqm. An external training area (525sqm) is proposed as part of the scheme, together with an entrance plaza, 38 car parking spaces, cycle shelter and associated landscaping.

3.2 The proposed facility is proposed to be a technical skills college which is being provided in association with Harlow Collage and Stansted Airport as a major

employer in the area.

- 3.3 The development is stated to provide 30 equivalent full time jobs.
- 3.4 Access is proposed to be taken off the existing mini roundabout to cater for the proposed scheme. As a result of these proposed works a section of existing vegetation would be removed and new landscape embankments would be created.
- 3.5 The proposed main building would be 60.6m in length, 23m wide and 10.7m in height. This would be constructed from a brick plinth, vertical flat panels and louvers, and metal fins. Glazed windows are proposed together with rooflights. External lighting on the building has been indicated on the submitted plans.
- 3.6 The storage hanger would be 12m x 12.5m and 6.7m in height consisting of a double pitched roof. This would be constructed from Trapezoidal steel profile and an industrial grade PVC roof.
- 3.7 Details of the other ancillary buildings proposed in terms of sub-stations, plant, shelters and bin stores have been provided together with details of materials.
- 3.8 A 2.3m high perimeter enclosure has been indicated round the external training area.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

5. APPLICANT'S CASE

- 5.1 The below information has been submitted in support of this application;
 - Planning Statement (LSA, dated May 2017);
 - Design and Access Statement (Revision 0, dated 4th May 2017);
 - Essex SUDs Checklist;
 - Drainage Statement (AECOM, dated 3rd May 2017);
 - Flood Risk Statement (AECOM, dated 2nd May 2017);
 - Essex Biodiversity Questionnaire;
 - Biodiversity Statement and Mitigation Plan (The Ecology Consultancy, dated 10th April 2017);
 - Habitat Management Plan V2 (The Ecology Consultancy, dated 13th April 2017);
 - Arboricultural Survey and Impact Assessment V3 (The Ecology Consultancy, dated 4th May 2017);
 - CEMP Biodiversity (The Ecology Consultancy, dated 7th April 2017);
 - Preliminary Ecological Appraisal (Morgan and Stuckey, dated August 2016);
 - Transport Statement (Steer Davis Gleave, dated May 2017);

- Noise Survey (Cole Jarman, dated 23rd March 2017);
- Stage 1 Acoustics (Cole Jarman, dated 23rd March 2017);
- Archaeological Desk Based Assessment (ARS Ltd, dated March 2017);
- Archaeological Written Scheme of Investigation (ARS Ltd, dated March 2017);
- Phase 1 Geotechnical and Geo Environmental Desk Study Report (Willmott Dixon Construction Ltd, dated 9th March 2017);
- Factual Report on Ground Investigation (ESG, dated May 2017);
- Project Environmental Plan (Willmott Dixon Construction Ltd, dated 6th April 2017);
- Construction Method Statement Rev S8 (Willmott Dixon Construction Ltd, dated 2nd May 2017);
- Bird Hazard Management Plan (Birdstrike Management Ltd, dated 26th April 2017);
- Energy and Water Conservation (Couchperrywilkes);
- Waste and Recycling Statement (dated April 2017);
- External Lighting Report Rev P01(Couchperrywilkes, dated 2nd May 2017);

5.2 *“Stansted Airport and Harlow Collage are working together to develop and deliver the new dedicated post 16 Vocational Centre of Excellence to provide education and training opportunities, where a recognised geographical gap exists in local provision.*

5.3 *Stansted Airport is a key national asset and a primary airport for the East of England serving as the gateway for the region and also London. The airport is a major regional employer in EoE employing over 10,000 people across 190 on-airport companies. The airport provides a wide range of employment opportunities and supports economic activity through the wider supply chain, both within the region and further afield throughout the UK ”*

5.4 The airport is also a major transport hub which provides access to bus, rail and coach services across an extensive network.

5.5 Within the Planning Statement it is stated that the published a Sustainable Development Plan seeks to make the airport more efficient and the *“best airport in London”*.

5.6 The Community Strategy within the Plan identified a number of issues such as ;

- An aging workforce and shortage of skilled workers across the region;
- Insufficient linkages between education and employment;
- High youth unemployment in some surrounding communities; and
- A perception amongst some stakeholders that the airport is an unattractive place

5.7 These are the airports key priorities to be addressed, particularly attracting new employees.

5.8 South East Local Enterprise Partnership (SELEP) has three key priorities;

- Improve the talent pool in support of priority sectors, particularly higher level skills;
- Increase participation of young people in work, education and training, with focus on supporting priority sectors and skills gaps; and
- Improve basic skill levels and employability of residents to boost productive and

employment;

- 5.9 The above is stated to be recognised by the ECC Economic Plan.
- 5.10 It is highlighted within the supporting information that the Professional and Technical Skills Centre will deliver learning programmes for 16 to 19 year olds and cater for apprentices of all ages on the airport site to meet skill gaps in aircraft engineering and match the growing skills need for the airport and wider area including the London - Stansted- Cambridge corridor.
- 5.11 It has been stated within the report that skills contribution to the economic development of the area including the delivery of industry, investment and enterprise start-ups. It has also been emphasised that there is a gap in further education in the area and the proposed scheme will facilitate in addressing this.
- 5.12 The engagement plan set out that there would be engagement between the airport employers, local schools, Anglia Ruskin University and Harlow College. The curriculum will focus on ;
- Engineering;
 - Business, logistic and finances, and
 - Hospitality and service industries
- 5.13 Full-time, part -time and apprenticeship opportunities would be provided.
- 5.14 *“The development of a purpose built Professional and Technical Skills Centre based with a major employer will mean students benefit from work experience, traineeship opportunities and also on-site Stansted Airport, which supports unemployed people into work at the airport. Furthermore the college would provide a range of benefits to learners, including:*
- *Improved learning environments with state of the art technical facilities and blended learning provision;*
 - *Occupation specific resource to better prepare young people for work with a major employer and associated businesses;*
 - *Expanded facilities and employer engagement to raise aspiration, improve progression and assist learners into apprenticeships and employment; and*
 - *A clear line of sight to a workplace that provides work experience, visiting professionals and direct industry links.”*

6. RELEVANT SITE HISTORY

- 6.1 UTT/2277/07/FUL - Provision of an Airport Visitor Centre as required by Clause 14 of the 2003 Section 106 Agreement (UTT/1000/01/OP) between UDC and BAA. Construction of a new vehicular and pedestrian access – Granted 4 February 2008

7. POLICIES

7.1 National Policies

- National Planning Policy Framework

7.2 Uttlesford Local Plan (2005)

- Policy GEN1 - Access
- Policy GEN2 – Design
- Policy GEN3 – Flood Protection
- Policy GEN4 - Good Neighbourliness
- Policy GEN5 – Light Pollution
- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Parking Standards
- Policy S7 – Countryside
- Policy S4 – Stansted Airport Boundary
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy ENV10 – Noise Sensitive Development and Disturbance from Aircraft
- Policy ENV11 – Noise Generators
- Policy ENV12 – Water Protection Resources
- Policy ENV14 – Contaminated Land
- Policy AIR6 – Strategic Landscape Areas

8. STANSTED PARISH COUNCIL COMMENTS

- 8.1 Support and welcome this but wary that needs landscaping.

9. CONSULTATIONS

UDC Landscaping

Verbal Comments

- 9.1 No objection to the development in this location. It does not compromise the Strategic Landscape Policy. However, I would suggest the existing hedge is continued in the site on the southern entrance.

THAMES WATER

- 9.2 Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
- 9.3 The applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- 9.4 No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
- 9.5 Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

LINESEARCH

- 9.6 No assets in area.

NATS

- 9.7 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. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

HIGHWAYS ENGLAND

- 9.8 Recommend that planning permission not be granted for a specified period (see Annex A – further assessment required);
- 9.9 HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We have just started to review the Transport Assessment submitted with the application and anticipate that we will not be a position to give a formal response until this is complete and we anticipate this being the 30 June 2017 we will however endeavour to complete our review before then if possible. This response represents our formal recommendations with regards to UTT/17/1387/FUL and has been prepared by Mark Norman

28.06.2017

- 9.10 HIGHWAYS ENGLAND has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. This response represents our formal recommendations with regards to UTT/17/1387/FUL and has been prepared by Mark Norman. we are awaiting further information from the applicant in order to access the developments impact upon M11 J8. This has been requested, and chased several times I understand the developers transport consultant has produced the information but is awaiting client sign off. We will need approximately 2 weeks to review this material once it is received therefore I recommend that the application not be determined for six weeks i.e. 11 August 2017 if we can respond before this we will do so.

UDC ENVIRONMENTAL HEALTH

- 9.11 I have reviewed the submitted noise survey and phase 1 acoustic design report. The amount of aircraft noise affecting the development has been measured, and preliminary acoustic design recommendations have been made to provide a satisfactory internal noise environment. The assessment methodology, proposed internal noise targets, and the preliminary recommendations are acceptable. The potential for plant noise from the development to affect the Hilton Hotel (the nearest noise-sensitive receptor) has also been assessed. The principle of ensuring that plant noise at the receptor is not higher than 5dB below the background value is accepted. However the noise survey does not include data to show the background values at the hotel, and this information is requested. The noise survey and acoustic report have not considered whether use of the outside training area could have noise impacts on the hotel. Further information is requested.
- 9.12 **FURTHER INFORMATION REQUESTED**
1. Measurements and/or calculations to indicate the existing representative day and night background noise levels LA90 at 1m from the façade of the Hilton Hotel.
 2. A summary of the expected nature of activity and hours of use of the external training area, and any environmental noise impacts that may result.

ECC EDUCATION

- 9.13 As the employment generated by the proposed development does not reach our specified thresholds, an education contribution will not be requested.

ECC ARCHAEOLOGY

30.05.2017

- 9.14 An Archaeological Programme of Trial Trenching followed by Open Area Excavation

7.06.2017

- 9.15 Since my original letter recommending the archaeological investigation the applicants have undertaken an archaeological evaluation. A series of trial trenches were excavated which showed no surviving archaeological deposits. Therefore this office is changing its recommendations to state that we have no objections to the development.

STANSTED AIRPORT

- 9.16 Aerodrome Safeguarding Authority for Stansted Airport has no safeguarding objections to the proposal.
- 9.17 Attention is drawn to the British Standard Institute Code of Practice for the safe use of cranes.

ECC HIGHWAYS

- 9.18 The above application is situated on the private airport road network and therefore Manchester Airport Group is the Street Manager under the New Roads and Street Works Act 1991. Under CDM the developer should ensure that a competent designer is employed and the design should meet the national highways design standards. Having been consulted on the access design our only comments are that we would prefer to see a link off the roundabout that is similar to the other links from

it and uses a splitter island, to help avoid driver confusion at the roundabout and access. The tracking of the refuse vehicle is for a 9m vehicle and UDC use 10.25m vehicles, if the airport is served by a different company that use this size vehicle it may not be a problem however the drawing shows that the tracking is very tight and in some cases encroaches on the parking area so if a larger vehicle is used it will be unable to circulate.

- 9.19 Details of the vehicle used by UDC:
Overall Length 10.25m
Overall Height 3.45m
Height to exhaust tip 3.5m
Turning circle - overall 24.5m
Gross Vehicle Weight 32 tonnes
- 9.20 The highways authority is concerned with the impact on the public highway network and in particular junction 8 of the M11 and therefore would like clarification on the following points.
- 9.21 The highways authority is concerned with the impact on the public highway network and in particular junction 8 of the M11 and therefore would like clarification on the following points.
1. It is not clear from table 5.2 how the car share trips are being accounted for as there are driver trips and passenger trips, are the car shared assumed to be within the driver trips?
 2. Do the passenger trips account for the 2 way trip, I am assuming drop off and then depart, so two trips?
 3. 65 people a day are predicted to use public transport, however no pedestrian link to the nearest bus stops has been provided. A footway should be provided, to link to the existing footway that serves the site. This could leave the south-west end of the site adjacent to the highway minimising the length of footway required and maximising convenience for pedestrian. Please can you provide a plan of a footway to the link to the bus stops.
 4. The ECC travel plan team are looking at the travel plan and I expect to get some comments shortly but I note that the plan is linked to Harlow College Plan, Stansted Airport has a very effective over-arching travel plan for businesses on site, can you confirm whether it is intended to be part of this?
 5. Key the lower modal share for cars is the provision of the mini bus, although I understand that detail will be finalised when it is understood where pupils come from, please can I have more details such as the likely frequency, capacity and areas that it will serve and how it will be funded.
 6. The parking bay sizes are the minimum in the Essex Parking Standards, which it states should only be used in exceptional circumstances; please can you explain what these are in this situation.
- 12.07.2017
- 9.22 This application is situated on the private airport road network and therefore Manchester Airport Group is the Street Manager under the New Roads and Street Works Act 1991. Under Construction, Design and Management (CDM) regulations 2015 the developer should ensure that a competent designer is employed and the design should meet the national highways design standards.
- 9.23 In order to ensure access for access for students without cars and reduce the impact of the development on the network the developer has indicated in his transport statement and travel plan that a mini-bus and pedestrian links will be provided, the details of these should be provided prior to use of the site when the student intake is

known

- 9.24 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

Revised comments 18.07.2017

- 9.25 This application is situated on the private airport road network and therefore the highway authority is not responsible for the road network adjacent to the site. Highways England is considering the impact on the strategic network including the M11 and A120.
- 9.26 In order to ensure access for access for students without cars and reduce the impact of the development on the network the developer has indicated in his transport statement and travel plan that a mini-bus and pedestrian links will be provided and options are being considered with Stansted Airport. The details of these transport measures/schemes should be provided prior to use of the site when the student intake is known, and implemented accordingly.
- 9.27 Stansted Airport has a highly successful travel plan, this application is accompanied by a travel plan and it recommended that the applicant work with Essex County Council to implement and monitor the plan and look to affiliate this plan with the airport plan and implement the appropriate actions in conjunction with the Airport. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

ECC ECOLOGY

- 9.28 No objections subject to condition.

ECC SUDS

- 9.29 Inadequate Surface Water Drainage Strategy
The Drainage Strategy submitted with this application does not comply with the requirements set out Essex County Council's Full Drainage Checklist. Therefore the submitted drainage strategy does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

In particular, the submitted strategy fails to:

- Sufficiently limit discharge rates.

Run-off for all storm events up to and including the 1 in 100+climate change storm event should be limited to the 1 in 1 Greenfield rate.

- Provide sufficient Storage.

Storage should be calculated on the same area that the Greenfield run off rates are calculated on. An allowance for urban creep (10% increase on impermeable area over lifetime of the development) should also be factored into storage.

- Provide details of exceedance routes.

A final drainage plan should include details of the exceedance routes demonstrating how exceedance events above the 1 in 100 plus year plus climate change event will be routed away from houses and property.

- Confirmation from Stansted Airport of acceptance of additional run into the balancing pond.

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required.

18.07.2017

- 9.30 Following further consideration of the information submitted, it has been agreed that the requirements of the LLFA can be met via the imposition of conditions.

10. REPRESENTATIONS

- 10.1 Neighbouring occupiers have been consulted of the application. The scheme has also been advertised on site and in the local press. As a result no representations have been received.

11. APPRAISAL

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

- A Principle
- B Design & Amenity
- C Highways
- D Landscaping and Ecology
- E Drainage
- F Archaeology
- G Infrastructure
- H Other issues

A Principle

- 11.1 The proposed development would lie within the Countryside Policy S7, Airport boundaries Policy S4 and is designated landscape area covered by Policy AIR6. The Policies state development will not be permitted within the areas identified as strategic landscape areas and that the countryside would be protected for its own sake, with strict control over new buildings. Development will only be permitted if its appearance protects or enhances the particular character of this part of the countryside in which it is set or there are special reasons as to whether the development in its form needs to be there. Local Plan Policy LC3 states that community facilities will be permitted outside settlements whereby it can be demonstrated that there is a need for the facility, cannot be met anywhere else and it is well related to a settlement.
- 11.2 It has been argued by the applicant that whilst the application site falls within designated Strategic Landscape Area the principle of development here has been previously agreed relating to a visitors centre and that it has been previously demonstrated that the stated Strategic Landscape Area extends beyond the application site. The local proposal map identifies that the SLA extends further south of the application site and round the perimeter of the Airport boundaries.
- 11.3 Planning permission was granted in 2008 (UTT/2277/07/FUL) for a visitors centre in this location therefore it is considered that this is a material consideration.

- 11.4 A sequential test of alternative localities within the Airport Boundaries identified that this is the only suitable site for the proposed scheme which would meet the needs of the airport. The development would see the hedge along Round Coppice Road and adjacent to the roundabout approach retained. In this respect and in consideration of the above the principle of the proposed development is acceptable and overall in accordance with the Local Plan Policies whereby the need outweighs the harm in respect of Policy AIR6.
- 11.5 The site lies within the landside boundaries of the airport. The development would be in conjunction and in support of the airport and its activities. This would be a strategic project of local and regional importance, where there is currently an identified need. The development would be read in conjunction with other airport buildings in this location and would not detract from the protection or appearance of this part of the countryside and the wider countryside. Policy AIR6 is considered to be inflexible and in compatible with the NPPF. However, consultation with the Landscaping Officer the scheme is acceptable and will not compromise the policy as a whole, or the area. Therefore, the proposal is acceptable under Policy AIR6 in this instance and in accordance with Policies S7, S4 and LC3.
- 11.6 The NPPF seeks sustainable development under paragraph 14 meeting three strands of sustainability economic, social, and environmental. The proposed development is an important strategic scheme which would support and generate employment, and provide invaluable education facilities which are missing within the District. This in turn would meet a social role through employment creation and bridging any socio economic demographics through links to education facilities and employment. Whilst car parking facilities are being provided on site for staff and visitors, no student parking is proposed to be provided due to the sustainable nature of the locality and the airport's links to transport. The environmental effects of the proposed scheme should be minimal as a result. However, this would be assessed in detail below.
- 11.7 The proposed development would provide employment for 30 full time equivalent staff. The importance of the scheme has been outlined within the applicant's statement in Section 4 above.

B Design & Amenity

- 11.8 With regards to the proposed design of the scheme the NPPF and Local Plan Policy GEN2 seeks for quality design, ensuring that development is compatible in scale, form, layout, appearance and materials. 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.
- 11.9 The proposed development would involve 10 classrooms, staff facilities, social area, café, workshops being comprised over two floors. The proposed workshop would be used for fabrication, electrical and mechanical engineering and aircraft maintenance.
- 11.10 A new vehicular access would be formed off an existing roundabout which serves the airports long stay car park. Landscaped embankments are proposed to protect views into the site, provide security for the facility, soften the appearance of the access and compensate for the loss of a section of hedging due to the creation of the access.

- 11.11 The siting of the proposal is constrained by other Airport activities and has been located following a sequential approach to the most suitable and least conflicting location. The scheme would be sited outside of the Airside boundary fence, to the west retaining a 3m security buffer zone. The proposed buildings would be read in conjunction with other adjacent Airport related uses and minimal impact is considered upon the streetscene due to the proposed design, and siting of the development in relation to the retained landscaping. There would be a minimal loss of vegetation. At a height of 11m this is stated would be less than the adjacent Inflight hanger. In consideration of the locality the scale of the building is appropriate.
- 11.12 The proposed contemporary spin on a hanger design creates more of an agricultural barn style.
- 11.13 The materials proposed for the building are a grey pallet of metal powder coated insulated cladding, apart from the ends which will be a metallic blue colour.
- 11.14 The building due to its nature and locality has been designed to Secure by Design Standards, in liaison with Essex Police's Designing out Crime Officer. The application is therefore in accordance with Local Plan Policy GEN2 in this respect.
- 11.15 In terms of the sustainability credentials of the building it is outlined that the building will be designed aiming for BREEAM 'Very Good' through its design, the use of materials and water, and energy consumption. This would be in accordance with Local Plan Policy GEN2 and SPD Energy Efficiency Renewable Energy.
- 11.16 The building has been designed to Part M of the Building Regulations to cater for people of all abilities. Some of the design details include level access, more than 2m wide corridors, and a lift to access 1st floor. This is also in accordance with Policy GEN2 of the Local Plan.

Lighting Impact

- 11.17 A lighting report has been submitted as part of the application. This shows that the proposed lighting for the site would be directed downwards and limited to shine within the boundaries of the application site. As a result this should not create any obtrusive light pollution which could also result in interference with the airports activities. The use of LED lighting is proposed to be used for efficiency, longevity and reduction in any light pollution. This is therefore in accordance with Policies GEN2, GEN4 and GEN5.

Noise

- 11.18 A Noise Survey has been undertaken and submitted as part of the application. Whilst Environmental Health have raised no object to the information submitted within the Noise Survey, concerns have been raised regarding the implications of the proposed development upon the hotel opposite the application site and further information which is stated to be required relating to external training activities of the site.
- 11.19 The proposed development would be an educational facility which will not be in 24 hour use. The use of the external training area would be weather permitted. The education facility is a noise sensitive development which needs to suitably function

in such an environment. The proposed use of the facility is unlikely to provide noise nuisances which would far exceed the existing noise levels from the existing airport's activities. It should also be noted that the hotel is currently located within the confined of the airport and its runway whereby aeroplanes take off and land. There is a distance of approximately 187m from the hotel building to the boundary of the external training area, therefore the concerns raised are not considered to be founded. Nonetheless, a condition can be imposed regarding the provision of plant details to be provided prior to their installation, should planning permission be granted.

- 11.20 There are no other sensitive uses within the area, such as residential, that would be affected by the proposal. The development is therefore considered to accord with Local Plan Policies GEN4, ENV10 and ENV11.

C Highways

- 11.21 Local plan policy GEN1 states “development will only be permitted if it meets all of the following criteria;
- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.
 - b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.
 - c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
 - d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access.
 - e) The development encourages movement by means other than driving a car.”
- 11.22 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework.
- 11.23 Paragraph 32 of the National Planning Policy Framework states;
- “All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:*
- *the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
 - *safe and suitable access to the site can be achieved for all people; and*
 - *improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”*
- 11.24 Whilst paragraph 34 of the NPPF states *“Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.”*
- 11.25 A Travel Plan and Transport Statement have been submitted in support of the application submission.
- 11.26 It is stated within the supporting information that through the Travel Plan measures

and initiatives to encourage journeys by sustainable modes would be reviewed on an ongoing basis. In support of this a shuttle bus service will operate between the college, local towns, villages and Stansted Airport, including the on-site public interchange. There is a bus stop located 300m away from the site. The bus stop serves two routes linking the area with Bishop Stortford, Sawbridgeworth, Harlow and the airport itself, further linking to rail services. The implementation of a Travel Plan would improve the site's accessibility and encourage more sustainable travel options. ECC Highways have looked at the information submitted and the Travel Plan which has since been amended to take account of Highway comments.

11.27 A comprehensive trip generation exercise has been undertaken as part of the development's background work which identified the likely quantum of trips generated by all modes of transport and a worst case scenario has been used to assess the scheme. The finishing times are staggered between two hours however a one hour has been used for the purposes of the assessment of impact. The Transport Statement highlighted a predicted peak hour trip generation based on the Harlow College campus;

11.28

Mode of Transport	Students		Staff		Total
	Mode Split	One-way Trips	Mode Split	One-way Trips	
Train	5%	13	4%	1	14
Public Bus	20%	50	4%	1	51
College Bus	37%	98	-	-	93
Car (Driver)	10%	25	82%	16	41
Car Share	11%	28	6%	1	29
Car Passenger	13%	33	6%	1	29
Walk	0%	0	0%	0	0
Pedal Cycle	3%	3	2%	0	3
Motorcycle	1%	3	2%	0	3
Total	100%	253	100%	19	272

11.29 The information highlighted that the greater proportion of the peak hour trips would be generated by the proposed shuttle bus service with 93 out of a total of 272 one-way trips, 51 one way trips would be created by public bus service, 41 by private car and 29 via car share. This is stated to equate 1 trip per minute during the peak hour periods and an additional 65 trips across the public transport network.

11.30 The Transport Statement indicates that there would be a negligible impact upon the highway network, parking or upon public transport. The application site is located in a sustainable location in terms of transport links and cycling access, therefore there would be a variety of travel options to the development. The Airport operates a tight control upon the regulation of parking controls and it is stated that this in conjunction with Harlow College's management of the car park this would be monitored and enforced, alongside the College's Travel Plan.

11.31 A Transport Statement Addendum has been submitted providing additional information and clarification regarding the breakdown of trips and the operation hours of the college. This indicated an increase of 0.5% of overall traffic on M11 Junction 8 during AM peak hours.

11.32 AECOM undertaking the review of the information on behalf of Highways England have reproduced the two-way trip generation as shown below;

Mode	AM Peak		PM Peak	
	Arrive	Depart	Arrive	Depart
Car (Driver)	41	0	0	41
Car Passenger	33	33	33	33
Total	74	33	33	74

11.34 Concern has been raised that the trip distribution would be different to that reflected due to the restrictions on parking on site and the use of permits, therefore further information has been requested to address this.

11.35 Further information has been submitted in relation to Highway England's concerns regarding the implications on the A120 and M11 Junction 8, in terms of forecasting elements such as cumulative impact, sensitivity testing and catchment areas students will be traveling from.

11.36 The additional information submitted highlights various Colleges nearer the site and have outlined that students are more likely to go to their nearest College and some Stansted students who attend Harlow College would as a result relocate. The principle of the trip generation has been approved by ECC Highways. All trip distribution has been modelled through the sensitive junctions at the single busiest hour to test the robustness of the proposed development's impact. *"The results demonstrate that there is no operational issues with the junction during any of the time periods across the three scenarios provided...This indicates that the junctions can easily accommodate the negligible increase in traffic as a result of the development."*

11.37 The study goes on to state *"From figures provided by ECC from their modelling of, the total inbound flows to Junction 8 are of the order of 6,200 and 8,800 in the AM and PM peak hours respectively. By comparison, even allowing for the robust assumption for traffic generation rates, distribution and assignment and assuming all predicted trips arose within the busiest hours as set out above the college could be expected to lead to an additional 49 and 52 traffic movements during the AM and PM peak hour respectively. i.e. 1 additional car entering the junction per minute and an impact an increase of significantly less than 1%."*

11.38 The applicant's highway study continues to demonstrate that there is ample capacity for the negligible increase in traffic and insignificant impact upon the trunk road and local roads. Based on the above information and in the absence of final comments from Highway's England the development is considered to be acceptable in terms of highway impact, and therefore in accordance with Policy GEN1 and the NPPF.

11.39 In terms of car parking standards the Essex Parking Standards (2009) seeks for;

- 1 spaces per 15 students for staff + 1 space per 15 students for student parking (maximum standards);
- 1 space per 5 staff + 1 space per 3 students for cycling (minimum);
- 1 space + 1 per 20 car spaces for motorbikes (minimum);
- 1 bay or 5% of total capacity whichever is greater for disabled bays (minimum)

11.40 38 car parking spaces have been provided as part of the scheme which is acknowledged to be above standards, by 5 bays, it is stated that it is appropriate in this instance due to the locality of the site. It is also stated that parking will be

controlled through a barrier entry and exit system. A total of 28 cycle parking bays will also be provided. This is below ECC Standards, by 61 cycle bays, due to the proposed forecast trip generation for the college and given its locality, however there is with the ability for future increase should this be required. 2 disabled parking bays are proposed to be provided which equates to 5% in accordance with the Parking Standards. An area has been indicated which would cater for at least 3 motorbikes. The parking spaces are indicated to be 2.5m x 5m this falls below the Standards and is a size only used in exceptional circumstances. Based on the importance of the scheme, its locality and the constraints of the site to gain more parking bays it is considered acceptable in this instance and in accordance with Policy GEN8 and

11.41 A drop off point to the front of the building, the 'Plaza' area, will allow for pick-ups and drop offs and as well as turning for larger vehicles.

10.42 No objection has been raised by ECC Highways subject to conditions. No comments have been received from Highways England following the submission of additional information; therefore their Holding Objection is still in place.

D Landscaping and Ecology

11.43 Whilst biodiversity and protected species are 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. 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.

11.44 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".

11.45 Paragraph 109 of the NPPF states ;

"The planning system should contribute to and enhance the natural and local environment by:

- *protecting and enhancing valued landscapes, geological conservation interests and soils;*
- *recognising the wider benefits of ecosystem services;*
- *minimising impacts on biodiversity and providing net gains in biodiversity where*

possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

- *preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and*
- *remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate."*

- 11.46 A Phase 1 Ecological Appraisal has been submitted as part of this application, which surveyed an area covering 2,000m from the centre of the site. This study area covered 7 Local Wildlife Sites (LoWS) and Hatfield Forest's SSSI. This identified that there is a range of typical flora on such an unused area and planting which is located on the north-western boundary of the site. The report identified a pond area to the south of the site which is fenced in and surrounding by native species of trees and bushes. No important or protected species have been identified on site. The survey identified that the site provided important conservation value in local a local complicity by containing semi-improved grassland and a native hedgerow. It has been stated within the supporting information that the element of semi-improved neutral grassland that would be lost (equating to 2.75 biodiversity units and 0.688ha) would be compensated through the provision of species-rich flowering lawn (equating to 4.05 biodiversity units and 0.272ha). This would provide a net environmental gain, of 1.3 biodiversity units.
- 11.47 The native hedgerow would remain apart from a small section which would be removed to allow for the new access, with a risk of tree(s) within the hedge being lost as a result. The hedgerow would be thereafter maintained.
- 11.48 There was no evidence from the surveys of amphibians or reptiles. The assessed impacted upon protected and priority species is limited to breeding birds which may be affected due to the limited hedgerow reduction. It is stated that as works would be undertaken outside of the breeding bird season there would be negligible impact.
- 11.49 A Construction Environmental Management Plan (CEMP) has been submitted as part of the application outlining mitigation measures to be undertaken during the period of construction works to mitigation the impacts of the works. Such measures identified include works being undertaken outside of the bird nesting season, checking the site in advance and fencing being erected. Also, the site would be mowed short in the period leading up to the implementation of the development, should planning permission be granted, in order to encourage any animals using the grassland to move south and east.
- 11.50 In terms of long term habitat creation, amongst other things, provision would be made to encourage Bats and Hedgehogs. A Habitat Management Plan has been provided as part of the application which outlines long term monitoring and management of the site.
- 11.51 In consideration of the nature of the site's characteristics minimal impact would result upon ecology. ECC Ecology has been consulted of the application and have raised no objection subject to condition.
- 11.52 The Landscaping Officer has also raised no objections and suggested that the hedgerow be continued to the southern side of the entrance of the site. Whilst this has been sought it has been identified that such an amendment would

compromise safeguarding in terms of bird strike and retaining the proposed embankment is required for security measures. On this basis no objection is raised and the proposed landscaping scheme is acceptable.

- 11.53 The scheme is in accordance with Local Plan Policies GEN2, GEN7 and AIR6, and the NPPF paragraph 58 which seeks that developments provide are visually attractive as a result of good architecture and appropriate landscaping and paragraph 109.

E Drainage

- 11.54 Amongst other things Local Plan Policy GEN3 states “...*Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.*” The application site lies within Flood Plain Risk Zone 1 whereby there is a low risk of fluvial flooding.
- 11.55 The site covers an area less than 1ha thereby a Flood Risk Assessment is not required. However, drainage information has been submitted as part of the application.
- 11.56 The scheme would be attenuated on site taking account of future climatic change. Surface water flows would be limited to greenfield runoff rate prior to discharging into the surface water sewer within the main road and the existing balancing pond to the south of the site. It is stated that the system would incorporate Sustainable Drainage System principles such as filter drainages and below ground geocellular storage tanks which would discharge in the existing private drainage network. The foul drainage would also be discharged in the existing private network.
- 11.57 It is stated that the flood risk of the site is low and the impact from surface water drainage would managed and mitigated as part of the airports wider drainage management network.
- 11.58 Thames Water has no objection to the development as there is sewerage infrastructure capacity.
- 11.59 Thames Water have asked that the storm flows are attenuated or regulated into the receiving public network through on or off site storage, that there is no piling without details being submitted for approval to ensure that there is no damage to sewers, and the use of petrol / oil interceptors be fitted in all car parking/washing/repair facilities to prevent pollution entering local watercourses. This can be conditioned should planning permission be granted.
- 11.60 Separate consent from Thames Water would be required to discharge into a public sewer.
- 11.61 ECC SUDs have also been consulted of the application. A holding objection has been raised subject to the submission of further information. The matter has been discussed between the applicant and ECC SUDs of which it has been agreed that the concerns raised could be addressed through the use of planning conditions, should planning permission be granted. This approach has also been used in a recent airport application for a new arrivals building, reference UTT/16/3566/FUL, approved 7th April 2017. ECC SUDs have since removed their objection.

11.62 The scheme is in accordance with Local Plan Policies GEN3 and GEN2, and paragraph 100 of the NPPF.

F Archaeology:

11.63 Archaeological work have been undertaken across the airport. As the desk top study has identified that previous historical activities on part of the site has reduced any likely artefacts on site whilst targeted evaluations is recommended to the northwest of the airport due to pockets of artefacts. The Archaeological investigations and supporting reports including an archaeological evaluation have been completed and submitted. This demonstrated that a series of trial trenches were excavated which showed no surviving archaeological deposits. ECC Archaeology have assessed this information and raise no objection to the development in this respect is in accordance with Policy ENV4.

G Infrastructure

11.64 Local Plan Policy GEN6 seeks that *“Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority.”*

11.65 It is considered that based on the location and existing infrastructure serving the airport all the infrastructure is in place to serve the proposed educational facility and would not need to provide any further mitigation to that proposed or requested above. Therefore, the proposed development is in accordance with Policy GEN6.

H Other issues

Aerodrome Safeguarding
11.66 A Bird Hazard Management Plan has been submitted as part of the application. The proposed development has been designed in consideration of the airports operations so that they are not compromised, in terms of the height of building, light, glare through materials, landscaping and aerodrome safeguarding. No objections have been raised by NATS or Stansted Airport in term of the development compromising the airports operations.

Contamination
11.67 Due to the nature of the use of the wider site there is a likelihood of the site being contaminated. As a result a contamination survey has been undertaken and submitted as part of the application in accordance with Policy ENV14 of the Local Plan.

11.68 No significant contamination hot spots have been identified with no evidence of asbestos being present in the soil. No ground contamination has been reported within the application site. It is suggested that should planning permission be granted a remediation condition be imposed should unexpected contamination be discovered during construction works.

11.69 It has been confirmed within the application submission that petrol interceptors would be required to use within the car park for drainage purposes, of which this would also facilitate in preventing contamination entering the local water course.

This would address concerns which have been raised by Thames Water.

11.70 No objections have been raised by Environmental Health or the Environment Agency regarding this matter.

11.71 Subject to the above the application would be in accordance with Policy ENV14 of the Local Plan.

12. CONCLUSION

A The development would provide the first further education college in Uttlesford and provide vocational training opportunities in an identified area of demand, providing support of the future skills provision of the airport, including supporting the London-Stansted-Cambridge Corridor. The development in turn would support sustainable economic growth for the area. This provides a strong material weight for the consideration of the application.

B The development would meet all three strands of sustainable development.

C No impact is considered upon the protected Strategic Landscape Area and the principle of development in this area has previously been granted.

D The proposal is acceptable under Policy AIR6 in this instance and in accordance with Policies S7, S4 and LC3, and the NPPF

E The proposed buildings would be read in conjunction with other adjacent Airport related uses and minimal impact is considered from the streetscene due to the proposed design, and siting of the proposed development in relation to the retained landscaping. There would be a minimal loss of vegetation. In consideration of the locality of the proposed development the scale of the building is appropriate. This is in accordance with Local Plan Policy GEN2 and SPD Energy Efficiency Renewable Energy.

F The lighting scheme is acceptable and would not create any obtrusive light pollution which could also result in interference with the airports activities. This is therefore in accordance with Policies GEN2, GEN4 and GEN5.

G Whilst Environmental Health have not objected they have raised concerns regarding noise implications upon the neighbouring hotel the educational facility which will not be in 24 hour use and the use of the external training area would be weather permitted.

H The education facility is a noise sensitive development which needs to suitably function in such an environment. The proposed use of the facility is unlikely to provide noise nuisances which would far exceed the existing noise levels from the existing airport's activities. It should also be noted that the hotel is currently located within the confined of the airport and its runway whereby aeroplanes take off and land. There is a distance of approximately 187m from the hotel building to the boundary of the external training area. Nonetheless, a condition can be imposed regarding the provision of plant details to be provided prior to their installation, should planning permission be granted.

I There are no other sensitive uses within the area, such as residential, that would be affected by the proposal. The development is therefore considered to accord

with Local Plan Policies GEN4, ENV10 and ENV11.

- J Following the submission of further information based on comments from Highways England, the applicant's highway study continues to demonstrate that there is ample capacity for the negligible increase in traffic and insignificant impact upon the trunk road and local roads. Based on the above information and in the absence of final comments from Highway's England the development is considered to be acceptable in term of highway impact, and in accordance with Policy GEN1 and the NPPF.
- K The car parking provision is acceptable and in accordance with Local Plan Policy GEN8 and Essex Parking Standards (2009).
- L No objection has been raised by ECC Highways subject to conditions. No comments have been received from Highways England following the submission of additional information; therefore their Holding Objection is still in place.
- M In consideration of the nature of the site's characteristics minimal impact is considered upon ecology. ECC Ecology has been consulted of the application, where they have raised no objection subject to condition. The Landscaping Officer has also raised no objections.
- N The scheme is in accordance with Local Plan Policies GEN2, GEN7 and AIR6, and the NPPF paragraph 58 which seeks that developments provide are visually attractive as a result of good architecture and appropriate landscaping and paragraph 109.
- O The flood risk of the site is low and the impact from surface water drainage would be managed and mitigated as part of the airports wider drainage management network.
- P No objection has been raised by Thames Water subject to conditions.
- Q ECC SUDs objections have been addressed through the use of conditions should planning permission be granted. Therefore the scheme is in accordance with Local Plan Policies GEN3 and GEN2, and paragraph 100 of the NPPF.
- R Archaeology, infrastructure, aerodrome safeguarding and contamination are as aspects which are considered to be acceptable and in accordance with Policies ENV4, GEN6, GEN2 and ENV14 of the Local Plan.

RECOMMENDATION: APPROVAL SUBJECT TO CONDITIONS & HIGHWAY ENGLAND COMMENTS

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. Details, including acoustic specification, of all fixed plant, machinery and equipment associated with air moving equipment, compressors, generators or plant or equipment of a like kind installed within the site, shall be submitted to and

approved by the local planning authority in writing before installation.

REASON: To protect the amenities of the occupiers of adjoining properties, in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

3. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development, in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

4.
 - (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).
 - (b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
 - (c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition "retained tree or shrub" means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity, in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

5. No piling shall take place until a piling method statement (detailing the depth and

type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

REASON: The proposed works are close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. All ecological measures and/or works shall be carried out in accordance with details contained in the Preliminary Ecological Appraisal (Morgan and Stuckey, 2016), Habitat Management Plan and Construction Environmental Management Plan: Biodiversity (both The Ecology Consultancy, 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In compliance with wildlife legislation and Local Plan Policy GEN7.

7. Prior to the commencement of above ground construction works, a drainage scheme shall be submitted to and agreed by the Local Planning Authority. The scheme should be based on sustainable drainage principles and include but not be limited to:
 - Limiting discharge to the greenfield 1 in 1 year rate or a range of equivalent greenfield rates with the provision of long term storage.
 - Provide sufficient on site storage to manage rainfall during a 1 in 100 year event plus 40% climate change without increasing off site flood risk.
 - Final modelling and calculations for the relevant areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the development site, in line with the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of the relevant components of the drainage scheme.
 - A final drainage plan for the development site which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the principles of the scheme and to the drainage of building.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

This is in accordance with Policy GEN3 and the NPPF.

8. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has

been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 states that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

9. Prior to occupation a maintenance plan detailing the maintenance arrangements for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. This is in accordance with Policy GEN3, ENV12 and ENV14 the NPPF.

10. No development shall take place, including any ground works or 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:
- a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. wheel and underbody washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011 and GEN1 of the Uttlesford Local Plan (adopted 2005).

11. Prior to occupation of the development, the vehicular access as shown in principle on drawing number 00101 Rev P2 shall be provided and retained thereafter. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times thereafter.

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 DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and GEN1 of the Uttlesford Local Plan (adopted 2005).

12. Prior to first occupation the means of providing pedestrian access to and from the site to connect to the existing pedestrian facilities and public transport infrastructure to be submitted to, and approved in writing by the local planning authority. The agreed plans to be implemented as approved prior to first occupation of the site.

REASON: To make adequate provision for the additional pedestrian traffic generated as a result of the proposed development and provide a means to

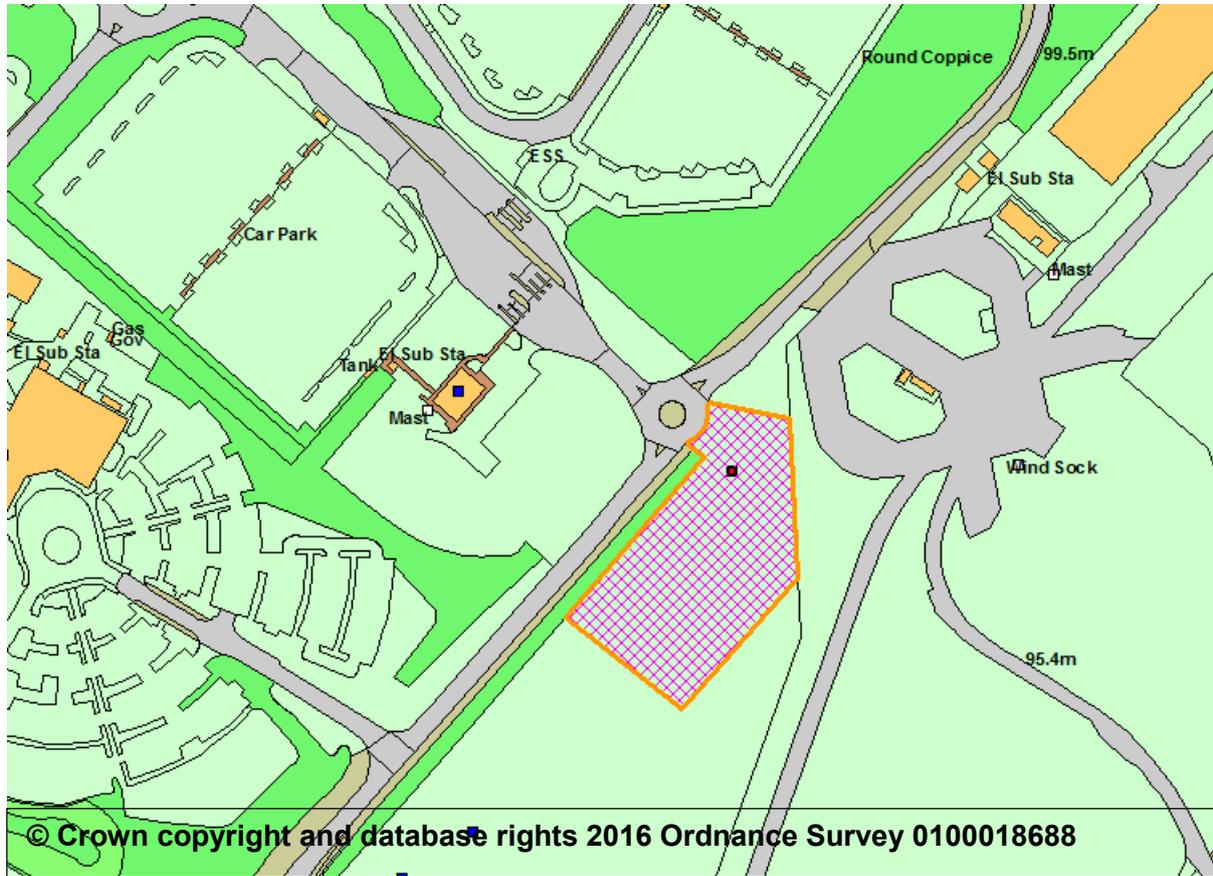
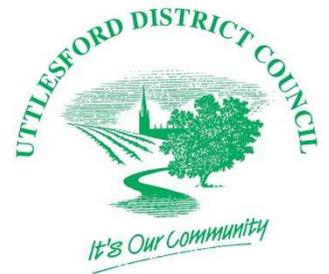
- connected to local bus services and pedestrian network, providing an alternative to travel by car, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
13. Prior to first occupation the details of the minibus linking the site to key towns to be submitted to, and approved in writing by the local planning authority. The agreed details to be implemented as approved and thereafter the use and requirements of the minibus to be monitored through the approved travel plan.
- REASON: To make adequate provision for the travel to the site by means other than the car, making the site accessible to students without access to cars and reducing the impact of the development on the highway network, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
14. Prior to occupation the submitted in principle travel plan shall be submitted to and approved by the ECC Sustainable Travel Team, the agreed travel plan, including the monitoring programme, shall be implemented thereafter.
- REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
15. The proposed development shall not be occupied until such time as the vehicle parking area indicated on drawing number 00101 Rev P2, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area and associated turning area shall be retained thereafter. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
- REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
16. Prior to first occupation of the development occupation motor cycle parking and secure, covered cycle parking and electric charging points shall be provided as indicated in principle on drawing number 00101 Rev P2 and retained for that purpose thereafter.
- REASON: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 28 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site.

An assessment must be and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/1387/FUL
Address: Land to the South East of Round Coppice Road
Stansted



Organisation:	Uttlesford District Council
Department:	Planning
Date:	19 July 2017

UTT/17/0259/OP (GREAT EASTON)

(MINOR)

PROPOSAL: Outline application with scale and appearance reserved for proposed redevelopment of existing builders yard for 9 no. dwellings accessed from Brocks Mead and The Endway.

LOCATION: Land between Brocks Mead and The Endway, Great Easton.

APPLICANT: Moody Homes Ltd.

AGENT Petro Designs Ltd.

EXPIRY DATE: 9 August 2017

CASE OFFICER: Mr C Theobald.

1. NOTATION

1.1 Part within / part outside development limits / adjacent to conservation area.

2. DESCRIPTION OF SITE

2.1 The site lies on the south side of The Endway and comprises an open and rough area of sloping ground adjacent to a former builder's yard with a stated area of 0.33 ha which is currently used for the open storage of building materials, timber and also builder's waste materials. The site extends down to Brocks Mead, a small residential estate which has a cul-de-sac arm with hammerhead turning which leads up to the site with gated entrance at its south-western corner. The frontage of the site is screened from The Endway by a line of established native hedgerow and more recent hedge planting, whilst the rear boundary of the site backs onto open fields.

2.2 The adjacent builder's yard (not forming part of the application site) contains a row of frontage buildings and a much larger building positioned at the rear of a central courtyard which stands prominently to the immediate east of the site on higher ground. A row of residential properties containing mainly two storey dwellings of varying ages and building styles, a few which are listed, lie along The Endway on its north side opposite the site, whilst a shorter row of modern dwellings lie on its south side between the west flank of the site and the entrance into Brocks Mead further down the lane. The site has a fall of 3.36m from the NE corner to the SW corner of the site as shown on the site survey drawing prepared for the current application.

3. PROPOSAL

3.1 This outline application relates to the redevelopment of the site to provide 9 no. dwellings, associated garaging, new vehicular access points onto The Endway and new rear service road with matters relating to appearance and scale reserved for detailed consideration stage. As such, matters of access, layout and landscaping fall to be considered with the current application.

3.2 A revised indicative site layout drawing has been submitted following application submission (0986 01F dated 20 April 2017) following discussions with your officers

which shows how nine dwellings could be laid out at the site, whereby the dwellings would be laid out in two rows, with one row comprising 4 no. detached dwellings fronting onto The Endway and 5 no. detached dwellings situated to the rear with four of these dwellings being served by a 4.8m wide private service road extending off the cul-de-sac arm of Brocks Mead with the remaining dwelling being served directly off the end of Brocks Mead itself.

3.3 Parking for the dwellings fronting onto The Endway would be in the form of two pairs of recessed positioned garages with frontage driveways and additional side hardstanding parking, whilst parking for the dwellings extending off Brocks Mead to the rear would be in similar fashion. A turning area would be provided at the end of the new service road, whilst visitor parking is shown for both the front and rear of the site.

3.4 The housing mix, rear garden amenity provision and parking provision for the proposed development is as follows:

Plot	Bedrooms	Amenity	Parking
1	4	130sqm	3
2	4	120sqm	3
3	3	187sqm	3
4	3	114sqm	3
5	3	157sqm	3
6	4	116sqm	3
7	4	120sqm	3
8	4	120sqm	3
9	3	100sqm	3

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2 development. Therefore an Environmental Assessment is not required for this application.

5. APPLICANT'S CASE

5.1 The submitted Design and Access Statement describes how nine detached dwellings could be successfully accommodated on the site with regard to site layout, access, parking, private amenity space, hard and soft landscaping and respect to local building character and grain noting the fact that the site lies outside but immediately adjacent to the village conservation area.

6. RELEVANT SITE HISTORY

6.1 Various planning permissions have been granted for residential development in the past for part of the site and for the wider Brocks Mead development now built below the site (DUN/0125/58, UTT/0533/74, UTT/0533/74/A, UTT/0727/78, UTT/0727/78/A, UTT/0727/78/B and UTT/0727/78/C).

6.2 The Council responded to a preliminary enquiry in 2016 for 9 no. dwellings and

associated garaging at this open storage area site with four dwellings shown for the front of the site with vehicular access points onto The Endway and five dwellings shown to the rear with vehicular access onto Brocks Mead. In responding to that enquiry, the Council advised that five dwellings within the site have previously been approved by planning permissions covering a wider site area and that it may be possible to erect these dwellings without a further grant of planning permission, but that a Certificate of Lawfulness application would need to be submitted to the Council to demonstrate the lawfulness of the development. However, such an application has not been forthcoming to date following the issue of that advice in May 2016.

7. POLICIES

- Uttlesford Local Plan (2005)

- ULP Policy S3 – Other Settlement Boundaries
- ULP Policy S7 – The Countryside
- ULP Policy H1 – Housing Development
- ULP Policy H3 – Infilling with new houses
- ULP Policy H9 – Affordable Housing
- ULP Policy H10 – Housing Mix
- ULP Policy ENV1 – Design of Development within Conservation Areas
- ULP Policy ENV2 – Development affecting Listed Buildings
- ULP Policy ENV14 – Contaminated land
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Flood Protection
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

None.

National Policies

- National Planning Policy Framework (NPPF)
- National Planning Policy Guidance (NPPG)

Other Material Considerations

Great Easton Conservation Area Appraisal and Management Proposals Document (Approved June 2014)
ECC Highway Standards : Design & Good Practice – September 2009
UDC Parking Standards – February 2013
The Essex Design Guide

8. PARISH COUNCIL COMMENTS

- 8.1 Whilst the Parish Council of Great Easton and Tilty endorse the outline planning application of Speldhursts (formerly Pickford's builder's yard) and in so doing removes the unsightly nature of this redundant yard, we are of the opinion that this proposal is a case of over-development. The proposal to build nine houses on a site of 0.33 hectares causes one great concern; and that is access to the public highway. Four of the houses will have individual driveways going directly onto The

Endway. This is at the very point where the road narrows and also on a partially blind part of the hill in the village. To exaggerate the problem, there are always a number of parked cars at the roadside on The Endway that belong to the residents of Great Easton. We believe that the plans should be reviewed and a reduction and repositioning of the houses should be considered to overcome this major issue of road safety. Currently there is available access to the site either from the existing vehicular access to the builder's yard and also from Brocks Mead and by their utilisation in a reformulated plan proposal would be a way forward. We respectfully request that you take the above points into consideration before any further decisions are made on this application.

9. CONSULTATIONS

Stansted Airport Aerodrome Safeguarding

- 9.1 The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with any safeguarding criteria. Accordingly, the Aerodrome Safeguarding Authority for Stansted Airport has no safeguarding objections to the proposal. As the application is for outline approval, it is important that the Aerodrome Safeguarding Authority for Stansted Airport is consulted on any subsequent Reserved Matters applications.

ECC Highways

- 9.2 (Revised comments received on 19 April 2017):

The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions.

ECC Ecology

- 9.3 (Further revised comments received on 28 June 2017):

No objections subject to conditions to secure ecological mitigation measures and reasonable biodiversity enhancements. The recently submitted Reptile Method Statement (SES, June 2017) now provides the LPA with sufficient information to assess the likely impacts on reptiles and to ensure their protection during the construction period. With the Extended Phase 1 Habitat Survey (SES, May 2017), there is now sufficient survey and assessment for likely impacts of the proposed development on protected and priority species, particularly for reptiles. The report recommends ecological mitigation and reasonable enhancement measures which should be secured by requiring that the Reptile Method Statement is a condition of any permission granted. The suggested conditions are based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Environmental Health

- 9.4 I am in agreement with the combined Phase 1 Geo-environmental desk study and Phase 2 Site Investigation Report, reference number 1805/Rpt 1v1 prepared by Brown 2 Green. Due to the site's current brownfield usage, further investigations as recommended in the report are required to identify the risks to the future users of the site and where necessary remedial measures to ensure that the site is suitable for use in accordance with the model procedures for management of land contamination. Appropriate recommended conditions should be applied to any

planning permission granted.

10. REPRESENTATIONS

18 representations received (17 object, 1 support). Neighbour notification period expires 5 April 2017. Advertisement expires 16 March 2017. Site notice expires 17 March 2017.

10.1 The issues raised in local representation can be summarised as follows:

- Proposal for 9 no. dwellings represents overdevelopment of the site. Site development should be of a lesser density;
- The proposal would result in the frontage hedge along The Endway being removed where this is mentioned as a notable feature in the Great Easton Conservation Area Appraisal and Management Proposals Document – June 2014;
- The Endway has a bend, a slope and reduction in width at the site frontage and it would not be desirable in highway safety terms to introduce new access points onto it as indicated. Access to the site should be from Brocks Mead only.
- The indicated site layout and illustrative elevations for the proposed dwellings suggest that the proposed development would not respect the character and vernacular built form of The Endway which contains various attractive buildings, one or two which are listed and the village's rural aspect.
- The dwellings would be built in front of the existing building line.
- Concerned about existing wildlife.

10.2 *Officer Comments:* Some of the comments raised in representation i.e. those relating to the number of access points onto The Endway (now reduced), layout and housing mix (now more 3 bedroomed units) have been addressed by the submission of revised drawing 0986 01F.

11. APPRAISAL

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

- A Principle of the residential re-development of the site having regard to sustainable development principles, including building on previously developed land (brownfield) and access to local services, flood risk, contamination, impact on conservation area and impact on listed buildings (NPPF, ULP Policies S3, S7, H3, E2, GEN3, ENV1, ENV2 and ENV14).
- B Whether proposed access arrangements would be satisfactory (GEN1).
- C Layout (including parking arrangements) and landscaping (ULP Policies GEN2 and GEN8).
- D Housing Mix and Affordable Housing (ULP Policies H10 and H9).
- E Impact on protected species (ULP Policy GEN7).
- A Principle of residential development having regard to sustainable development principles, including building on previously developed land (brownfield) and access to local services, flood risk, contamination and impact on conservation area (NPPF, ULP Policies S3, S7, H3, GEN3, ENV14)**

and ENV1).

- 11.1 The site is situated within the centre of the village. The adjacent builder's yard appears to be redundant and in this respect a signboard advertising a fabrication and steel cutting business exists at the front of the yard. As previously described, the site is presently being used for the open storage of building materials, including timber and also for the storage of builder's waste materials in haphazard fashion which is considered to be injurious to the visual amenities of the area. In this regard, whilst the site cannot be readily viewed from The Endway because of hedge screening, the open storage area on the slope can be viewed clearly from the higher end of Brocks Mead situated below.
- 11.2 Paragraph 17 of the NPPF promotes the effective re-use of land that has been previously developed (brownfield) providing that it is not of high environmental value. The site by reason of its general condition cannot be said to possess any high environmental value, whilst the site is not a locally protected employment site within the adopted local plan (ULP Policy E2) and it is considered that the residential re-development of the site for housing purposes would make more effective use of the land where this has been recognised in representation by the Parish Council and local residents for the current application.
- 11.3 Further, the unattractive commercial appearance of the site is mentioned within the Great Easton Conservation Area Appraisal and Management Proposals Document approved by Cabinet in June 2014 which identifies various features which are out of character with the village conservation area and where it is stated at paragraph 1.93 of Part 1 (Appraisal) of the document that *"The builder's yard in the centre of the village adjacent to Brocks Mead is a large site that is untidy containing a considerable number of poor quality single storey buildings that are generally temporary in nature and appearance. The site also contains areas of open storage of materials and plant and currently appears to be non-operational. The site detracts from the village and Brocks Mead housing site to its west, but its impact on the Conservation Area and Listed Buildings opposite is limited by a strong boundary hedge to The Endway"*.
- 11.4 Paragraph 1.94 of the appraisal document adds that *"It is considered that the site adversely affects the amenities of the area and is in urgent need of improvement. It is suggested that the District Council seeks to establish the owner's intentions and, if the site is to remain in its current use, a programme of improvements and possible additional landscaping be implemented by mutual agreement"*. Part 2 of the appraisal document in recommending proposed actions states that environmental quality improvements are required for the builder's yard in the short term and that *"Appropriate redevelopment may be appropriate in the longer term"*. The site has since been removed from the village conservation area as it does not contribute positively to it.
- 11.5 A material consideration relating to the planning merits of the current application proposal for housing is that The Housing and Planning Act 2016 allows for "Permission in Principle" for development of suitable Brownfield sites for housing (although the technical details consent guidance is still to be released). The Town and Country Planning (Brownfield Land Register) Regulations 2017 and the Town and Country Planning (Permission in Principle) Order 2017 legislation requires local authorities to prepare and maintain registers of brownfield land that is suitable for residential development. Part one of the register (the list of brownfield sites suitable for housing) should be compiled by 31st December 2017. Part 2 of the register will include only those sites for which permission in principle has been granted and the

development cannot take place until the developer has also obtained technical details consent. Just because the site is a brownfield site and listed on the Part One of the Register does not automatically grant permission in principle as Permission in Principle is only granted once specific requirements have been met and the proposal would still need to take into account the National Planning Policy Framework.

- 11.6 Notwithstanding the above, it is considered that the site may well be one of those sites that would be considered under the new legislation and also meets the 0.25ha minimum size threshold (the site is 0.33ha), whilst the site is capable of supporting more than 5 dwellings.(9 no. proposed), would appear to be available, achievable and suitable for housing, this latter criteria being necessary for being included on the brownfield register.
- 11.7 The NPPF has a presumption in favour of sustainable development. Whilst Great Easton village has a limited range of village services, it does possess a primary school (located just outside the main village settlement), a public house, a village hall and two employers (Woods Rolls Royce sales and service) and the new large care home facility, whilst the eastern end of the village is within walkable distance of a bus stop on the B184 (Stansted Airport to Chelmsford bus route). Additionally, and notably for the current application, the environmental improvements which would be gained by removing the unsightly commercial open storage area, which is considered as representing a non-conforming and unneighbourly use, provides a strong argument for the residential redevelopment of the site in the planning balance and when considered against the three “strands” of sustainable development under the NPPF (social, economic and environmental). As such, and when taken together, it is considered that the site’s redevelopment for housing purposes would amount to a presumption in favour of sustainable development.
- 11.8 The introduction of four dwellings along The Endway frontage can be regarded as being a form of infilling between the single storey frontage buildings of the existing builder’s yard on higher ground and the existing line of frontage dwellings on the west side of the site at lower ground leading to the Brocks Mead junction. Whilst approximately half of the site lies outside development limits, it is considered that any harm to the countryside at this location by the introduction of new dwellings would not be significant when weighed against the benefits of removing the unsightly commercial storage area which currently exists and could therefore be said to represent a planning gain in terms of acceptable infill development.
- 11.9 The site is located within Flood Zone 1 on the Government’s new flood risk map, which represents the lowest risk of flooding. As such, the proposed development is unlikely to be susceptible to flooding and the application proposal is not required to be accompanied by a Flood Risk Assessment. However, any grant of outline planning permission for the proposed development should carry a SuDS drainage condition to ensure that the development benefits from proper drainage arrangements given the pronounced slope in the site and to avoid any surface water impacts of those residential properties situated below the site.
- 11.10 The site has been subject to a Phase 1 Geo-environmental desk study and Phase 2 Site Investigation Report prepared by Brown 2 Green to ascertain the extent to which the site is contaminated given its former use as a builder's yard which has identified various contaminants, including ground based asbestos.
- 11.11 UDC Environmental Health have advised that they agree with the findings of the Phase 1 and Phase 2 reports, but that further investigations as recommended in the

submitted reports are required to identify the risks to the future users of the site in terms of impacts on human receptors and where necessary remedial measures to ensure that the site is suitable for use in accordance with the model procedures for management of land contamination. Beyond this, it is considered that the site is suitable for housing subject to appropriate conditions being imposed on any outline permission granted for the submitted scheme.

- 11.12 Whilst the concerns expressed by the Parish Council and local residents that the scheme as presented in indicative form would not properly respect the character and appearance of the adjacent conservation area or the listed buildings situated opposite the site are noted, it should be emphasised that the final appearance of the dwellings is a reserved matter and does not fall to be considered at outline stage with the current application. The indicative form of the proposed dwellings would, however, reflect to some extent the modern style of the row of frontage dwellings which exist below the site and also of Brocks Mead itself, whilst the design of the dwellings would be discussed by your officers at detailed consideration stage in liaison with the Council's Conservation team to ensure that the design of the dwellings would be as complimentary as possible with the character and appearance of the adjacent conservation area and those listed buildings situated opposite the site.
- 11.13 It is therefore considered from the above analysis that the principle of the redevelopment of the site for residential development as proposed by the current outline application is acceptable and would be in accordance with the provisions of the NPPF and ULP Policies S3, S7, E2, H1, H3, ENV1, ENV2, ENV14 and GEN3.

B Whether proposed access arrangements would be satisfactory (ULP Policy GEN1).

- 11.14 Access falls to be considered with this outline application and this issue is now assessed. The proposed development would have two shared vehicular access points onto The Endway and a 4.8m wide private service road leading off the end of Brocks Mead. The originally submitted site layout plan (superseded) showed four individual access points onto The Endway. However, this was considered by your officers reflecting the concerns expressed by the Parish Council and others to amount to an over-intensification of access points onto the unclassified highway both in terms of highway safety and visual amenity and the revised drawing showing now just two shared access points reflects requested access changes by officers .
- 11.15 ECC Highways have been consulted on the proposed scheme who originally requested the applicant to show that visibility splays can be achieved within the limits of the highway and/or control of the applicant for the proposed dwellings off The Endway. The revised site layout drawing now includes these splays and shows that sufficient splay width can be achieved in both directions from the access points. Further, the shared entrance arrangements for Plots 6 and 7 and Plots 8 and 9 respectively each have a frontage turning hammerhead to enable cars to be driven out of the site in forward gear. ECC Highways have subsequently stated in their formal consultation response that they have no highway objections to the presented scheme given these revised access arrangements and the on-site turning provision shown subject to highway conditions. The proposal based upon the revised site layout drawing would therefore comply with ULP Policy GEN1.

C Layout (including parking arrangements) and landscaping (ULP Policies GEN2 and GEN8).

- 11.16 Matters of layout and landscaping fall to be considered with the current application. The originally submitted site layout drawing for the current scheme (superseded) showed dwellings with attached garages to the side both for the site frontage (The Endway) and the rear row from Brocks Mead, which made the site development appear excessively cramped. The revised site layout drawing (0986 01F) now shows the garages set back behind the dwellings which provides for a more relaxed development across the width of the site. Two of the frontage dwellings are shown as handed as are two of the dwellings for the rear row. The development would have back to back distances of 25m which would accord with minimum distances as recommended within The Essex Design Guide. The dwelling to rear boundary distance for Plots 1 and 2 would be 9.6m, which would be under the 15m recommended minimum distance as recommended by The Essex Design Guide where concern was expressed in this respect in the 2016 preliminary enquiry response from the Council to "Another". However, it is the case that an established tree screen exists along the rear boundaries of Plots 1 and 2 with the two existing properties to the front (Speldhursts and Quantocks) as notated on drawing 0986 01F where it is intended for this tree screen to be retained. It should be noted that scale, including consideration of design (i.e. window positioning) is a reserved matter and it is considered that an insufficient level of information is available with the submitted outline application to be able to fully assess the amenity impact of the proposed development, including reference to any loss of privacy, until reserved matters stage when detailed plans would be submitted.
- 11.17 Each of the dwellings for the development would have rear private amenity spaces in excess of 100sqm as shown in the schedule above in this report, whilst the dwellings would be a mix of 3 and 4 bedroomed house types. As such, they would comply with the minimum recommended rear amenity spaces for such house types as set out within the Essex Design Guide. The bin collection point shown for the rear line of dwellings would be within 25m of the end of Brocks Mead and would therefore comply with layout requirements in this respect. Fire tenders would be able to access the rear line of dwellings along the private road.
- 11.18 In terms of parking, the 3 bedroomed units would have 3 no. parking spaces (one covered and two frontage hardstanding spaces, whilst the 4 bedroomed units would also have one covered and two frontage hardstanding spaces. As such, all of the dwellings would comply with ECC parking standards in terms of minimum parking provision, whilst all of the garages would have an internal floorspace of 7m x 3m and thus would conform to UDC local parking standards. Two visitor parking spaces are shown for the development with one space being in front of the dwelling for Plot 6 accessed from The Endway and a further space being in front of the dwelling for Plot 5 at the end of the rear service road from Brocks Mead. The visitor parking ratio as prescribed under ECC Parking Standards is 0.25 spaces per dwelling. The development proposes nine dwellings, meaning that it would require 2.25 visitor spaces or 3 no. spaces if rounded up as specified. However, given that the 3 bedroomed dwellings would each have 3 no. parking spaces and therefore exceed the minimum parking provision in this respect, the visitor parking arrangement across the site would therefore be met and would also be exceeded. As such, the indicative housing layout as shown and revised would comply with ULP Policy GEN2.
- 11.19 Soft and hard landscaping for the development as specified on drawing 0986 01F would be mainly small shrubs and ground cover with block paving of a buff riven

variety used for hardstanding parking areas on individual plots. Gardens for the plots would be sub-divided by 1.8m closeboarded fencing. This specification would be acceptable. Local concern has been raised about the removal of the frontage hedgerow onto The Endway which currently provides a natural feature between Speldhursts and the builder's yard. The opening up of this hedge to create two shared vehicular access points for Plots 6-9 would require most of the hedgerow to be removed to facilitate the visibility splays in each direction as shown on drawing 0986 001F and as required by ECC Highways, although there would be the opportunity to plant new hedging in front of the two hammerhead turning areas for the site development.

- 11.20 The Council in its advice on the previous preliminary enquiry for this site for nine dwellings stated with regard to the loss of this frontage hedgerow that *“Turning to the boundary trees and hedgerow, these do not in my view need to be retained in their entirety because the character of the area suggests that houses should be visible from the street. Nevertheless, I would expect a landscaping scheme that retains valuable specimens and includes supplementary planting, thus securing a green boundary that reflects the prevailing character of houses set behind greenery”*. In this respect, the applicant's agent has confirmed in an email dated 17 July 2017 that a double hedgerow of field mix species will be planted between the front boundary line / visibility splays fronting The Endway to Plots 7, 8 and 9 to maintain a hedge line fronting onto this street. It is considered that this replacement frontage hedgerow treatment would go some way in preserving the greenery along The Endway whereby the new dwellings for Plots 7, 8 and 9 would thus be visible from the street behind new hedge planting to reflect local grain and character and that this additional landscaping measure can and should be conditioned on any grant of outline permission for the current outline scheme as a visual amenity safeguard as it does not show on drawing 0986 01F.

D Housing Mix and Affordable Housing (ULP Policies H10 and H9).

- 11.21 The originally submitted drawings for this outline housing scheme showed more of a propensity for 4 bedroomed dwellings within the presented housing mix. However, following concerns expressed by your officers in this regard and reflecting local concerns, the housing mix has been changed whereby four of the nine dwellings are now 3 bedroomed with the remaining five being four bedroomed where the latest housing needs survey for Uttlesford District has identified a current demand for 3 bedroomed dwelling units. This ratio is considered to be an acceptable housing mix for the site given the site's location and given the likely additional expense which would be involved in restoring this site to residential use, although it should be emphasised that no financial viability statement has been put forward by the applicant in this respect. The housing mix is therefore considered to meet the requirements of ULP Policy H10.
- 11.22 This application proposal for nine dwellings now falls under the threshold for affordable housing contributions (11 or over), whilst the site has a site area of less than 0.5ha. (ULP Policy H9).

E Impact on protected species (ULP Policy GEN7).

- 11.23 The site has the potential to hold habitat opportunities for protected species, most notably reptiles, which could use the open storage areas on the site for hibernacula. The application as originally submitted did not contain sufficient information to ascertain whether protected species would be impacted by the proposal which resulted in a holding objection from ECC Ecology dated 24 March 2017 who advised

that a Preliminary Ecological Appraisal (PEA) should be carried out of the site and any individual species surveys if required. The PEA subsequently prepared (SES, May 2017) recommended that further surveys for reptiles be conducted which resulted in a further holding objection from ECC Ecology dated 19 June 2017 until these surveys were carried out and results known. A Reptile Method Statement (SES, June 2017) was subsequently prepared which has been seen by ECC Ecology who are now satisfied in their last response dated 28 June 2017 that the LPA has been provided with sufficient information to assess the likely impacts of the development on reptiles and to ensure their protection during the construction period combined with the previously prepared PEA subject to recommended conditions. The proposal therefore complies with ULP Policy GEN7.

12. CONCLUSION

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

- A The redevelopment of this site partly within development limits representing previously developed land (brownfield) and which is currently having a detrimental impact on the visual amenities of the area is considered acceptable in principle (NPPF, ULP Policies S3, S7, H3, E2, GEN3, ENV1, ENV2 and ENV14).
- B Access arrangements shown for the site as revised would be acceptable (ULP Policy GEN1).
- C Layout, including parking, for the proposed development is considered acceptable (ULP Policies GEN2 and GEN8).
- D The housing mix for the proposed development is considered acceptable (ULP Policy H10). The development is not liable to affordable housing contributions (ULP Policy H9).
- E The development would not have a harmful impact on protected species (ULP Policy GEN7).

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. The development hereby permitted shall be begun 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.

4. The hard and soft landscape works as specified on approved drawing 0986 01F dated 20/04/17, including planting, seeding or turfing and soil preparation shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

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

5. Prior to commencement of development, a further landscaping drawing shall be submitted to the Council for written approval showing planting specification details for the frontage boundary of the development site with The Endway. Subsequently, the planting on the approved drawing shall be implemented in accordance with the timing and phasing programme as referred to in Condition 4. above.

REASON: Insufficient details have been submitted with the application to show how this prominent hedgerow feature would be retained, strengthened or replaced in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. Prior to occupation of the development, the new access points shown along The Endway shall at their centre line be provided with a clear to ground visibility splay with dimensions of 2.4 metres x 43 metres as measured from and along the nearside edge of the carriageway as shown in principle on drawing 0986 01F. Such vehicular visibility splays shall be provided before the accesses are first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. Prior to the occupation of any of the proposed dwellings, the proposed vehicular accesses shall be constructed as shown in principle on drawing 0986 01F and be provided with appropriate dropped kerb crossings of the footway/verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. Prior to the first occupation of the development the vehicle parking and turning areas as indicated on drawing 0986 01F shall be provided. The parking and turning areas shall be retained at all times for their intended purpose.

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

9. 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 accesses to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent carriageway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

11. Prior to commencement of development, details of how surface water drainage shall be adequately addressed and disposed of in accordance with sustainable drainage principles shall be submitted to the local authority for written approval. Subsequently, the drainage scheme for the site shall be carried out in accordance with the approved details.

REASON: Insufficient drainage details have been submitted with the outline application to properly assess this issue and to ensure that the development does not pose a flood risk to occupiers of the site or to the occupiers of adjoining properties given varying land levels in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

13. No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed

remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

14. The remediation scheme as referred to in Condition 13 above shall be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority for written approval.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

15. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing within 7 days to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination, development must be halted on that part of the site.

An assessment must be undertaken in accordance with the requirements of Condition 12, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of Condition 13. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with Condition 14.

REASON: In the interests of safety, protection of residential amenity and protection of the natural environment in accordance with ULP Policies GEN2, GEN7 and ENV14 of the Uttlesford Local Plan (adopted 2005).

16. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Extended Phase 1 Habitat Survey (SES, May 2017) and Reptile Method Statement (SES, June 2017), as submitted with the planning application and agreed with the local planning authority prior to determination.

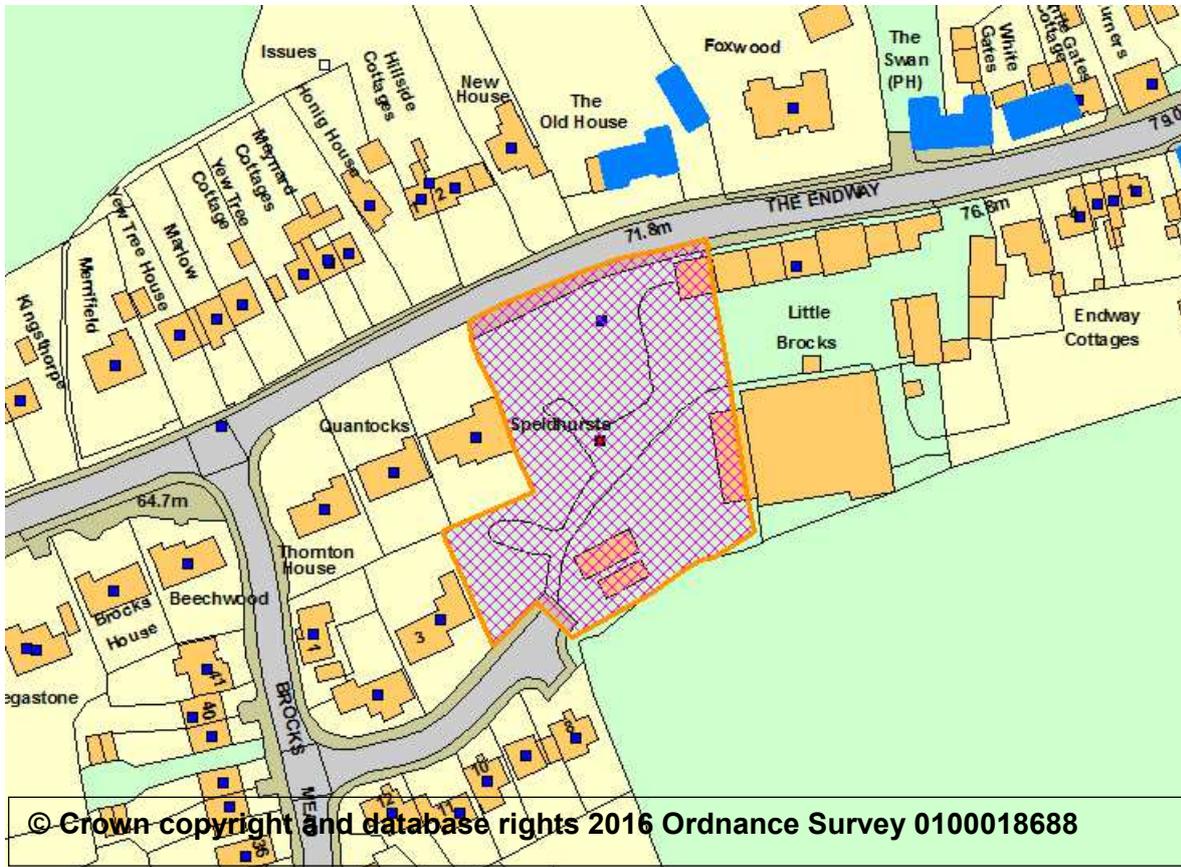
REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998 in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

17. Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To conserve and enhance bats and allow the LPA to discharge its duties under the UK Habitats Regulations and s17 Crime & Disorder Act in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/0259/OP
Address: Land between Brocks Mead and The Endway
Great Easton.



Organisation: Uttlesford District Council

Department: Planning

Date: 19 July 2017

UTT/17/1163/FUL (SAFFRON WALDEN)

(Uttlesford District Council owns the land required for the proposed footbridge)

PROPOSAL: Construction of 6 dwellings with associated parking and access driveway including the creation of a public amenity area

LOCATION: Land South of Freshwell Gardens, Saffron Walden

APPLICANT: Mr T Duke (Ford Homes Ltd)

AGENT: BBR Architects

EXPIRY DATE: 7 July 2017

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Countryside; Conservation Area.

2. DESCRIPTION OF SITE

2.1 The site is located off Freshwell Gardens, Saffron Walden. It comprises an undeveloped meadow.

3. PROPOSAL

3.1 The proposal is to erect six houses. Vehicle and pedestrian accesses would be provided off Freshwell Gardens, and a new public footpath would run from the north-east corner of the site, between the houses, through a landscaped public amenity space, before connecting to the existing path to the south-west via a new footbridge.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

5. APPLICANT'S CASE

5.1 The application is accompanied by the following documents:

- Design & Access Statement
- Flood Risk Assessment (April 2017)
- Landscape, visual and heritage assessment
- Preliminary Ecological Assessment Including a Protected Species Assessment
- Biodiversity Questionnaire

6. RELEVANT SITE HISTORY

6.1 In May 2016, an application was made to fell two Sycamore trees in the eastern part of the site (UTT/16/1268/TCA). The Council raised no objections, provided that the works are completed by May 2018.

7. POLICIES

7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- Uttlesford Local Plan (2005)

- 7.3
- S7 – The Countryside
 - GEN1 – Access
 - GEN2 – Design
 - GEN3 – Flood Protection
 - GEN5 – Light Pollution
 - GEN6 – Infrastructure Provision to Support Development
 - GEN7 – Nature Conservation
 - GEN8 – Vehicle Parking Standards
 - ENV1 – Design of Development within Conservation Areas
 - ENV2 – Development affecting Listed Buildings
 - ENV4 – Ancient Monuments and Sites of Archaeological Importance
 - ENV8 – Other Landscape Elements of Importance for Nature Conservation
 - ENV12 – Protection of Water Resources
 - ENV13 – Exposure to Poor Air Quality
 - H1 – Housing Development
 - H9 – Affordable Housing
 - H10 – Housing Mix

Supplementary Planning Documents/Guidance

- 7.4
- SPD – Accessible Homes and Playspace (2005)
 - Developer Contributions Guidance Document (Feb 2016)
 - The Essex Design Guide (2005)
 - Parking Standards: Design and Good Practice (2009)
 - Uttlesford Local Residential Parking Standards (2013)

National Policies

- 7.5
- National Planning Policy Framework (NPPF) (2012)
 - paragraphs 14, 17, 32-39, 47-49, 55, 58, 100-104, 118, 120-122, 124 & 128-135
 - Planning Practice Guidance (PPG)
 - Air quality
 - Conserving and enhancing the historic environment
 - Design
 - Flood risk and coastal change
 - Housing: optional technical standards
 - Natural environment
 - Planning obligations
 - Rural housing

- Water supply, wastewater and water quality

Other Material Considerations

- 7.6 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Saffron Walden Conservation Area Appraisal and Management Proposals (2012)

8. TOWN COUNCIL COMMENTS

- 8.1 Objection. Reasons include:
 - The site is at risk of flooding
 - Adverse effect on the conservation area
 - Harm to wildlife
 - Incompatibility with surrounding buildings

9. CONSULTATIONS

Affinity Water

- 9.1 Confirmation that the site is in a Groundwater Source Protection Zone, and advisory comments regarding the construction process.

Historic Environment Advisor (Place Services)

- 9.2 Extract:

“At the end of June an archaeological evaluation was undertaken to identify the location of the town defensive ditch and identify any archaeological occupation within the town boundary...

The block at the northern end of the site will have a significant impact on the surviving archaeological deposits and consideration should be given to an alternative layout for the development which avoids both the ditch and the possible pond. The residential block running north south would have significantly less impact on the surviving archaeology.

If the development is given permission on this site, a full archaeological condition should be attached to the consent.”

Aerodrome Safeguarding Authority (Stansted Airport)

- 9.3 No objections.

Ecological Consultant (Place Services)

- 9.4 No objections, subject to conditions.

Environment Agency

9.5 Objection, due to inadequate flood risk assessment. Extract:

“In our previous response it was stated that any increase in built footprint within the 1 in 100 year flood extent, including an allowance for climate change, must be directly compensated for on a level-for-level and volume-for-volume basis. No details of this have been provided in the revised FRA submitted.

Floodplain compensation is necessary to prevent the new development reducing floodplain storage and displacing flood waters, thereby increasing flood risk elsewhere. If there are no areas available to provide compensation above the design flood level, direct compensation will not be possible.”

Historic England

9.6 Does not wish to comment.

Highway Authority (Essex County Council)

9.7 No objections, subject to conditions.

Environmental Health

9.8 No objections, subject to mitigation and contributions towards traffic management measures. A condition is also recommended to prevent a loss of amenity from external lighting.

Conservation Officer

9.9 Recommends refusal. Extract:

“The formation of conservation area boundary here was not a result of arbitrary process. The carefully considered rational aimed at the provision of a buffer zone between the historic urban edge and the open countryside. Clearly this endeavour is still valid today. This green sward provides an attractive barrier between the modern carpark and important heritage assets beyond. In addition and in the context of historical urban conservation area, open spaces represent essential features adding an important variety to its character.

...I consider that in this instance the principle of any development here would erode the importance of the green sward buffer which serves to emphasise the built-up edge of the historic town. In addition the proposed three storey housing with associated garaging is likely to have an overpowering effect on the mostly modest, early timber framed listed cottages further along Freshwell Street to the detriment of their setting. The possible long views from the end of the street towards open countryside and Audley Park are also likely to be in some measure obscured.

Although I find the form, design and detailing of the housing architecturally interesting, such structures in this location would result in an unduly prominent composition, which would have a detrimental impact on the character and setting of the listed buildings in the vicinity and would not preserve or enhance the character of the conservation area.”

10. REPRESENTATIONS

10.1 Neighbours were notified of the application by letter and notices were displayed near the site and in the local press.

10.2 The following concerns have been raised in the submitted representations:

- 1) Increased risk of flooding
- 2) Adverse effect on the safety of road users, including through inadequate parking arrangements
- 3) Inadequate vehicular access arrangements, including during construction
- 4) Increased traffic and air pollution
- 5) Adverse effect on biodiversity
- 6) Harm to the character and appearance of the area, including conservation area
- 7) Requirement to make contributions towards off-site infrastructure
- 8) Loss of amenity at neighbouring properties e.g. daylight, privacy
- 9) Suitability of management arrangements for open space
- 10) Adverse effect on important archaeological remains
- 11) Damage to property during the construction process
- 12) Nuisance during construction

10.3 The following comments are made in relation to the above numbered points:

- 1) – 10) Covered in the below appraisal.
- 11) Not a material consideration. Any damage would be a private legal matter.
- 12) Not a material consideration. Covered by the Control of Pollution Acts.

11. APPRAISAL

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

- A Location of housing (S7, H1, 55 & PPG)
- B Character, appearance and heritage (S7, GEN2, ENV1, ENV2, 17, 58, 128-135 & PPG)
- C Transport (GEN1, GEN8 & 32-39)
- D Accessibility (GEN2, 58 & PPG)
- E Amenity (GEN2, GEN5 & 17)
- F Flooding (GEN3, 100-104, PPG & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, ENV8, 118 & PPG)
- I Archaeology (ENV4, 128-135 & PPG)
- J Groundwater contamination (ENV12, 120-122 & PPG)
- K Air quality (ENV13, 120-122, 124 & PPG)
- L Affordable housing (H9 & PPG)
- M Housing mix (H10 & SHMA)
- N Housing land supply (47-49)

A Location of housing (S7, H1, 55 & PPG)

11.1 The site is located beyond the Development Limits for Saffron Walden, and the proposal does not represent 'sensitive infilling' in the context of Policy S7. It is therefore concluded that residential development on the site would be in conflict with policies S7 and H1.

- 11.2 Paragraph 55 of the NPPF seeks to avoid isolated homes in the countryside unless there are special circumstances. While there is no published definition of 'isolated', it is considered that the PPG supports the view that housing sites should be within or adjacent existing settlements. The effect is to prevent sporadic development in the countryside, while supporting the growth of existing settlements of almost any size due to the associated economic and social benefits. As the application site abuts the built-up area of the town, and indeed the Development Limits, it is considered that the location accords with paragraph 55.

B Character, appearance and heritage (S7, GEN2, ENV1, ENV2, 17, 58, 128-135 & PPG)

- 11.3 The site is located within the Saffron Walden conservation area and close to numerous listed buildings along Freshwell Street. Taking into account the comments of the Conservation Officer, it is considered that the proposal would erode an open space that acts as an important buffer between the historic town and its rural surroundings. Furthermore, the relatively large buildings proposed would be visually overpowering compared with the mostly modest listed cottages on Freshwell Street. It is therefore concluded that, while the form, design and detailing of the housing would be well executed, such development in the location proposed would have a harmful effect on the character and appearance of the area, the conservation area and the setting of listed buildings. These adverse effects cause conflict with policies S7, GEN2, ENV1 and ENV2 and paragraphs 17, 58 and 128-135 of the NPPF.
- 11.4 In the context of paragraph 134 of the NPPF, it is considered that the 'less than substantial' harm to the heritage assets would not be outweighed by the public benefits of the proposal. It is noted that the main public benefit is the supply of six houses.
- 11.5 In drawing the above conclusions regarding listed buildings and conservation areas, regard has been had to the Council's statutory duties under S66(1) and S72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

C Transport (GEN1, GEN8 & 32-39)

- 11.6 The site is located within walking distance of the town centre and its services, facilities and public transport connections. It is therefore considered that the proposal accords with the sustainable transport objectives in Policy GEN1 and paragraph 34 of the NPPF.
- 11.7 The proposal includes a vehicular access off Freshwell Gardens in the north-east corner of the site, and three pedestrian accesses in the north, north-east and south-west. The latter entails the construction of a footbridge to connect a new diagonal footpath crossing a publicly-accessible amenity area to an existing footpath. Taking into account the comments of the highway authority, it is considered that the proposal would not have a significant adverse effect on the safety of road users or the highway network. As such, there is no conflict with Policy GEN1 or paragraphs 32-39 in these respects.
- 11.8 Each dwelling would be provided with one parking space, in conflict with the Council's minimum standards which require a minimum of two spaces for three-bedroom dwellings. Although it is acknowledged that the sustainable transport options are relatively good at the site, it is considered that each of the proposed family homes would realistically require two parking spaces. On-street parking is not a viable alternative due to issues of availability, accessibility and road safety.

Furthermore, the proposal does not include the necessary two visitor parking spaces. Overall, it is concluded that the proposal includes inadequate parking arrangements, which would likely have an adverse effect on road safety as a result of on-street parking. This represents a conflict with policies GEN1 and GEN8 and paragraphs 32, 35 and 39 of the NPPF.

D Accessibility (GEN2, 58 & PPG)

- 11.9 Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' require compliance with the Lifetime Homes standards. However, these standards have effectively been superseded by the optional requirements at Part M of the Building Regulations, as explained in the PPG. Compliance with these requirements could be secured using a condition.

E Amenity (GEN2, GEN5 & 17)

- 11.10 The proposed rear gardens measure in the range of 45 – 60 sq m approx., whereas The Essex Design Guide recommends a minimum garden size of 100 sq m. As the proposed dwellings would be family homes, it is considered that the minimum standard should apply. The inadequate garden sizes ensure that the occupants would have a poor level of amenity, in conflict with Policy GEN2 and paragraph 17 of the NPPF.
- 11.11 Taking into account the guidance in The Essex Design Guide, it is considered that Plots 1 and 2 could cause a significant loss of daylight to 5, 6 and 7 Freshwell Gardens because Drawing No. PL10 appears to demonstrate that the 25 degree rule (page 67) would be contravened. However, there remains some doubt regarding the degree of impact because Drawing No. PL03 appears to show a different separation distance between the existing and proposed buildings. The conflicting information prevents a conclusion that the proposal accords with Policy GEN2 and paragraph 17.
- 11.12 Notwithstanding the above, Plots 4 – 6 would contain upper floor windows facing east towards Walden Place. However, none would afford a direct view into any rooms so it is considered that there would be no significant loss of privacy for existing residents.
- 11.13 The Environmental Health Officer has requested that a condition be used to secure details of external lighting, in the interests of protecting the amenity of neighbours. This is considered appropriate. Furthermore, the occupants would be exposed to odours from the nearby sewage treatment works, albeit not to such a degree to warrant refusal, or conditions in the event of approval.

F Flooding (GEN3, 100-104, PPG & SFRA)

- 11.14 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG.
- 11.15 Paragraph 101 of the NPPF describes the Sequential Test, the aim of which is to steer new development to areas with the lowest probability of flooding. Therefore, as the site is in Flood Zone 3 according to the SFRA, development should not be permitted if there are reasonably available sites in areas with a lower probability of flooding. It is considered that the proposal represents a relatively typical residential development, the need for which is established at a District-wide level. Even with a

more constrained catchment of Saffron Walden, it seems likely that there are reasonably available sites for housing in areas classified as Flood Zone 1 or 2. It is therefore concluded that the proposal fails the Sequential Test, in conflict with the NPPF.

- 11.16 Notwithstanding the above Sequential Test assessment, the submitted site-specific flood risk assessment (FRA) has been examined in consultation with the Environment Agency. Taking into account the consultation response, it is considered that the FRA fails to demonstrate that flood risk would not be increased elsewhere, in conflict with paragraph 103 of the NPPF.

G Infrastructure (GEN6)

- 11.17 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

H Biodiversity (GEN7, ENV8, 118 & PPG)

- 11.18 The application is accompanied by a Preliminary Ecological Assessment incorporating a Protected Species Assessment, which has been examined in consultation with the Council's ecological consultant. Taking into account the consultation response, it is considered unlikely that the proposal would have any significant adverse effects on any protected species or valuable habitats. Conditions could be used to prevent harm to bats from external lighting, and to secure biodiversity enhancements. Overall, it is concluded that the proposal accords with the above policies insofar as they relate to biodiversity.

- 11.19 In drawing the above conclusions, regard has been had to the Council's statutory duties under S40(1) of the Natural Environment and Rural Communities Act 2006 and R9(3) of the Conservation of Habitats and Species Regulations 2010.

I Archaeology (ENV4, 128-135 & PPG)

- 11.20 Taking into account the comments of the Historic Environment Advisor, it is considered that Plots 1 – 3 would have a significant impact on the surviving archaeological deposits associated with the medieval town defensive ditch and a possible pond of medieval date. Where non-designated heritage assets would be affected, paragraph 135 of the NPPF requires a balanced judgment having regard to the scale of any harm or loss and the significance of the heritage asset. Taking into account the consultation response and appended archaeological report, it is considered that the scale of loss would be limited in the context of the whole ditch formation and that the significance of the asset is major in the local and regional historical context. Given the limited loss, it is considered that no objection should be raised to the development provided that a condition is used to secure a full investigation before commencement. Subject to this condition, it is concluded that the proposal accords with Policy ENV4 and paragraphs 128-135 of the NPPF insofar as they relate to archaeological remains.

J Groundwater contamination (ENV12, 120-122 & PPG)

- 11.21 Taking into account the comments of the Environment Agency, it is considered unlikely that the proposal would increase the risk of groundwater contamination. It is therefore concluded that the proposal accords with Policy ENV12 and paragraphs

120-122 of the NPPF insofar as they relate to groundwater contamination.

K Air quality (ENV13, 120-122, 124 & PPG)

11.22 Paragraph 124 of the NPPF requires planning decisions to ensure that any new development in Air Quality Management Areas (AQMAs) is consistent with the local air quality action plan. The site is located within the Saffron Walden AQMA. Taking into account the comments of the Environmental Health Officer, it is considered that the proposal would contribute a minor increase in nitrogen dioxide emissions. To some extent, this would be mitigated by the realistic sustainable transport options and the provision of electric vehicle charging points. However, the request to secure a contribution towards off-site traffic management measures cannot be substantiated given the lack of clear proposals in a local air quality action plan – the most up-to-date available document is the Draft Air Quality Action Plan 2016. It is concluded that the proposal would have a negligible effect on air quality, such that there would be no conflict with Policy ENV13 or paragraphs 120-122 or 124 of the NPPF.

L Affordable housing (H9 & PPG)

11.23 As explained in detail in various appeal decisions, including UTT/15/3599/FUL, the Developer Contributions Guidance Document must not be given weight when considering affordable housing requirements. Therefore, the basis for seeking affordable housing provision is Policy H9 and its preamble, which indicate that the proposal need not make a contribution towards affordable housing provision.

M Housing mix (H10 & SHMA)

11.24 All of the proposed dwellings would be three-bedroom units, in accordance with the requirement in Policy H10 to include a significant proportion of small market dwellings in residential developments.

N Housing land supply (47-49)

11.25 Paragraphs 47-49 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the officer's Committee Report for application UTT/17/0522/OP, the Council currently has a 4.5-year supply. Therefore, contributions towards housing land supply must be regarded as a positive effect.

12. CONCLUSION

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

- A The proposal does not accord with the development plan due to conflicts with policies on the location of housing, character and appearance, conservation areas, listed buildings, parking, amenity and flood risk.
- B Notwithstanding the above, the proposal does not accord with the NPPF due to conflicts with policies on character and appearance, heritage assets, transport, amenity and flood risk. The adverse effects arising from these conflicts would significantly and demonstrably outweigh the positive effect arising from the supply of housing, such that the proposal does not represent 'sustainable development'.

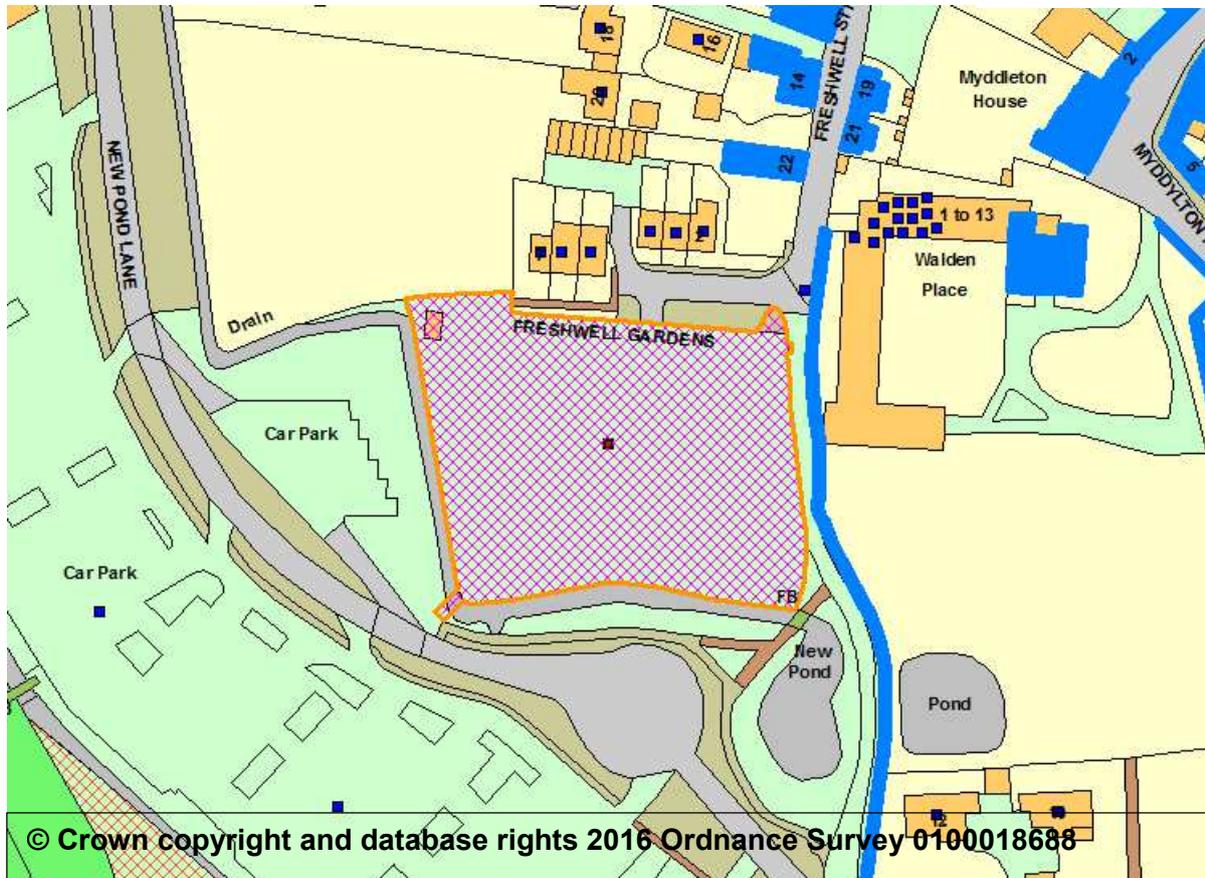
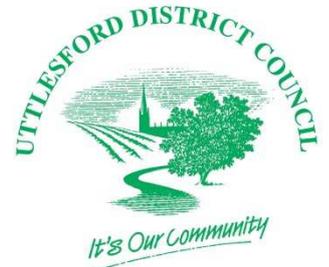
- C** Regard has been had to all other material considerations, and it is concluded that planning permission should be refused.

RECOMMENDATION – REFUSAL

Reasons

1. The application fails to demonstrate that there are no reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding, in conflict with the National Planning Policy Framework.
2. The submitted flood risk assessment fails to demonstrate that flood risk would not be increased elsewhere, in conflict with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.
3. The proposed development would, by virtue of its location and scale, erode an important open space and visually overpower nearby listed buildings. The effect would be to cause harm to the character and appearance of the area, the conservation area and the setting of listed buildings, in conflict with Policy S7, Policy GEN2, Policy ENV1 and Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.
4. The proposal includes inadequate parking provision for residents and visitors, thereby causing hazardous on-street parking in conflict with Policy GEN1 and Policy GEN8 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.
5. The gardens of the proposed dwellings would provide the occupants with insufficient amenity value, in conflict with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.
6. The application fails to demonstrate that the development could take place without causing a harmful loss of daylight to the existing occupants at 5, 6 and 7 Freshwell Gardens, in conflict with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Application: UTT/17/1163/FUL
Address: Land South Of Freshwell Gardens, Saffron Walden



Organisation:	Uttlesford District Council
Department:	Planning
Date:	19 July 2017

UTT/17/1037/FUL (HATFIELD HEATH)

(MAJOR)

PROPOSAL: Conversion of Foxgloves Farm into three dwellings, conversion of domestic barn into two dwellings and conversion of cart lodge into a single residential dwelling.

LOCATION: Foxglove Farm, Dunmow Road, Hatfield Heath

APPLICANT: Mr K Gregory

AGENT: Mr J Salmon

EXPIRY DATE: 7th June 2017

CASE OFFICER: Lindsay Trevillian

1. NOTATION

- 1.1 Metropolitan Green Belt
Tree Preservation order
Listed buildings to the south although not abutting the site
Ancient Monument to the south although not abutting the site

2. DESCRIPTION OF SITE

- 2.1 The application site as outline in red on the submitted location plan is located on the eastern side of Dunmow Road (B183) approximately 700m north of the village of Hatfield Heath. The site itself is relatively level, mainly rectangular in shape and consists of approximately 0.64 of a hectare in size.
- 2.2 A large double storey dwelling house consisting of front and rear gable projecting features with further single storey elements is located centrally within the site with its principle elevation facing north. A large private amenity area containing the normal residential paraphernalia surrounds the dwelling house. The modest size hedgerow is located around the perimeter of the site. Larger dense mature vegetation is located to the west in which part is covered by a blanket tree preservation order.
- 2.3 Set within the residential curtilage near the south western corner of the site is a large barn that is currently used for offices (B1 use) and domestic purposes ancillary to the dwelling house. Planning permission was recently granted consent (Ref: UTT/16/1160/FUL) for this building to be converted into a single dwelling although it should be noted that the works for this have not commenced. In addition, a single storey open three bay cart lodge is located to the north east of the existing dwelling house.
- 2.4 Access to the site is via the existing vehicle crossover off Dunmow Road in which a long private driveway leads up to the dwelling house and larger barn. Off Street Parking is located on the hard standing area or within the existing cart lodge.
- 2.5 The application site is set off Dunmow Road and is located behind 5 small bungalows which are known as 'Lea Hall Bungalows', and these abut onto the western and southern boundaries of the site. Open fields some used for agriculture

and others used for the keeping of horses containing ancillary facilities are located to the north and east of the site.

3. PROPOSAL

- 3.1 Planning permission is sought to convert the existing dwelling house into three separate dwellings, to convert the existing barn into two dwellings and to convert the cart lodge into a single dwelling house. A total of 6 dwelling houses are proposed as a result of the conversions.
- 3.2 The conversion of the existing dwelling house to form three dwellings requires further additions to the building to provide additional living accommodation for plots 3 and 5. A double storey side extension is to be erected for plot 3 whilst a first floor side extension over the existing single storey element is to be erected for plot 5. Further internal alterations are required such as blocking up door openings and inserting new partition walls.
- 3.3 Works to the larger barn that is to be converted into two dwellings includes the demolition of the single storey rear element of the building, the addition of a single storey side extension for plot 1 and internal and external alterations that include the removal and insertion of new openings and new internal partition walls.
- 3.4 The building footprint and the size of the cart lodge is not proposed to be increased as a result of the conversion. Proposed works to the cart lodge include once again the insertion of new openings and enclose the existing front open bays with new glazing.
- 3.5 Each of the proposed dwelling houses would be provided with their own amenity space with ancillary landscaping and off street parking. A circular hardstanding area extending off the existing driveway would provide vehicle access to all of the dwellings.

4. APPLICANT'S CASE

- 4.1 The applicant has provided a Planning Statement of conformity in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. The applicant concludes that the conversion of the buildings in principle is appropriate with National and Local policies without the need for major works and as such the development would not result in harm to the Green Belt.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0876/89 - Outline application for erection of an agricultural dwelling (approved)
- 5.2 UTT/1506/89 - Erection of agricultural dwelling and garage (outline approval under reference UTT/0876/89) (approved)
- 5.3 UTT/0700/93 - Renewal of erection of agricultural dwelling and garage (previously approved under UTT/1506/89) (approved)
- 5.4 UTT/1473/08/FUL - Retrospective change of use from agriculture to garden and construction of pond and wildlife meadow (approved)
- 5.5 UTT/2003/08/CLE - Certificate of Lawfulness to confirm that Foxglove Farm can be

occupied without compliance with condition C.22 of planning permission UTT/0700/93/FUL which restricts occupation of the dwelling to persons solely employed or last employed in agriculture following occupation of the dwelling since 1995 by persons not employed in agriculture. (Lawful)

- 5.6 UTT/0913/10/CLP - The proposal is for extensions to the dwelling house known as Foxglove Farm. The extensions comprise a two storey rear extension, two single storey front extensions, and the addition of two chimneys. (Lawful)
- 5.7 UTT/1504/10/FUL - Proposed ground floor extension (approved)
- 5.8 UTT/13/1159/CLP - Proposed rear two storey extension (lawful)
- 5.9 UTT/14/1545/FUL - Retrospective application for change of use of part of domestic outbuilding to Class B1(a) office (approved)
- 5.10 UTT/15/0712/CLP - Construct a two storey extension to the front principal elevation of the original dwelling house. (Lawful)
- 5.11 UTT/15/3810/HHF - Proposed conversion of domestic barn to residential annexe (withdrawn)
- 5.12 UTT/16/1160/FUL - Conversion of barn to dwelling (approved)

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- Policy S6 – Green Belt
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN3 – Flood Protection
- Policy GEN4 – Good Neighbourliness
- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV2 – Development effecting listed buildings
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy H1 – Housing development
- Policy H5 – Subdivision of Dwellings.
- Policy H6 – Conversion of Rural Buildings to Residential Use
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix

6.4 Supplementary Planning Policy

- SPD Accessible Homes & Play Space
- SPD Parking Standards Design & Good Practice September 2009
- SPD Essex Design Guide

7. PARISH COUNCIL COMMENTS

7.1 No representation received at the time of writing this appraisal.

8. CONSULTATIONS

ECC Highways:

8.1 No objection:-

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

ECC Ecology Advice:

8.2 No objection subject to conditions.

Stansted Airport:

8.3 No objection:-

The proposed development has been examined from an aerodrome safeguarding aspect and does not conflict with any safeguarding criteria. Accordingly, the Aerodrome Safeguarding Authority for Stansted Airport has no safeguarding objections to the proposal.

Historic England:

8.4 On the basis of the information available to date, we do not wish to offer any comments.

UDC Conservation officer:

8.5 Advised they wished to make no comments.

UDC Environmental Health officer:

8.6 No objection.

9. REPRESENTATIONS

9.1 The application was publicised by sending 11 letters to adjoining occupiers, the displaying of site notices and notification within the local paper. Two letters of objection have been received at the time of writing this appraisal that raise the following concerns:

- The proposal would result in a loss of privacy as a result of overlooking.
- The proposed dwellings would increase general levels of noise.
- Additional traffic would result in further noise and pollution along the access road which backs onto our property.
- The new dwellings would result in further traffic congestion and harm to highway safety.
- The development would set a precedent for other unacceptable green belt developments on adjoining fields.

10. APPRAISAL

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

- A The principle of development of this site for residential development (ULP Policy H5 & H6 and NPPF)
- B Whether the proposal would harm the openness and character of the Metropolitan Green Belt (ULP Policy S6 & NPPF)
- C Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2)
- D Impact upon the setting of the heritage assets (ULP ENV1, ENV4 NPPF and Listed Building and Conservation Area Act 1990)
- E Access to the site and highway issues (ULP Policies GEN1, GEN8 and NPPF)
- F Mix of Housing and Affordable Housing (ULP Policies H9, H10 and NPPF)
- G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 ENV7, ENV8 and NPPF)
- H Drainage and Flood Risk (ULP Policies GEN3, GEN6 and NPPF)
- I Residential Amenity (ULP Policies GEN2 & GEN4 and NPPF)

A The principle of development of this site for residential development (ULP Policy, H5 & H6 and NPPF)

- 10.1 Paragraph 14 of the NPPF requires development that is regarded as being sustainable to be granted. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. It is therefore necessary to assess whether the application proposal is sustainable and presumption in favour is engaged.
- 10.2 Paragraph 7 of the NPPF sets out the three dimensions of sustainable development as being economic, social and environmental and a key consideration therefore is whether the proposed application satisfies these three roles. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.3 Economic Role: The NPPF requires that development should contribute to building a strong, responsive and competitive economy by ensuring, amongst other things, that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 10.4 The application site is located beyond the defined boundaries of the settlement of Hatfield Heath. The proposal put forward for assessment represents a small scale residential development in relation to the existing settlement as a whole. Any new development of this type should function as part of the settlement of Hatfield Heath and the area as a whole where most facilities, services and employment will be found.
- 10.5 The village of Hatfield Heath has a suitable amount of local amenities and services to facilitate the needs of its local residents that includes a school, public houses, shops, church, a doctors surgery, community buildings and restaurants to name just few.

- 10.6 As such it is regarded that the application site would not be significantly divorced or isolated and that it would be capable of accommodating the development proposed in that it could be planned in a comprehensive and inclusive manner in relation to the town of Hatfield Heath.
- 10.7 The proposal itself would bring economic benefits to the town of Hatfield Heath supporting local services and amenities such as those mentioned above as a result of the future occupiers of the development. In addition the proposal would provide some positive economic contribution during the construction process of the development.
- 10.8 As a result, the development provides a positive economic approach that satisfies the economic dimension of sustainability in the NPPF.
- 10.9 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.
- 10.10 The proposal includes the conversion of the existing buildings on the site into a total of 6 dwellings with ancillary infrastructure. It would be capable of providing some of the day to day needs for future occupiers and the built environment would be of a high quality as required by the Framework.
- 10.11 The application site is approximately 150m from the development limits as defined by the Local Plan and 700m from the village centre in where most of the local amenities and facilities are. In addition, an unmade public footpath along Dunmow Road (B183) provides easy commuting to these facilities. It is considered that although the application site is on the edge of the village, it would form an inclusive development that would provide convenient access to the local services within Hatfield Heath and to the wider surrounding area.
- 10.12 Future occupiers could rely on the village to provide most of their day to day needs such as health, social and cultural well-being as well as shopping ensuring and promoting the village as an appropriate mixed and well balanced community.
- 10.13 It is considered that the proposed development has been designed to ensure access gives priority to sustainable transport options such as walking and cycling which thereby reduces the need and reliance on private cars.
- 10.14 The proposal would make a contribution towards the delivery of the housing needed for the district and housing would be designed to be accessible as per Part M of the Building Regulations.
- 10.15 As a result, the development provides a positive approach that satisfies the social dimension of sustainability in the NPPF.
- 10.16 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.
- 10.17 The application site is a modest size plot of land located within the green belt. However the proposal involves the conversion of existing buildings with limited additions. As such there would not be a significant amount of additional built form that would result in harm to the openness of the green belt and the wider countryside.

- 10.18 The site is not subject of any statutory nature conservation designation or is located within close proximity to SSSI, important woodlands or country wildlife sites and as such there will be no environmental impacts upon the landscape and biodiversity.
- 10.19 From an historical aspect, the proposal would not result in harm to nearby listed buildings or the Ancient Monument further to the south of the site.
- 10.20 The scheme would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development in this respect as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise.
- 10.21 In consideration of the above the development is sustainable development and the principle of the proposal is acceptable in this context.
- 10.22 Local Policy H6 allows for the re-use of rural buildings for residential accommodation subject to compliance with specified criteria. It is considered that the proposal is in accordance with local policy H6 as the site is not in an isolated position in the open countryside, the buildings are structurally sound capable of conversion without the need for major works and there is no longer a requirement to demonstrate that there is a demand for other uses above from the buildings being converted to residential.
- 10.23 Policy H5 of the Local Plan stipulates that the subdivision of dwellings into two or more units will be permitted if the character of the area would not adversely be affected. It is considered that the subdivision of the existing dwelling house although as a result of some minor additions would not drastically change the character of the surrounding area.

B. Whether the proposal would harm the openness and character of the Metropolitan Green Belt (ULP Policy S6 & NPPF)

- 10.24 The National Planning Policy Framework indicates that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. A purpose of the Green Belt is to assist in safeguarding the countryside from encroachment.
- 10.25 The Framework states that there are many exceptions to what is considered to be appropriate development within the Green Belt and local policy S6 is broadly in accordance with this. Paragraph 90 of 'The Framework' where it states that the re-use of buildings provided that the building is of a permanent and substantial construction is deemed to be appropriate provided that it would preserve the openness of the Green Belt and the purposes of including land within it.
- 10.26 A Structural Feasibility Report was not submitted as part of the application submission however a Structural Statement was attached to the submitted Planning Statement as appendix two. The structural statement concluded that the cart lodge and agricultural building are recently erected, constructed to modern standards and subsequently a full structural report is not required.
- 10.27 Following on from the above, it was relatively clear from the officer's site inspection that the existing buildings would be capable of conversion with or without the modifications and associated work. It is thereby deemed that a full structural survey

is not required to demonstrate that the buildings could be converted without major works.

- 10.28 The size and scale of the cart lodge would not alter as a result of the conversion. Works to the larger barn that is to be converted into two dwellings includes the demolition of the single storey rear element of the building and the addition of a single storey side extension for plot 1. The conversion of the existing dwelling house to form three dwellings requires further additions to the building to provide additional living accommodation for plots 3 and 5.
- 10.29 Although additional extensions are required to convert some of the existing buildings, it is considered that these extensions are modest in terms of their size and scale and are offset slightly by the removal of other built form on the site. They are not deemed to be major works in comparison to the sites existing conditions and its overall design would be one of tradition features to enhance the surrounding rural area. As such it is regarded that the conversion would not result in substantial additional built form over and beyond from that of existing conditions.
- 10.30 It is therefore considered that the proposal to convert the existing building along with its modifications would by definition not be inappropriate development in the Green Belt and, as such accord with 'The Framework' and local polies.
- 10.31 In terms of visual impact, Paragraph 79 of the Framework states that the essential characteristics of Green Belts are their openness and permanence. The proposed works and particular the additional extensions are considered to be relatively modest in terms of the existing built form on the site as a whole. Having regard to the nature of the development, the introduction of 6 dwelling units would not amount to significant or an intrusive development within the open landscape due to the relative limited amount of built form proposed. Accordingly, it is concluded that there would be no unacceptable harm cause to the visual amenity, openness and character of the Green Belt and therefore no conflict with 'The Framework' or local polices would arise.
- 10.32 In addition, it is concluded that the size and position of each of the residential curtilages along with the normal residential paraphernalia that is associated with them would not be excessive and it would not have an adverse effect upon the open character of the landscape.

C. Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2)

- 10.33 The guidance set out in Paragraph 58 of 'The Framework' stipulates that the proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and is visually attractive as a result of good architecture.
- 10.34 Local Plan Policy GEN2 seeks to promote good design requiring that development should meet with the criteria set out in that policy. Regard should be had to the scale form, layout and appearance of the development and to safeguarding important environmental features in its setting to reduce the visual impact of the new buildings where appropriate. Furthermore, development should not have a materially adverse effect on the reasonable occupation and enjoyment of residential properties as a result of loss of privacy, loss of daylight, overbearing or overshadowing.

- 10.35 It is considered that the works required as a result of converting the three buildings to form a total of 6 dwelling units is appropriate. The extensions are deemed to be limited in their size and scale in comparison the existing built form on the site and thereby they would not result in all three buildings appearing excessive in terms of their bulk and massing. The extensions would appear sympathetic and inclusive to the existing buildings and would ensure that they are well articulated that creates visual interest.
- 10.36 The conversion of the buildings would represent and maintain a pleasing blend of traditional features such as dormer windows, chimneys and the general roof form extending over the narrow plain of the buildings whilst incorporating more contemporary elevational details such as the large glazing along the front elevation of the converted cart lodge. The design and appearance of the buildings would ensure that all the buildings would reflect the local vernacular of traditional buildings found within a rural area.
- 10.37 Short and long distance view lines would be restricted to adjoining properties and these would be limited due to existing screening on the boundaries. Furthermore the development would not be seen from the Dunmow Road due to existing mature vegetation. It is considered that the development would not result in a detrimental impact to the character and appearance of the surrounding countryside and the street scene.
- 10.38 For a three or more bedroom dwelling unit, the provision of 100sqm of amenity area has been found to be acceptable and a workable minimum size that accommodates most household activities in accordance with the Essex Design Guide. In addition to the minimum size guidance, the amenity space should also be totally private, not be overlooked, provide an outdoor sitting area and should be located to the rear rather than the side.
- 10.39 Each residential unit within the scheme has been provided with at least the minimum private garden sizes as stipulated above to meet the recreational needs of future occupiers.

D. Impact upon the setting of the heritage assets (ULP ENV2, ENV4, NPPF and Listed Building and Conservation Area Act 1990)

- 10.40 The farmhouse known Lea Hall and its ancillary buildings are listed and its grounds are set within an Ancient Monument. The heritage assets are located approximately 100m south of the application site.
- 10.41 The main issue to address is whether the proposed development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and local policies ENV2 and ENV4.
- 10.42 Paragraph 133 of the Framework states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.
- 10.43 Furthermore, paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.

- 10.44 The application was consulted to both Historic England and Uttlesford Council's conservation officer who both advised that they wish to make no comments.
- 10.45 The relative separation distance between heritage assets and the proposed area of housing as illustrated on the master plan within the site and the orientation are such that it is considered that no significant adverse harm would be cause to the significance and setting of the heritage assets.
- 10.46 Consequently, officers consider that the proposal would cause less than substantial harm to the setting of the Ancient Monument and Listed Buildings and would provide sufficient public benefits such as providing additional housing. The development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and local policies ENV2 and ENV4.

E. Access to the site and highway issues (ULP Policies GEN1, GEN8 and NPPF)

- 10.47 Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must not compromise road safety and to take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than the car.
- 10.48 The application includes details of the proposed access to the site. The site would utilise the existing single point of vehicle access off Dunmow Road and provide a circular driveway towards the frontage of the dwellings ensuring that vehicles can enter and exit the site in a forward gear.
- 10.49 The application was consulted to Essex County Council Highways who confirmed that they had no objection to the proposal subject to conditions being imposed on any granted permission.
- 10.50 In relation to the amount of traffic generated from the development, the Highway Authority has not made an objection in terms of the potential impact on the surrounding road network. As a result, it is considered that the amount of traffic generated from the development could be accommodated and that there would be no impact upon the traffic flow on the surrounding road network particularly along Dunmow Road (B183).
- 10.51 It is acknowledged that Dunmow Road is a busy highway. An established footpath along Dunmow Road provides a safe convenient pedestrian access into the village centre of and to nearby bus stops. This would help encourage movement by other means than a car from the site and be beneficial in that it would help ensure and take into account the needs of cyclists, pedestrians impaired to gain access into the village of Hatfield Heath and beyond.
- 10.52 The proposed vehicle access is deemed acceptable and that the proposed development would cause no harm to matters of highway safety. The development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.
- 10.53 Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning Guidance 'Vehicle Parking

Standards.

- 10.54 The Adopted Council Parking Standards recommends that a minimum of two vehicle spaces for a two or three bedroom dwellings, and three spaces for a four-bedroom dwelling house along with additional visitor parking spaces. In addition each dwelling should also be provided with at least 1 secure cycle covered space. A total of 17 off street vehicle spaces have been provide for the future occupiers and an additional 9 visitor spaces. Each dwelling has been provided with the minimum amount of spaces as required by the Adopted Parking Standards.
- 10.55 All appropriate size vehicles including emergency and refuse vehicles would be able to access the site. All refuse storage points would be located within 25m carry distance.
- 10.56 It is concluded that the proposed development would cause no harm to matters of highway safety.

F Dwelling mix and Affordable Housing provisions (NPPF, Local Polies H9 & H10)

- 10.57 Paragraph 50 of the Framework requires that developments deliver a wide choice of high quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 10.58 In accordance with National Planning Guidance, there is no statutory requirement to provide on-site affordable housing or an offsite financial contribution for a housing scheme that has 10 or less dwellings proposed. For this reason, no affordable housing is proposed as part of this scheme.
- 10.59 ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom market dwellings. However, since the policy was adopted, the Strategic Housing Market Assessment (SHMA) has identified that the market housing need is generally for dwellings with three or more bedrooms.
- 10.60 The proposal consists of:
- 1 x 2 bedroom bungalow
 - 2 x 3 bedroom houses
 - 3 x 4 bedroom houses
- 10.61 Given the size of the housing development is limited to 6 dwellings, officers consider the mix of residential units across the development is appropriate and the inclusion of a bungalow is considered to be a bonus addition in that it would normally not be a requirement to supply one for this type and size of scheme.

G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)

- 10.62 Existing ecology and natural habitats found on the site must be safeguarded and enhanced and new opportunities for increasing the biodiversity should be explored. Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

- 10.63 Paragraph 98 of Circular 06/05 states *'that presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would likely to result in harm to the species or its habitat'*. Furthermore, the NPPF states that *'the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible'*.
- 10.64 The application site itself is not subject of any statutory nature conservation designation being largely an overgrown field with limited vegetation.
- 10.65 The application is supported by a Bat Roosting Assessment dated June 2017. This assessment concluded that with little of the exteriors of the structures affected by the proposed building works, the potential for the works to impact on potential bat roosting would ordinary be deemed to be low. The complete lack of bat roosting features on all three buildings and the lack of any evidence to suggest the site supports important maternity roots suggest there is no discernible impact on important roosting bats at this time.
- 10.66 Essex County Council's ecology officer had no objections subject to the proposed works being carried out in accordance with the Bat Assessment and that a condition imposed on any granted permission that a lighting strategy be submitted prior to works commencing.
- 10.67 It is considered therefore that the application is acceptable on ecology grounds and that subject to the imposition of appropriately worded conditions; the proposal would be consistent with the policies contained within the Uttlesford District Local Plan as Adopted (2005) and the National Planning Policy Framework.

H Drainage and flooding (ULP Policies GEN3 and GEN6)

- 10.68 The NPPF states that inappropriate development in areas of high risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 10.69 The development site lies within Flood Zone 1 (low probability of flooding) as defined by the Environmental Agency. The Framework indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exemption testing.
- 10.70 It is considered that the proposed application would not give rise to increase flood risk on the site or elsewhere.

I Whether the proposal would cause harm to the amenities of adjoining property occupiers (NPPF and ULP Policies GEN2 & GEN4).

- 10.71 Policy GEN2 requires that developments are designed appropriately and that they provide an environment which meets the reasonable needs of all potential uses and minimises the environmental impact on neighbouring properties by appropriate mitigating measures. The NPPF also requires that planning should seek to secure high quality design and a good standard of amenity for all existing and further occupants of land and buildings.
- 10.72 The relative separation distance between adjoining dwellings and the proposed area

of housing as illustrated on the master plan within the site and the orientation are such that it is considered that no significant adverse harm would be caused to the amenities of adjoining property occupiers particular in relation to loss of light, privacy and visual blight. In addition it is considered that there would not be a significant impact to adjoining occupiers in relation to general noise and disturbance and air pollution. Furthermore, no significant harm would occur in relation to the amenities that will be enjoyed by the future occupiers of the development.

- 10.73 It is considered therefore that the development could be accommodated without significant adverse impact upon the amenity of existing and future residents in accordance with Policy GEN2 and the policies of the NPPF.

Other issues:

- 10.74 All development should be designed around a landscape structure. The landscape structure should encompass the open space system but should also provide visual contrast to the built environment and constitute a legible network based, where appropriate, on existing trees and hedgerows. No details of either hard or soft landscaping have been submitted, however if permission were to be granted, it would be deemed necessary to impose a planning condition that a detail landscape plan be submitted.
- 10.75 It should be noted that the protected trees along the front entrance of the application site would not be affected by this proposal.
- 10.76 The National Planning Policy Guidance provides guidance in regards to procedures which are required in establishing whether an EIA is required. This guidance requires the local planning authority (LPA) to consider whether the proposed development is described in Schedule 1 or 2 of the Regulations.
- 10.77 Schedule 2 identifies 13 different categories, of which Class 10 is 'Infrastructure Projects' and the development proposed falls within the description of sub section - (b) 'Urban development projects'. The proposal does not exceed the thresholds and it is not, located in wholly or partly within a 'sensitive area' as defined by the Regulations.
- 10.78 On the evaluation of the information submitted by the applicant, and the Council's knowledge of the local area and its environment, bearing in mind that it is not required to have full knowledge of every environmental effect, it is considered that the proposed development is not likely to give rise to significant environmental effects on the environment. An Environmental Impact Assessment (EIA) is therefore not required for the proposed development shown on the submitted drawings by the applicant.
- 10.79 On the basis of the above it is considered that an Environmental Statement is not required to be submitted with any planning application for the proposed development.
- 10.78 There may be implications under Article 1 and Article 8 of the Human Rights Act First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

11. CONCLUSION

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

- A The principle of the development is deemed to be appropriate in that it would be of a sustainable development in accordance with the National Planning Policy Framework and is in accordance with local polies H5 and H6.
- B The conversion of the buildings into a total of 6 dwelling units is in principle appropriate within the green belt as defined by the Framework and it would not result in significant harm to the openness and character of the green belt.
- C The design and appearance of the converted buildings are deemed to be appropriate in that they would not result in harm to the character and appearance of the street scene and the surrounding area.
- D The proposed development would not result in substantial harm upon the setting of the surrounding heritage assets.
- E It is concluded that the proposed development would cause no harm to matters of highway safety or result in unwanted traffic congestion.
- F There is no requirement to provide on-site affordable housing and it is regarded that an appropriate mix of dwelling units has been provided across the development.
- G It is concluded that the with appropriate mitigation measure by way of planning conditions, the proposal would not result in a significant harm to the ecology and biodiversity of the surrounding area.
- H The proposed development would not give rise to increase flood risk on the site or elsewhere.
- I It is considered that the development could be accommodated without significant adverse impacts upon the amenities of existing and future residents.

RECOMMENDATION – Approval subject to the conditions

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. Notwithstanding the details shown on the submitted plans, the external finishing materials of the works hereby approved shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on site. The works approved shall be constructed in accordance with the approved details 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).

JUSTIFICATION: The details of materials would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

3. The development hereby approved shall be carried out in accordance with the submitted 'Bat Roosting' prepared by Sworders dated June 2017 unless otherwise agreed in writing by the local planning authority.

REASON: In the interest of protecting the natural habitat and protected species in accordance Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Prior to occupation, a "lighting design strategy for biodiversity" for the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To ensure the site and surrounding area retains its value as a bat foraging area in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

4. Prior to commencement of the development, details of hard and soft landscaping (including planting, hard surfaces and boundary treatment) must be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compatibility with the character of the area, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be

'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

JUSTIFICATION: The landscaping would help enable the development as a whole to integrate into the wider setting within this rural setting and ensure a sense of well-being for future occupiers and therefore it is essential that these details are submitted for approval in advance of the works being undertaken.

5. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

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

6. Prior to the first occupation of the development, the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided, hard surfaced, sealed and marked out. The access, parking and turning areas shall be retained in perpetuity for their intended purposes.

REASON: In the interest of highway safety in accordance with policy GEN1 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

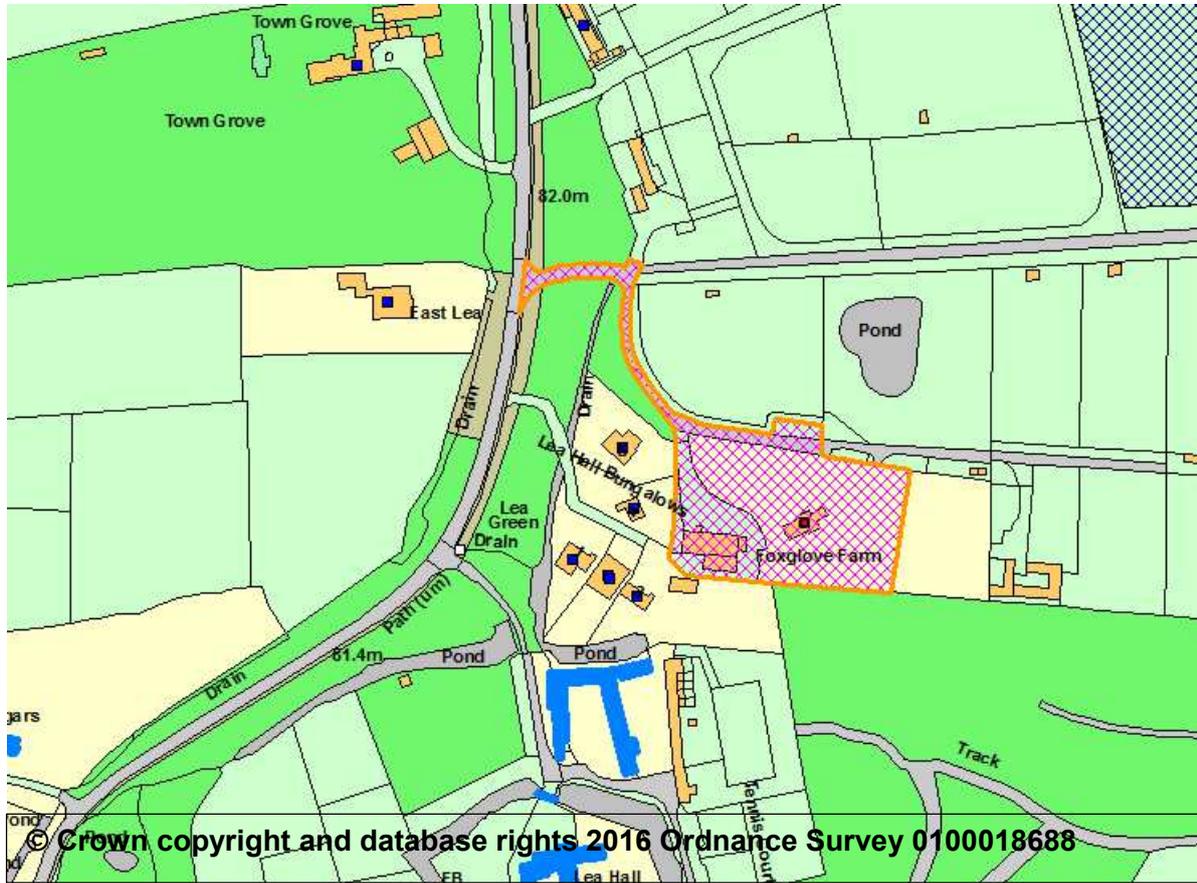
7. The cycle/powered two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with policy GEN1 and GEN8 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

8. Notwithstanding the provisions of the Town and Country Planning General Permitted Order 1995 as amended, no development generally permitted by virtue of Part 1, Class A to E shall be undertaken without the written permission of the Local Planning Authority.

REASON: The specific circumstances of this site warrant the Local Planning Authority having control over any further development in accordance with local policies S6 and GEN2 of the Uttlesford District Local Plan as Adopted (2005) and the NPPF.

Application: UTT/17/1037/FUL
Address: Foxglove Farm, Dunmow Road Hatfield Heath



Organisation:	Uttlesford District Council
Department:	Planning
Date:	19 July 2017

UTT/17/1311/FUL (GREAT DUNMOW)

(Referred to Committee by Cllr G Barker. Reason:

The above application is the third submitted by the applicant to convert a tractor store to a residence. The previous applications (UTT/15/2853 and UTT/16/2738) were rejected by officers by reason of being "not sustainable" and an "isolated building". The new application postulates that the proposed building could be considered as acceptable within the NPPF. I would like to call in the matter for consideration by the Planning Committee. The purpose being to decide if the proposal is "unsustainable" and an "isolated building")

The application was deferred by Planning Committee on 5 July 2017 to allow members to visit the site.

PROPOSAL: Convert the existing tractor store at Trutons Farm into a single storey two bedroom dwelling with associated amenity space

LOCATION: Trutons Farm Ongar Road Dunmow Essex CM6 1JD

APPLICANT: Mr Jon Wright

AGENT: Mr M Ranner

EXPIRY DATE: 14 July 2017

CASE OFFICER: Mrs M Jones

1. NOTATION

1.1 Outside development limits. within 2km of SSSI

2. DESCRIPTION OF SITE

2.1 The site is located at the end of a long drive and is part of a larger complex of converted farm buildings within a large site. The application building is situated to the east of the converted barn behind the tennis court which is screened by a high ever green hedge. The site boundaries to the north east and south east are predominantly lined with mature vegetation which provides screening of the site from the adjacent agricultural fields. The site is located south west of the town of Great Dunmow on the southern side of Ongar Road. The building is used for domestic storage.

3. PROPOSAL

3.1 The proposal is for the conversion of the existing tractor store into a single storey two bedroom dwelling with amenity space.

4. APPLICANT'S CASE

The application is supported by a Planning statement and a completed Biodiversity Questionnaire

Summary of Planning Statement:

- 4.1 The building subject to this application has been in situ for many years, although underwent significant works, including rebuilding approximately during 2006. When the applicant sought planning permission to convert the building to residential use in 2015 (LPA Ref: UTT/15/1773/FUL), the Local Planning Authority (LPA) questioned the lawfulness of the structure due to the aforementioned works.
- 4.2 Whilst the applicant did not consider there to be a need to regularise the matter, efforts were nevertheless made to fully cooperate with the Council and the aforementioned application was withdrawn and superseded by a full planning application to retain the building in retrospect (LPA Ref: UTT/15/2853/HHF). This application was consequently granted unconditional approval on the 5th November 2015 before a follow up application was submitted for its change of use to residential (LPA Ref: UTT/15/3511/FUL). Unfortunately this application was subsequently refused by the LPA under delegated powers on 21st January 2016 on the basis that, in the Councils view, the proposal would not constitute sustainable development, contrary to the NPPF and policies S7 and H6 of the Local Plan.
- 4.3 Further to this a second application was submitted seeking the conversion of the building to a dwelling (LPA Ref: UTT/16/2738/FUL), which sought to address the concerns of officers. However, this application was also refused on 5th December 2016 and for ease of reference the single reason for refusal is replicated below: "The proposal would result in the creation of an isolated dwelling in the countryside. The proposed development does not need to take place there and is not appropriate to the rural area. There are no material considerations which would justify the development of the site outside of the Development Limits. Given the location of the site the occupants of the proposed dwelling would be almost entirely reliant on a car to access shops, schools, services and is therefore would result in an unsustainable development. The proposal is contrary to advice contained with the National Planning Policy Framework (2012) and to Policies S7, and H6 of the Uttlesford Local Plan (adopted 2005)."
- 4.4 The building subject to this application forms one of a group of loose knit buildings that once formed an old farmstead, with the two main buildings comprising a former farm house and a listed barn, the latter of which is currently occupied by the applicant as a dwelling. Just off to the north east of these buildings are a tennis court with ancillary residential accommodation/tennis pavilion and the tractor store itself, with the access road routed within the property passing to the north of the store. All sit within a generously sized landscaped parcel of land bordered by hedging and post and rail fencing, which is well kept and residential in character. The surrounding area is typical of the district, comprising arable farmland, broken by hedgerows and pockets of woodland. Just under 0.7 kilometres to the north east of the site the landscape is punctuated by the A120 dual carriageway, beyond which, a further 0.14 kilometres distance, lies the outer limits of the town of Great Dunmow. The surrounding area is typical of the district, comprising arable farmland, broken by hedgerows and pockets of woodland. Just under 0.7 kilometres to the north east of the site the landscape is punctuated by the A120 dual carriageway, beyond which, a further 0.14 kilometres distance, lies the outer limits of the town of Great Dunmow. The application site is located within the countryside wherein policy S7 of the adopted local plan applies. The conversion of rural buildings to residential use is, subject to other policy considerations, acceptable in principle within the countryside. Policy H6 addresses more specifically such proposals and sets out a number of criteria as set down in paragraph 4.3 of this statement. It is apparent from the previous aforementioned refused application that officers were satisfied that the

proposal complied with the criteria as set down by policy H6 and as a consequence these will not be addressed here.

- 4.5 In the circumstances, paragraph 14 of the NPPF is engaged and the existence or not of a five year land supply does not alter this position. Similarly, whilst Paragraph 55 of the NPPF stipulates that isolated dwellings in the countryside should be avoided, it critically identifies the reuse of redundant or disused buildings within the countryside as appropriate development, which constitutes a special circumstance to justify an isolated home in the countryside. In this respect, policy H6 conflicts with the NPPF and in these circumstances the NPPF is clear, as stipulated by paragraph 215, that greater weight should be afforded to the NPPF.
- 4.6 In this case the application site, unlike the majority of the district is situated close to one of its key service centres, Great Dunmow less than a kilometre away. The site in itself is not physically isolated within its countryside setting, being set within the grounds of two existing dwellings, the applicants dwelling 'Trutons', which is set approximately 55 metres from the site, and the former farmhouse, set approximately 82 metres away. Other domestic paraphernalia including the tennis court and associated building and existing access and service road will all ensure that the conversion of the building will not appear an 'isolated dwelling' on an otherwise undeveloped 'greenfield' site. There are a further 21 dwellings located within 600 metres of the application site, and it is noteworthy that there are two new residential developments on Ongar Road currently under construction, the nearest located only 0.4 of a kilometre away. To reiterate the site is also located as little as approximately 0.84 km's from the edge of the large service town of Great Dunmow, which provides a wide variety of facilities. If such a site that lies so close to a large town were to be adjudged as 'isolated' when assessed against policies S7 and H6, this would likely preclude the majority of residential conversions across the district, which is at a time when central government legislation is actively seeking to encourage the sustainable reuse of rural buildings to provide additional housing within rural areas.
- 4.7 Public footpaths link the site with the Ongar Road towards Great Dunmow, although it is recognised that public transport is limited to a community bus service and a bus route which passes the site. Improvements are to be made to the public transport facilities within the locality of the site, with one of the aforementioned residential developments located only 0.4 km away to provide, as part of the planning permission, a new bus stop and improved service. The owners (applicants) also enjoy a private right of way, which provides quick and easy pedestrian/cycle access to Clapton Hall Lane to the south, which in turn accesses the Ongar Road, in the vicinity of the new aforementioned development. However, having conveyed these points, paragraph 8 of the NPPF makes it clear that to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 4.8 Paragraph 55 of the Framework states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Whilst the applicants do regularly bike into Gt Dunmow and the surrounding area, often to pick up provisions, it is accepted that most journeys are likely to be made by private car. However, it is of importance to note that, the NPPF, whilst promoting sustainable transport, recognises that opportunities to maximise sustainable transport solutions will vary from urban to rural areas. Moreover, transport is only one aspect of sustainable development and in this case should be balanced against

other objectives.

- 4.9 The proposal will represent the reuse of an existing redundant building, which in itself constitutes the sustainable use of an existing resource. Socially, this will provide an additional small dwelling within the district, which in turn will help support local services, albeit in a small way, in accordance with paragraph 55 of the NPPF. The provision of a single dwelling resulting from this application will make a small but meaningful contribution to housing land supply within the district, which weighs in favour of the proposal. Economically, the proposal will be beneficial in the short term, providing work for local tradesman during the construction period
- 4.10 For the aforementioned reasons, the proposed development represents a sustainable form of development within the countryside in accordance with the NPPF. Also it is not proposed on an “isolated site in open countryside located well away from existing settlements”, with other dwellings and the large town of Great Dunmow located close by. It is therefore not necessary to consider whether any of the special circumstances set out under paragraph 55 of the NPPF apply in this case. However, even if the site were to be judged as isolated by the LPA despite the assertions made in this statement, the reuse of redundant buildings as set down by paragraph 55 constitutes a special circumstance in justifying isolated new homes in the countryside
- 4.11 It is clear from a casual inspection of the planning register that the previous two refusals pertaining to this proposal very much go against numerous other UDC decisions for residential building conversions within the countryside, particularly concerning the councils assessment of the sustainability of such proposals. For example at the time of writing, a look at the latest weekly list highlights a similar proposal in the form of a proposed conversion of a former agricultural building to a new dwelling at Batchelors Meadow, Bumpstead Road, Hempstead (LPA Ref: UTT/17/0236/FUL). Despite occupying a far more remote rural location than the proposal at hand and not being located anywhere near to any of the settlements key service towns, this was approved on 29th March 2017. Officers were not concerned in this case that the proposed development would be reliant on the use of the private car and their interpretation of policy S7 was quite different. This is one of numerous such decisions across the district (many others can be quoted if requested) and in this respect the continued resistance to this proposal on sustainability grounds is difficult to understand and is clearly inconsistent with UDC’s general approach and interpretation of planning policy concerning proposals for the residential conversion of buildings within the countryside. For ease of reference the officers text from the report of recommendation for the aforementioned planning approval is replicated below:

“Whilst it is considered that the proposed development would fail to comply with Local Plan Policy S7, it is also recognised that the planning policy context has changed significantly since the Local Plan was adopted. In particular, the NPPF sets out applicable national planning policy in relation to sustainable development and housing in rural areas; it has been found that Local Plan Policy S7 is only partly consistent with the NPPF, due to its protective approach. Paragraph 17 of the NPPF, alongside recognising the intrinsic character and beauty of the countryside, supports thriving rural communities.

Paragraph 55 of the NPPF sets out that ‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.

It is considered that the proposal would be acceptable in this planning policy context. It is noted that it would not be an isolated dwelling, but would be located within a group of dwellings located just over 1 kilometre away from Hempstead.”

- 4.12 The applicant has completed a biodiversity Questionnaire and supporting statement in respect of biodiversity.

5. RELEVANT SITE HISTORY

- 5.1 UTT/15/3511/FUL – Refused. Change of use of tractor store to residential use 21st January 2016
- 5.2 UTT/15/2853/HHF – Retrospective application for the reconstruction of a tractor store. Unconditional Approval
- 5.3 UTT/16/2738/FUL – Refused. Change of use of tractor store to residential use
- 5.4 UTT/16/1078/HHF - Erection of 3 bay cartlodge. Conditionally approved.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- S7- The Countryside
- H6 – Conversion of rural buildings to residential use
- GEN2 – Design
- ENV2 – Development affecting Listed Buildings
- GEN1 – Access
- GEN8 - Vehicle Parking Standards
- GEN7 - Nature Conservation
- Gt Dunmow Neighbourhood Plan

Supplementary Planning Documents

- Essex County Council Parking Standards.
- Accessible homes and playspace
- Essex Design Guide
- Essex County Council Parking Standards: Design and Good Practice

7 TOWN COUNCIL COMMENTS

Although no reply has been received, on previous applications the Parish Council have supported the application.

8. CONSULTATIONS

Essex County Council Ecology

- 8.1 No objections
In order to ensure legal compliance in relation to protected species and ensure a net

gain in biodiversity in accordance with the NPPF (2012) and the NERC Act (2006), I would like to recommend a number of biodiversity enhancements for this proposal. This application offers potential to enhance existing biodiversity features, such as by installing bat/swift bricks into the development itself, or by putting up bird and/or bat boxes on vegetation or buildings. The garden areas could be enhanced by the planting of native species, such as nectar-rich flowers to encourage insects and subsequently bat foraging activity, or species-rich native hedgerows and/or trees. Hedgehog-permeable boundaries should be incorporated into the site design through natural features such as hedgerows and/or tree lines, and/or through installing hedgehog-friendly fencing (<http://www.hedgehogstreet.org/pages/link-your-garden.html>). This will ensure continued access for this declining priority species.

Essex County Council - Highways

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

9. REPRESENTATIONS

- 9.1 The occupiers of three neighbouring properties have been notified and the application has been advertised. No representations have been received. Expiry date 13th June 2017.

10. APPRAISAL

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

- A Whether the principle of the development is acceptable (UDC local policies S7 & H6 and the NPPF).
- B Whether the design and appearance of the development is acceptable and impact on neighbours amenity (UDC local policy GEN2 & ENV2 and the NPPF).
- C Whether the access and parking provision is appropriate (UDC GEN1, GEN8 and SPD Parking Standards)
- D Impact on Biodiversity (UDC policies GEN7 and the NPPF)

A Whether the principle of the development is acceptable (UDC local policies S7 & H6 and the NPPF).

- 10.1 In planning policy terms, the site lies outside of any established development limits as defined by the Uttlesford Local Plan. Consequently for the purposes of planning, the site is considered to be within the countryside and subject to all national and local policies.
- 10.2 Policy S7 specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. There will be 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. An assessment of the compatibility of Policy S7 with the NPPF has concluded that this policy is partially consistent. It complies with one of the core planning principles set out in section 17 of "recognising the intrinsic character and beauty of the

countryside". Whilst Policy S7 has a strict control on new building the NPPF does support well designed buildings to support sustainable growth and expansion. S70 (2) of the Town and Country Planning Act 1990 states that "in dealing with a planning application the local planning authority shall have regard to the provisions of the Development Plan so far as is material to the application and to any other material considerations". S38 (6) of the Planning and Compulsory Purchase Act 2004 states that "if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF reiterates this requirement and paragraph 3 confirms that the NPPF is a material planning consideration.

- 10.3 Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 10.4 The Council's Housing Trajectory and 5 Year Land Supply Statement published in November 2015 represents the most up to date published assessment of the Council's 5 year supply and demonstrated that the Council had a 5.4 year supply of housing land. That assessment was based on data at April 2015 and is now somewhat dated. The Council did not publish an assessment of 5 year housing supply in April 2016 although initial work was carried out and reported to the Planning Policy Working Group in June 2016 indicating that the Council could demonstrate a 5 year supply but with a slight shortfall. Since that time, the Council has been involved in a Public Inquiry for development at Felsted and evidence emerged that some of the larger sites which the Council was relying on in its April 2015 trajectory, had either not been started or had not been built as quickly as anticipated. As a consequence, the supply was adjusted at the Public Inquiry in an attempt to reflect this situation
- 10.5 However, adjusting the supply on this basis and not adjusting other aspects of supply, created other inaccuracies and the final position on 5 year supply at that inquiry was not considered by the Council to be an accurate representation of the present position. The Council has therefore reviewed the draft figures which formed the basis of the calculations provided to the PPWG in June 2016 and has firmed them up so that they can be published and provide a more accurate assessment of supply. These figures have also been adjusted to take account of the lack of delivery on some of the sites as agreed at the Felsted inquiry. The Council has therefore now produced a short interim document which sets out a more accurate assessment of the situation at April 2016 and allows a calculation to be made of the Council's 5 Year Supply of Housing land as at April 2016. This document will be superseded as soon as the Council finalises its work and publishes the April 2017 Housing Trajectory and 5 Year Land Supply.
- 10.6 Calculations based on the interim 2016 Housing Trajectory suggest that the Council is able to demonstrate only a 4.5 year supply of housing land as at April 2016 based on its housing requirement of 568 dpa and applying a 5% buffer. The Council has applied a windfall allowance of 50 dpa to the trajectory. A recent report to PPWG advises that, based on evidence, this should be increased to 70dpa and this will be included within the April 2017 housing supply assessment. Whilst there is an argument that this could be added to the April 2016 assessment, and would increase the Council's supply, it is considered that the revised figures will still show a shortfall and will not demonstrate a 5 year supply of housing land.

- 10.7 For the present time, the Council is therefore unable to demonstrate a deliverable 5 year supply of housing land and Paragraph 49 of the NPPF is applicable which states that policies contained in the Local Plan that are relevant to the supply of housing cannot be considered to be up to date.
- 10.8 Paragraph 14 of the NPPF requires development that is regarded as being sustainable to be granted. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.
- 10.9 A recent Supreme Court Judgement has ruled that policies restricting the location of development are not policies in relation to the provision of housing. This is a shift in thinking as previously established by the lower courts which determined that a wider definition should be given to policies in relation to the provision of housing, including those that restrict the location of new housing. Therefore, the weight to be given to Policy S7 must be considered in respect of its compatibility with the NPPF as a whole. Policy S7 takes a prohibitive approach towards development in the countryside whereas the NPPF takes a protective approach and development which is sustainable can be permitted.
- 10.10 It is therefore necessary to assess whether the application proposal is sustainable and presumption in favour is engaged.
- 10.11 The NPPF emphasises that sustainability has three dimensions (Paragraph 7); an economic role (contributing to building a strong economy), a social role (providing housing and accessible local services) and an environmental role (contributing to protecting and enhancing our natural, built and historic environment).
- 10.12 The NPPF states that the three roles of sustainability should not be taken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously through the planning system.
- 10.13 The economic role relates to development contributing to a strong, responsive and competitive economy. The development of this site would result in the temporary creation of jobs during the conversion phase. Long-term the development would result in a small increase in local population which could support existing local services such as the businesses at Great Dunmow
However, the short-term employment benefits and level of economic benefits arising from the proposals would be limited.
- 10.14 The social role relates to supporting strong, vibrant and healthy communities by creating development with accessible local services. 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.
Due to the distance to the town and the unavailability of regular transport services, future residents would be unlikely to consider other modes of transport as alternatives to the private car. Given the location of the site the occupants of the proposed dwellings would be almost entirely reliant on a car in order to access shops, schools, community services and facilities. A benefit of the proposal would be that the proposed building would be a bungalow which would provide suitable housing for an elderly population.

- 10.15 Paragraph 35 of the NPPF states: that development should be located and designed where practical to give priority to pedestrian and cycle movements and have high access to high quality public transport facilities.
- 10.16 The environmental role seeks to protect and enhance the natural, built and historic Environment. The change of use only requires minor changes to the exterior/interior of the existing building and would therefore have limited impact on the character of the openness of the countryside. The encouragement of private transport would not assist the move towards a low carbon economy.
- 10.17 The dwelling would be poorly located in relation to services and facilities, leading to a reliance on the private car. These environmental harms would outweigh any limited economic or social benefits that would arise from the provision of the development, which includes new housing. As such the proposal would conflict with the development plan and would not amount to sustainable development as promoted in the Framework and the proposals should therefore be resisted.
- 10.18 The site is some distance away from services, schools etc. and I conclude from this that it is evident that any occupier of a dwelling would need to rely on private vehicles to meet their everyday needs, including employment, healthcare, secondary education, shopping and leisure facilities. There is limited public transport provision conveniently available. The agent has stated that there is a public footpath linking the site to Great Dunmow. However, the site is located on a main road, close to a bend and the road at this point does not have any pavements.
- 10.19 The foregoing means that the site can neither be viewed as sustainable or preserve environmental credentials of the site in accordance with the NPPF. Development must be both sustainable and preserve character. Housing should be located where it would enhance or maintain the vitality of rural communities and in doing so, isolated new homes in the countryside, such as this, should be avoided.
- 10.20 The encouragement of private transport would not assist the move towards a low carbon economy. Hence the environmental role is not served. For all these reasons, the proposal would not constitute sustainable development.
- 10.21 The NPPF (paragraph 55) states that Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as: The essential need for a rural worker to live permanently at or near their place of work in the countryside or where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting or where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets. This application would not re-use a redundant building. The building is currently used for domestic storage. Paragraph 55 of the NPPF also states that housing should be located where it will enhance or maintain the vitality of rural communities. It goes on to say " where there are groups of smaller settlements, developments in one village may support services in villages nearby" The site is not considered to be close enough to Great Dunmow to be considered to be part of the settlement and the converted barns on the site are not considered to be a large enough group to be regarded as a settlement in their own right.
- 10.22 The applicants' comments regarding the reason for the change of use have been noted, however, although the proposed dwelling would not have any detrimental impact on the character and setting of the listed buildings it is not considered that

would be justification for allowing a new residential dwelling in an inappropriate location.

- 10.23 The proposed development does not need to take place there and is not appropriate to the rural area. There are no material considerations which would justify the development of this site outside of the Development Limits. The proposal is contrary to advice contained with the National Planning Policy Framework (2012) and to Policies S7 and GEN2 and of the Uttlesford Local Plan (adopted 2005).
- 10.24 Policy H6 also states that the conversion of rural buildings to dwellings will be permitted if certain criteria are met. This proposal does meet all of the criteria a) to e), however H6 also states that conversion will not be permitted to residential uses on isolated sites in the open countryside located well away from existing settlements. This site is considered to be isolated and is some 1.5.km from the settlement limits of Great Dunmow. The site is not located on the edge of a settlement. The road from the site to Great Dunmow does not have a pavement and is a busy road unsuitable for walking on a regular basis. The proposal therefore does not comply with policy H6. This is consistent with paragraph 55 of the NPPF that states Local Planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. The proposal does not represent any of the special circumstances listed.
- 10.25 The following recent appeal decisions in the Uttlesford district make reference to comments on the interpretation of “sustainability and isolated”
UTT/16/2681/OP APPEAL APP/C1570/W/17/3168638: Paragraph 13:
“The proposal is located some distance from the nearest village and the services and facilities it provides. Although the appellant suggests that this is walkable, there are no footpaths, the road is unlit and this is not a journey which would be conducive to walking. The facilities and services available at the closest village are also limited. On this basis I am of the view that the proposal is in a relatively isolated location which the Framework seeks to avoid and is not such that it would enhance or maintain the vitality of the rural community.” Overall I conclude that the proposed development would result in material harm to the character and appearance of the surrounding countryside and that the dwellings would be poorly located in relation to services and facilities, leading to a reliance on the private car. These environmental harms would outweigh any limited economic or social benefits that would arise from the provision of the development, which includes new housing. As such the proposal would conflict with the development plan and would not amount to sustainable development as promoted in the Framework and the proposals should therefore be resisted.”
- 10.26 UTT/16/1554/FUL – APP/C1570/W/16/3137468 -
“The proposed development would be located outside of the defined development limits of Felsted and would thus be contrary to the broad aims of saved Policies S7 and H1 of the Uttlesford District Local Plan 2005 (LP), which seek to direct new development to sites within defined development limits. Nevertheless, the proposed houses would be located a short, level and comfortable walk from the centre of the village, which is well served by a number of everyday facilities. The appeal site is also broadly located opposite the telephone exchange and is adjacent to residential development to the north. As such, I am satisfied the proposed development would not be ‘isolated’ within the meaning of Paragraph 55 of the National Planning Policy Framework.”
- 10.27 UTT/16/0331/FUL – APP/C1570/W/16/3155334
“The appeal site is located towards the periphery of Hadstock and outside of the

development limits. It fronts onto an apparently busy road and there is not a pavement linking the appeal site back into the village. Notwithstanding this, the village appears to have very few everyday facilities that would be available to future occupants of the dwelling. As such, I would need to see further evidence before I was satisfied the proposed dwelling would not be isolated from everyday services and facilities with future residents reliant on private cars.”

- 10.28 As an important material consideration my attention has been drawn to Paragraph 55 of the Framework, which specifically addresses the provision of housing in rural areas. It states that housing should be located where it will enhance and maintain the vitality of rural communities by avoiding isolated homes in the countryside unless there are special circumstances. The Framework does not define the meaning of ‘isolated’. In my experience there are two main aspects to be assessed when considering ‘isolation’, these being whether the appeal site is physically and spatially isolated relative to a settlement and whether it is functionally isolated from services and facilities.
- 10.29 The appeal site is located to the south of Radwinter, which is the nearest settlement with a defined development limit. The distance and intervening countryside separating the site from the settlement means the appeal site is ‘read’ as being physically isolated from the built form of Radwinter. This would undermine the Framework’s aim of recognising the intrinsic character and beauty of the countryside.
- 10.30 Given the distance involved, the appeal site is not a comfortable walk from the everyday services and facilities available in Radwinter, or other settlements nearby, listed by the appellant. The distance is likely to deter future residents of the proposed bungalow from walking to local facilities. As such, I consider it highly likely that future residents of the appeal scheme would be predisposed to rely on a private car to access everyday services and facilities, especially in the winter months. Reliance on home deliveries from supermarkets would not wholly mitigate this. I have not been presented with details of exact bus routes, the position of bus stops¹ or the relevant timetables so am unable to consider this further as an alternative to private car use. In any event, this alone is unlikely to be determinative given the sites inaccessibility to services if walking. Cycling to services and facilities could be an option for some future residents of the bungalow, but not all, depending on mobility and proficiency. Consequently, I find that the proposed development would be a functionally isolated development in the countryside due to its limited connectivity to everyday services and facilities. This functional isolation would result in significant harm when considering the social and environmental dimensions of sustainable development. It would leave future occupants of the proposed dwelling largely reliant on private vehicles with limited travel choices. It would also undermine the Framework’s aim of locating new dwellings in rural areas close to services and facilities as a means of supporting the vitality of rural communities and reducing unnecessary travel by car, with its associated carbon emissions, as one measure to cumulatively limit the effects of climate change.
- 10.31 In considering any special circumstances that would justify the isolated location of the appeal scheme, the appellant has suggested that the proposed bungalow is necessary to enable her to live on site and manage the holiday let at the Midden and the land around it. However, I have not been provided with any substantive evidence to suggest that it is essential for the proper functioning of the holiday let for there to be an on-site presence, that the business has suffered losses from there not being an on-site presence and that it is financially sound and likely to endure into the future. As such, I do not consider this would amount to a special

circumstance that justifies the appeal scheme I do not have substantive evidence before me to suggest that the other examples of special circumstances listed in Paragraph 55 of the Framework are met. However, the list is not exhaustive and the appellant has advanced a case that the proposal would allow her, as a long term resident of the area, to remain nearby. I have not however, been provided with evidence to demonstrate that there is a shortage of accommodation in the area, which would otherwise enable this aim to be realised. As such, I afford this very limited weight as a matter in support of the appeal scheme.

- 10.32 The appellant suggest that the appeal site is part of a residential garden and thus the proposal would amount to development within a residential curtilage rather than the development of undeveloped countryside. Be this as it may, I have found that the proposed development would be physically and functionally remote from a discernible settlement. Consequently, this is not a special circumstance that would justify the isolated location of the development.
- 10.33 I therefore conclude that as an isolated dwelling outside of the development limits of a defined settlement, the appeal proposal would present a conflict with Saved Policy S7 of the Local Plan. I also conclude that the proposal would conflict with the aims of Policy S7 by harmfully urbanising the existing open and rural character of the appeal site. The proposed development would also be contrary to the Framework (Paragraphs 17 and 55 in particular), which seeks to deliver development that minimises the above adverse impacts by siting development in locations that maximise opportunities for future residents to live in a sustainable way whilst recognising the intrinsic character and beauty of the countryside. The proposal would provide a single family dwelling that would increase the rural housing stock, provide flexible occupation and modern construction standards. However, this would be in a location isolated from services with the inherent harm this would bring. A single dwelling could provide some very limited assistance towards the vitality of rural communities and services. But most of the facilities future occupants would likely use on a regular basis are in Radwinter, Saffron Walden and surrounding villages and therefore a dwelling would be better sited closer to these settlements. Consequently, I do not find these social benefits as persuasive in justifying the dwelling. Nor do I find the very modest economic benefits that would be derived from the construction of the dwelling, the future 'spend' of occupants and possibly business synergy with Warner's Farm bed and breakfast, as overriding benefits either.
- 10.34 Consequently, I do not find that the social, environmental or economic matters, advanced as material considerations, are sufficient to outweigh the conflict with the development plan. I therefore find that when taken as a whole, the proposal is not sustainable development within the meaning of the Framework."
- 10.35 UTT/15/3031/OP – APP/C1570/W/16/3151054
"The accessibility of the site to local services has been given considerable attention, and I went around most of the village in order to observe its layout and services. The village store, bus stop, rail station and employment opportunities are all about 800 metres from the site. Much of this distance is along parts of Royston Road without a proper footway and, near the site, without street lights. Although this is typical of much of the village, the site is just within the 30 mph limit and I observed traffic passing quite briskly. In this situation, I consider that a private car is likely to be the preferred means of transport to and from the site, albeit that other modes would be feasible. This could be acceptable in a rural area, as the Framework recognises that opportunities to maximise sustainable transport will vary from urban to rural areas. I consider my finding in this respect confirms the rural setting of the

site, and that it is not well integrated into the fabric of the village. On balance, I consider that the limited economic and social benefits of the proposal would not materially outweigh the environmental harm, having regard to the rural setting. As a result, I have not found a strong presumption in favour of sustainable development such as to offset this harm or override the provisions of Policy S7 in the Local Plan.”

10.36 UTT/15/2274/FUL – APP/C1570/W/3146989

“Future occupiers could be expected to make similarly modest contributions to the viability of local facilities and services and to social cohesion. With regard to the environmental role, whilst the Council has found nearby sites to be sustainably located, I am not persuaded that the appeal site can be regarded as highly accessible. I note that the nearest facilities are a 10-15 minute walk from the site and that bus services in the vicinity are hourly. As such, the sustainability of the appeal site location does not offer significant weight in support of the proposal.”

10.37 The agent has made reference to a recent decision UTT/17/0236/FUL; however it is not considered that this is a similar case in that the application relates to a former agricultural building. The site was in walking distance to a frequent bus service. The building the subject of this application is not a former agricultural building and not in safe walking distance to a bus stop and indeed there was no planning permission in place prior to the retrospective application to retain the tractor shed under UTT/15/2853/HHF in 2015. The recent change in National Permitted Development rights relating to conversion of agricultural buildings to residential clearly also shows the Government’s intention that agricultural buildings should be regarded differently in planning terms to outbuildings. It appears that the building was rebuilt in 2010 and not as stated by the agent as 2006. Application UTT/15/1773/FUL states that works were started in 2010 and indeed UTT/1066/10/FUL does not show the building as being present

10.38 It is considered that the proposal would not constitute sustainable development and therefore the principle of the development is not acceptable.

B Whether the design and appearance of the development is acceptable and impact on neighbours amenity (UDC local policy GEN2 & ENV2 and the NPPF).

10.39 The proposal only involves minor changes to the exterior/interior of the existing building. In view of the separation distances from neighbouring properties location, the proposal would not result in any material detrimental impact to neighbours amenity.

10.40 Adequate parking, to comply with the adopted parking standards, to the front of building would be provided for the new dwelling. Adequate amenity space would also be provided to comply with the recommended amenity space within the Essex Design Guide.

10.41 In view of the separation distance from the Grade II Listed building and the landscaping screening separating the site from the main house, the proposal would have limited detrimental impact on the character and setting of the listed building. The proposal complies with policies GEN2 and ENV2.

C Whether the access and parking provision is appropriate (UDC GEN1, GEN8 and SPD Parking Standards)

10.42 The adopted parking standards require that two bedroomed dwellings must have a minimum of two parking spaces each measuring 2.9m x 5.5m. The dwelling would

have sufficient parking spaces to meet the adopted standards.

- 10.43 The dwelling would use an existing access (which is shared with Trutons). Essex County Council Highways has been consulted on the proposal and raise no objections. As such, the proposal complies with Policies GEN1 and GEN8.

D Impact on Biodiversity (UDC policies GEN7 and the NPPF)

- 10.44 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.
- 10.45 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. 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".
- A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site. The questionnaire allows the council to assess whether further information is required in respect of protected species and their habitats. The biodiversity questionnaire answered no to all of the questions. With regards to this application it only involves minor changes to the exterior of the property and therefore has limited potential to have an impact on biodiversity. Essex County Council ecologists have been consulted and have no objections to the proposal and state that no further surveys are required. It is considered unlikely that there would be any adverse impact on protected species caused and therefore complies with Policy GEN7.

11.0 CONCLUSION

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

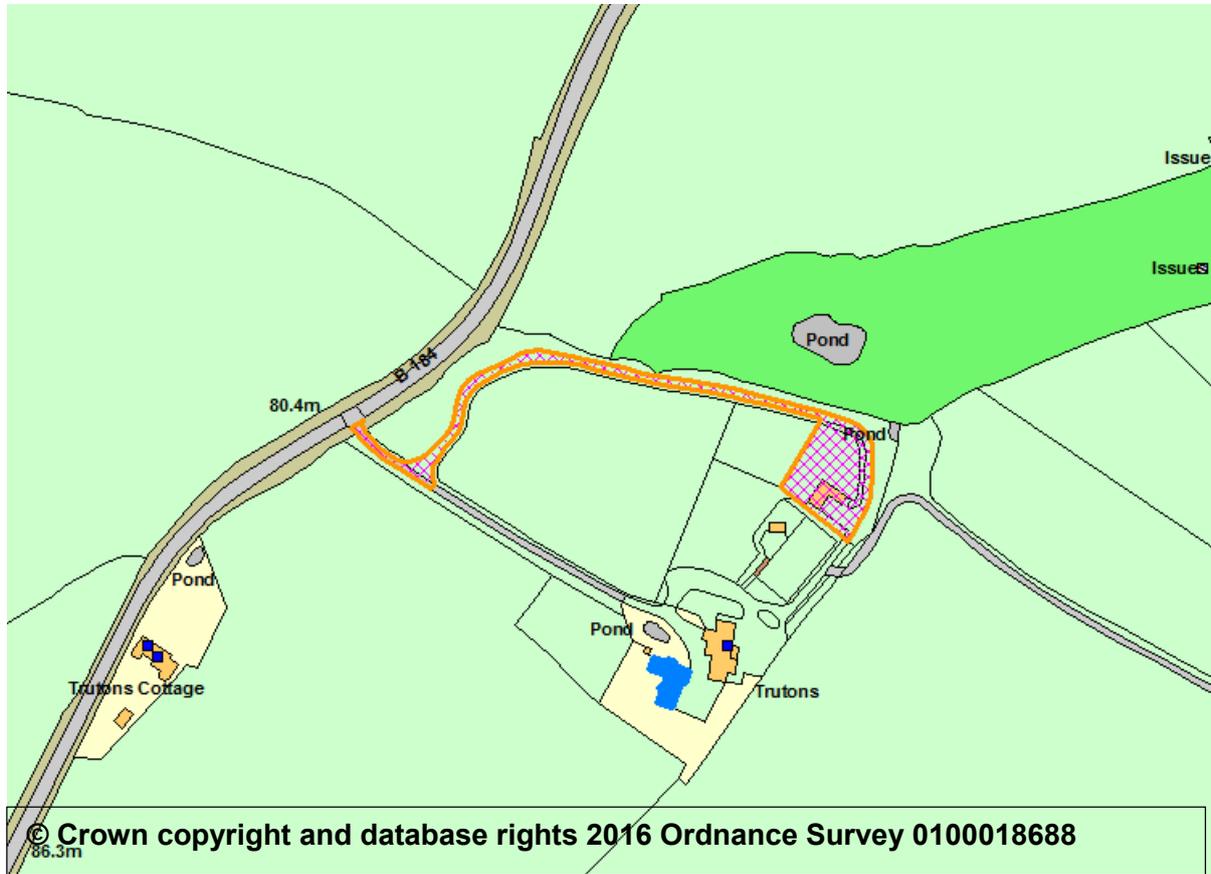
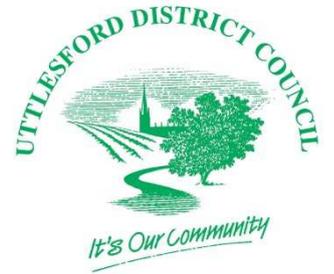
The proposal does not represent sustainable development and therefore is not acceptable in principle.

- A The proposal does not represent sustainable development and therefore is not acceptable in principle. The building is a relatively new outbuilding. Application UTT/15/1773/FUL states that works were started in 2010 and indeed UTT/1066/10/FUL does not show the building as being present. The building is not a redundant agricultural building and is not redundant as it is currently used for domestic storage.
- B The proposal would not have any material detrimental impact on neighbours amenity
- C The access arrangements have been considered by Essex County Council and no objections are raised to the proposals. The proposal has demonstrated that sufficient parking can be provided to meet the adopted parking standards.
- D The proposal would not result in any significant harm to protected species or habitats.

RECOMMENDATION: REFUSAL

The proposal would result in the creation of an isolated dwelling in the countryside. The proposed development does not need to take place there and is not appropriate to the rural area. There are no material considerations which would justify the development of this site outside of the Development Limits. Given the location of the site the occupants of the proposed dwelling would be almost entirely reliant on a car to access shops, schools, services and is therefore would result in an unsustainable development. The harm caused would not be outweighed by the benefits of the development. The proposal is contrary to advice contained with the National Planning Policy Framework (2012) and to Policies S7, and H6 of the Uttlesford Local Plan (adopted 2005).

Application: UTT/17/1311/FUL
Address: Tractor Store at Trutons Farm Ongar Road Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 19 July 2017

UTT/17/0486/HHF – GREAT DUNMOW

(Referred to Committee by Cllr Ranger - Reason: i) the impact on the amenities of the occupants of No 20 Oakroyd Avenue in respect of loss of light and overshadowing and ii) lack of car parking spaces and manoeuvring space on the plot which would lead to highway safety issues)

The application was deferred from Planning Committee on 5 July 2017 to allow members to visit the site.

PROPOSAL: Demolition of rear extension and outbuilding and erection of two storey side and rear extension

LOCATION: 22 Oakroyd Avenue, Great Dunmow

APPLICANT: Mr and Mrs Bush

AGENT: Andrew Stevenson Associates

EXPIRY DATE: 7 July 2017

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Within Development Limits.

2. DESCRIPTION OF SITE

2.1 The application site relates to a detached chalet bungalow located on the eastern side of Oakroyd Avenue. It is constructed in red brick with a tiled roof.

3. PROPOSAL

3.1 The proposal relates to the demolition of an existing single storey rear extension which is currently a bathroom and an outbuilding and the erection of a two storey side and rear extension. The proposed rear extension would have a depth of 5.5m and would extend along the rear of the existing property and the proposed new side extension, having a total overall width of 9.25m. The first floor element would have the same depth and would have a width of 6.7m at eaves height. The proposed side extension would have a width of 2.5m and a length of 4.7m before joining up with the rear extension, thereby having a total length of 10.35m. The first floor element would extend for a length of 4.8m, approximately central to the side extension. A replacement dormer is proposed to the side roof slope of the original dwelling, and it is proposed to insert a rear dormer to the first floor side extension. In addition, it is proposed to re-clad the existing dwelling with slate and to render the property over a brick plinth. The proposed extension would be constructed in matching materials, with the additional use of weatherboarding to part of the rear elevation.

4. APPLICANT'S CASE

4.1 None submitted.

5. RELEVANT SITE HISTORY

5.1 None.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- S1 – Development Limits for the Main Urban Areas
- H8 – Home Extensions
- GEN2 – Design
- GEN8 – Vehicle Parking Standards

6.3 Great Dunmow Neighbourhood Plan (2016)

DS1: TDA: Town Development Area

7. TOWN COUNCIL COMMENTS

7.1 Original Plans: Object. Overdevelopment of the site. Proposal is overbearing and too close and detrimental to the adjacent property. Also concerned about parking causing an obstruction if the owners or their visitors need to park on Oakroyd Avenue.

7.2 Revised Plans: Object on grounds that the development would represent an unacceptable form of development as it would create an overly dominant feature by reason of its design, scale and closeness to the common boundary of the adjoining occupier.

8. CONSULTATIONS

ECC Ecology

8.1 No objections. The proposals are small-scale, limited in scope and are unlikely to impact protected species or notable habitats.

9. REPRESENTATIONS

9.1 Two letters of representation have been received in respect of the original plans. One further letter of representation has been received in respect of the revised plans.

9.2 Overdevelopment of a small site
Reduce parking area resulting in on-street parking causing complications
Will demote the attractive brick character of the house
Loss of light to kitchen and landing and adjacent bathroom
Our extension will suffer loss of light from two storey rear extension
Building regulations state new build should be 1m from boundary
Will overshadow our driveway and eastern elevation
Dominant and overpowering particularly to windows on eastern elevation
Will need scaffolding on our property during construction

- 9.3 Too large and disproportionate to overall size of plot and not in keeping with adjacent properties
Kitchen too close to our garage in the event of fire
Loss of open aspect and nature daylight will devalue our property
- 9.4 Revised Plans:
Appear the plans only amend parking area
Reiterate previous objections

10. APPRAISAL

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

- A Whether the proposal complies with policies regarding design, home extensions (ULP Policies S1, H8, GEN2; NPPF).
B vehicle parking standards (ULP Policy GEN8)

A Whether the proposal complies with policies regarding design, home extensions (ULP Policies S1, H8, GEN2; NPPF).

- 10.1 The application site is located within the development limits to Great Dunmow where Policy S1 permits development in keeping with the character of the area. The proposal relates to the erection of a household extension and the principle and scale of the proposals are in accordance with Policy S1.
- 10.2 The design of the extension is in keeping with the character with the existing dwelling. The SPD Home Extensions states that extensions should appear to be subservient and it is generally recommended that they be set down and set back. The revised proposal now conforms to those guidelines. As a result, the overall bulk of the proposed side extension is broken down and appears less dominant within the street scene. The property is in a street where there is no fixed design and therefore it would not appear out of character. As such, the proposals comply with Policy H8.
- 10.3 Concerns have been raised in respect of overbearing and overshadowing impacts. These would be to the side elevation, driveway and garage area of the property to the northwest. The windows in the side elevation of the adjacent property do not serve main habitable rooms and therefore it is considered that there would not be significant loss of residential amenity due to overshadowing.
- 10.4 The two storey side extension would be located adjacent to part of the garage and the driveway to the neighbouring property. This element would have an eaves height of 2.8m and a ridge height of 5.7m and would extend for 5.5m in length. Given the relationship between the application site and the neighbouring property it is not considered that there would be adverse loss of residential amenity due to overbearing impacts. Therefore, it is considered that the proposals comply with Policy GEN2.

B Vehicle Parking Standards (ULP Policy GEN8)

- 10.5 The proposed extensions would extend an existing two bedroom property into a four bedroom property. This would require the provision of three parking spaces. The current property only has one parking space, a shortfall of one space according to the current adopted standards. It is proposed to create two parking spaces as a result of this proposal, still a shortfall of one space. Given the

sustainable location of the site and the fact that the overall under provision would not be worse than the current situation it is considered, on balance, that the parking provision is appropriate and in accordance with Policy GEN8.

11. CONCLUSION

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

- A The principle of the proposals is acceptable in this location. The design is considered to be appropriate and in accordance with the relevant policies. Overall, it is not considered that there would be significant loss of residential amenity to the neighbouring property arising from the proposals. Therefore, it is considered that the proposals comply with Policies S1, H8 and GEN2.
- B Whilst the proposals would result in the under-provision of one parking space, this would not be a worsening of the existing situation. The site is in a sustainable location and, on balance; it is considered the proposals comply with Policy GEN8.

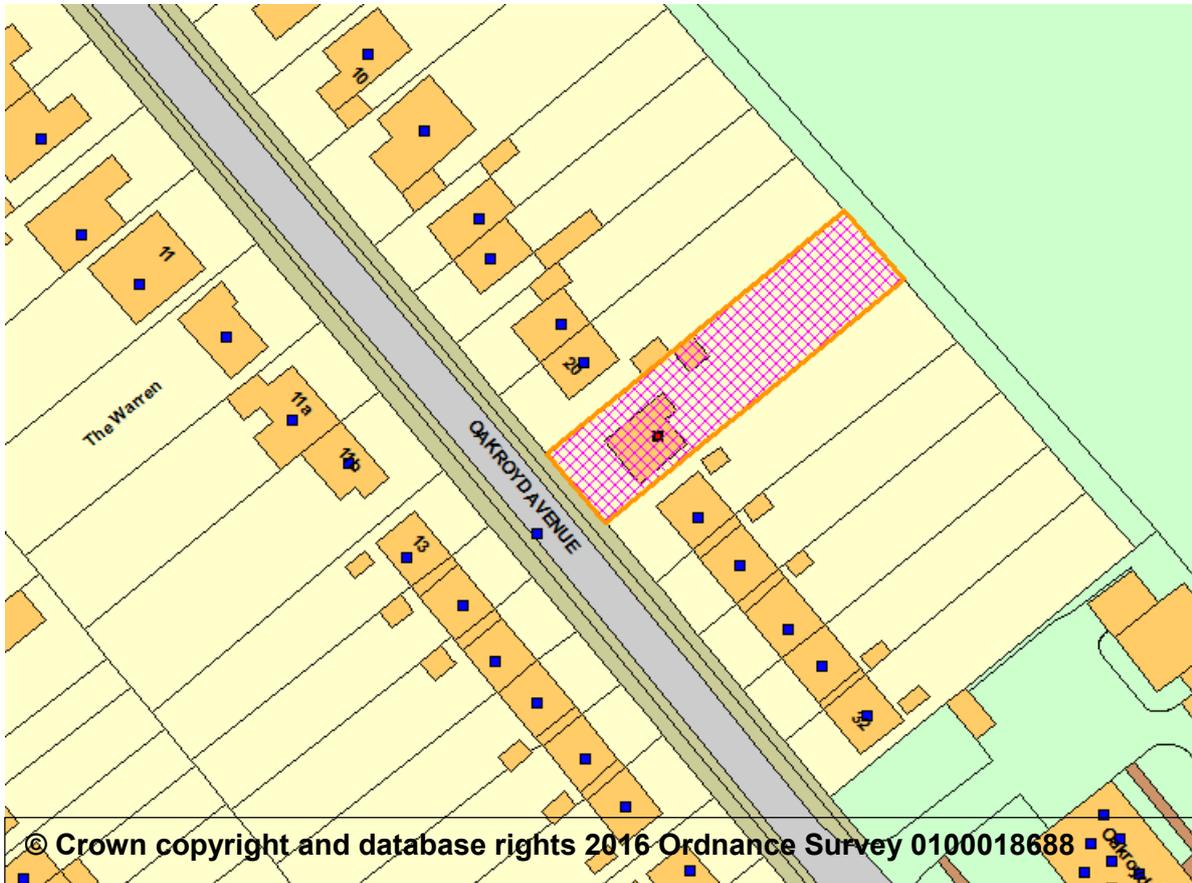
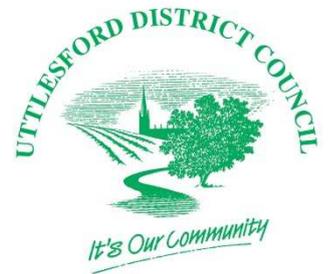
RECOMMENDATION – APPROVAL WITH CONDITIONS

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.

Application: UTT/17/0486/HHF
Address: 22 Oakroyd Avenue Dunmow



Organisation:	Uttlesford District Council
Department:	Planning
Date:	19 July 2017

Title: Appeal Decisions

19.04.2017 - 11.07.2017

Author: Nigel Brown

SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Land West Of 1 Chestnut Cottages Burton End Stansted	UTT/16/0795/OP	Outline application with all matters reserved for 1 no. dwelling	Dismissed 19.04.2017	N/A
Land At The Vineyard Cole End Lane Sewards End Saffron Walden	UTT/16/1589/OP	Outline application, with appearance and layout reserved, for the erection of 1 no. dwelling	Dismissed 19.05.2017	N/A

Rear Of 8 The Elms Great Chesterford Saffron Walden	UTT/16/1478/FUL	Proposed dwelling and access to highway	Dismissed 19.05.2017	N/A
19 Landscape View Saffron Walden	UTT/16/2823/HHF	Proposed single storey front extension.	Dismissed 01.06.2017	N/A
Land Between Wytewais And Hawthorns, Gransmore Green Lane Gransmore Green Felsted	UTT/16/2827/OP	Outline application with all matters reserved except access for the erection of 1 no. dwelling with garage/outbuilding and related infrastructure	Allowed 17.05.2017	N/A

Sunny View School Lane Takeley	UTT/16/3234/HHF	Proposed erection of detached single garage.	Dismissed 01.06.2017	N/A
Land North Of Bartholomew Close Great Chesterford	UTT/16/1247/DFO	The reserved matters application, following outline application UTT/14/0425/OP for the construction of 12 new dwellings, covering access, layout, scale, landscaping and appearance.	Dismissed 12.04.2017	Committee – 24.08.2016 Recommendation – Approve with Conditions Decision – Overturned – Refused – 01.09.2016
Land To The South Of Braintree Road Felsted	UTT/16/0287/OP	Outline application for up to 55 dwellings, means of access and associated works, with all other matters (relating to appearance, landscaping, layout and scale) reserved.	Dismissed 11.07.2017	Committee – 29.06.2016 Recommendation – Approve with Conditions Decision – Overturned – Refused – 28.07.2016

Down House Matching Road Hatfield Heath Bishops Stortford	UTT/16/1703/CLP	Single storey, detached residential outbuilding	Dismissed 16.05.2017	N/A
Land South Of School Lane School Lane Henham	UTT/15/2982/FUL	Residential development for 36 dwellings and associated roads and parking, together with public open space and a play area along with infrastructure improvements to Henham and Ugley Primary School including parking and playing fields provision.	Dismissed 30.06.2017	Committee – 04.05.2016 Recommendation – Approve with Conditions Decision – Overturned – Refused – 10.05.2016
Four Seasons Hallingbury Place Great Hallingbury Bishops Stortford	UTT/16/3391/TPO	Fell 2 no. Oaks, 2 No. Scots Pine and 1 no. Hornbeam	Dismissed 27.06.2017	N/A

Land South Of School Lane School Lane Henham	UTT/16/0814/FUL	Installation of a SUDS pond and swale	Dismissed 30.06.2017	N/A
20 King Street Saffron Walden	UTT/16/2509/LB	Proposed replacement fascia signage and projecting sign.	Part Allowed/ Dismissed 12.06.2017	N/A
Pathwoods Bardfield End Green Thaxted Dunmow	UTT/16/2681/OP	Outline application, with all matters reserved except for access and layout, for the erection of 2 no. dwellings with associated landscaping, garaging and access	Dismissed 14.06.2017	N/A

