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Uttlesford District Council

Chief Executive: Dawn French

Planning Committee

Date: Wednesday, 17th January, 2018

Time: 2.00 pm

Venue: Council Chamber - Uttlesford District Council, Council Offices, London Road, Saffron Walden, CB11 4ER

Chairman: Councillor A Mills

Members: Councillors R Chambers, J Davey, P Fairhurst, R Freeman, E Hicks, M Lemon, J Lodge, J Loughlin (Vice-Chair) and L Wells

Substitutes: Councillors A Gerard, G LeCount, H Ryles and 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 Previous Meeting

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To consider the minutes of the previous meeting held on 20 December 2017.

3 UTT/17/1087/FUL - Waltham Hall Farm, Bambers Green Road, Takeley

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To consider application UTT/17/1087/FUL.

4 UTT/17/1088/LB - Waltham Hall Farm, Bambers Green Road, Takeley

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To consider application UTT/17/1088/LB.

5 UTT/17/3195/FUL - Quicksie Hill, Arkesden 47 - 54

To consider application UTT/17/3195/FUL.

6 UTT/17/2952/LB - Police Station, East Street, Saffron Walden 55 - 60

To consider application UTT/17/2952/LB.

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PLANNING COMMITTEE held at the COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 2pm on 20 DECEMBER 2017

Present: Councillor A Mills (Chairman)
Councillors R Chambers, A Gerard (substituting – P Fairhurst), R
Freeman, E Hicks, J Lodge, J Loughlin, M Lemon and L Wells.

Officers in attendance: E Allannah (Senior Planning Officer), N Brown
(Development Manager), B Ferguson (Democratic Services
Officer), L Mills (Planning Officer), E Smith (Legal Officer), C
Theobald (Planning Officer) and C Tyler (Planning Officer).

Also present: Celia Bartlett, William Brazier, Victoria Choat, Richard Haynes,
Ray Houghton, Philip Kratz, Andrew Le Clercq, Cllr Petrina Lees,
Petrina Mawer, David McPherson, Don Proctor, Cllr Julie
Redfern, Cllr Howard Rolfe, Ian Rutherford, Tom Wilson and
Ashley Wynn.

PC67 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies were received from Councillors Davey and Fairhurst.

Councillor Freeman declared a non-pecuniary interest as a Member of Saffron
Walden Town Council. Councillor Gerard declared a non-pecuniary interest as
a Member of Newport Parish Council.

PC68 MINUTES

The minutes of the meeting held on 22 November 2017 were approved and
signed by the Chairman as a correct record.

PC69 UTT/17/2542/DFO - LAND NORTH OF LEIGH DRIVE, STANSTED ROAD, ELSENHAM

This reserved matters application sought approval for the details of layout,
scale, appearance and landscaping for the erection of twenty dwellings with
associated works, garages, open space and services following the grant of
outline permission on appeal under application UTT/15/3090/OP.

The proposed scheme would comprise a mix of two storey dwellings and
bungalows consisting of detached dwelling units, a pair of semi-detached
bungalows, a FOG unit and a corner house. The dwellings would be externally
clad in a mix of building materials consistent with those materials used on
Phase One of the David Wilson Homes development to the immediate north.

Councillor Chambers said he appreciated the Parish Council's comments that
the housing mix was not what was needed in the community, but that was an
argument for Planning Policy, not the Planning Committee. He said the

developer had complied with planning policy framework and proposed that the application was approved.

Councillor Hicks said Members could only look at what was before them and the application complied with planning rules. He seconded the proposal.

Councillor Gerard asked whether meaningful negotiations regarding the housing mix between the Parish Council and the developer had taken place.

The Planning Officer said discussions with the developer had not moved beyond the developer's own market findings on what dwellings were appropriate for the site.

The Development Manager said the issue of housing mix had been raised with the developer, particularly the Parish Council's desire to incorporate more bungalows, but the developer's application was compliant with policy and they had made the commercial decision to build 3 or 4 bedroomed houses, rather than bungalows. He said there was no planning reason to refuse the application.

Councillor Lodge said the Planning Inspector had expected meaningful negotiations to have taken place between the developer and the local community on what was the preferred housing mix. He said it was clear this had not happened and he proposed deferral of the application on the grounds that this development was neither what the local community wanted, or needed.

The motion for deferral was defeated by 3 votes to 6.

Members voted on the initial proposal to approve the application.

The motion was approved by 5 votes to 3, with 1 abstention.

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

R Houghton and Cllr P Lees spoke against the application.

PC70

UTT/17/1652/FUL - SECTOR 3 WOODLANDS PARK, GREAT DUNMOW

This full application proposal related to the erection of twenty 2-bedroomed (four person) affordable housing apartments within two blocks of ten units to be built across an irregular shaped defined site area of 0.275 ha. The two blocks would each be constructed at three and four storey levels, would be handed identically with each other in terms of floor layout and built form and would face each other across an already constructed internal access road which leads through to an approved, but yet unbuilt, affordable housing development "behind" the proposal site to the immediate west. The scheme represents a revised proposal to a 3 storey affordable apartment complex shown in two blocks approved for this site under application UTT/0392/05/DFO which would appear still to have an extant approval.

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

PC71 **UTT/17/2624/FUL - LAND TO THE REAR OF LITTLE MAYPOLE, THAXTED**

The meeting was adjourned at 2.50pm. The meeting was reconvened at 2.55pm.

Members considered this application which sought planning permission for the construction of eight new three bedroom residential properties, with parking, landscaping and cycle and bin storage.

Each dwelling would be offered as open market housing; no affordable housing or contribution was proposed as part of this scheme.

The Planning Officer said there had been opposition to the development from local residents and 200 letters objecting to the application had been received. He added that comment had also been received from the ward Member for Thaxted, Councillor Foley, objecting to the scheme on the basis it would mar the view of the church from Chelmer valley.

RESOLVED that the application be refused.

Reasons:

1. The proposed development for the construction of 8 dwellings by reason of their inappropriate size and scale and excessive height, would result in a development detrimental to the character and appearance of the surrounding area and the street scene. The development is therefore contrary to Policy GEN2 and S7 of the Local Plan as Adopted (2005) and the National Planning Policy Framework.

2. The proposed dwellings would by reason of their size, scale and close proximity to the adjoining properties result in an intrusive and unneighbourly development which would give rise to an overbearing and harmful impact upon the amenities of the adjoining property occupiers contrary to Policy GEN2 of the Adopted Uttlesford Local Plan 2005 and the National Planning Policy Framework.

William Brazier, Richard Haynes, Petrina Mawer, David McPherson and Tom Wilson spoke against the application.

Ashley Wynn spoke in support of the application.

PC72 **UTT/17/2745/DFO – LAND NORTH OF BARTHOLOMEW CLOSE, GREAT CHESTERFORD**

Members considered the application seeking approval of all reserved matters, following a grant of outline planning permission for a residential development of up to 14 dwellings (UTT/14/0425/OP).

This proposal included the erection of 11 dwellings, and associated hard and soft landscaping. A new vehicular access would be provided at the end of Rookery Close, and a cycle link would connect the development to Stanley Close.

RESOLVED that the application be approved subject to the conditions in the report and the following amended and additional conditions.

Amended conditions

5. Prior to commencement of the development, a Traffic Management Plan and Construction Method Statement must be submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved details, which must provide for:

- i. pre commencement local engagement
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. wheel and underbody washing facilities.
- vi. agreement of working hours

REASON: To ensure that the highway is not obstructed during the construction period, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

9. Prior to occupation of the development, the vehicular access off Rookery Close and the cycle link off Stanley Road must be formed in accordance with Drawing No. H.724.P100 B.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Additional conditions

10. The proposed development must not be occupied until such time as the vehicle parking areas indicated on Drawing No. H.724.P100 B have been provided. The vehicle parking areas must be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

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

REASON: To ensure appropriate cycle/ powered two wheeler parking is provided, in accordance with Policy GEN1 and Policy GEN8 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

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

REASON: To avoid displacement of loose material onto the highway, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Cllr Julie Redfern, Victoria Choat and Andrew Le Clercq spoke against the application.

Philip Kratz spoke in support of the application.

PC73

UTT/17/2336/OP – GRESHAM COURT, STATION ROAD, WENDENS AMBO

Councillor Loughlin declared a non-prejudicial personal interest as she was an acquaintance of Mike Hibbs.

This revised outline application related to the demolition of all of the existing commercial buildings on the site and the change of use from B1 to C3 use, comprising the erection of up to eleven two storey residential dwelling units with associated amenity and parking, with all matters reserved except access and scale.

The Senior Planning Officer said the proposed scheme was the same as application UTT/15/1665/OP which had previously been approved by the Planning Committee. This application was subject to the completion of a Section 106 Agreement to secure affordable housing. The scheme was later refused planning permission because the applicant did not complete the aforesaid Section 106 agreement.

In determining this application, the planning issues that were considered in the previous proposed application had not materially changed except this time the applicant had agreed to complete the Section 106 Agreement.

RESOLVED that the application be approved subject to the conditions in the report and the following legal agreement as follows.

- (I) The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless before 31 January 2018 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the

Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.

- (II)
 - (i) Provision of Affordable Housing or Contribution
 - (ii) Payment of contributions towards primary and secondary education provision as per the formula for calculating education contributions
 - (iii) Pay the Council's reasonable costs
 - (iv) Pay Monitoring charges

- (III) In the event of such an obligation being made, the Assistant Director of Planning shall be authorised to grant planning permission subject to the conditions set out below:
 - (i) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning and Building Control shall be authorised at his discretions to refuse at his permission for the following reasons:
 - (ii) No provision for Affordable Housing
 - (iii) No financial contributions towards education provision

Cllr Julie Redfern spoke against the application.

PC74 **UTT/17/1673/FUL – ELSENHAM GOLF AND LEISURE, HALL ROAD, ELSENHAM**

The meeting was adjourned at 4.30 pm. The meeting was reconvened at 4.35pm.

The application was to vary condition numbers: 2 (Netting of reservoir and ponds); 3 (Bird Hazard Management Plan); 9 (Site Contamination Investigation); and 10 (Remediation Scheme) of planning permission UTT/16/1066/FUL to exclude the construction of the adventure golf area.

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

PC75 **UTT/17/1493/FUL - LAND SOUTH OF WYNDHAMS CROFT, WHITEDITCH LANE, NEWPORT**

The application related to the construction of two detached dwellings with car parking and associated landscaping (The subdivision of plot 13 as granted under UTT/15/3824/DFO) bringing the total proposed dwellings from 15 to 16.

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

PC76 **UTT/17/2050/FUL - THE THATCH, ELSENHAM ROAD, STANSTED**

The application was for the proposed erection of a single dwelling and garage. The dwelling would be within the existing curtilage of The Thatch and sited within the rear garden area. The dwelling would be two storeys with habitable accommodation within the roof space and basement. The dwelling would include external finishes of rendered and cladded walls under a plain clay tiled roof.

The access to the site would remain as existing, with a new drive created within the front of the site to the dwelling and garage.

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

PC77

UTT/17/2407/FUL - LAND NORTH OF FARMADINE GROVE, SAFFRON WALDEN

The proposed application involved the erection of two dwellings – as an amendment to the scheme approved by Planning Committee under UTT/16/1997/FUL – with the relocation of previously approved plot 4 and the addition of one dwelling (plot 5). Members considered the revised scheme, which would increase the number of dwellings from four dwellings to five dwellings in total.

RESOLVED that the application be approved subject to the conditions in the report and the following amended condition.

Amended Condition

15. Prior to commencement of the development, a Traffic Management Plan and Construction Method Statement must be submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved details, which must provide for:

- i. pre commencement local engagement
- ii. the parking of vehicles of site operatives and visitors
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. wheel and underbody washing facilities.
- vi. agreement of working hours

REASON: To ensure that the highway is not obstructed during the construction period, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

Celia Bartlett spoke against the application.

Don Proctor spoke in support of the application.

PC78

UTT/17/2887/FUL - NEW KESTREL HOUSE, PARSONAGE FARM, STANSTED

The application was in relation to the variation of conditions; C.3.1, C.4.1, C.4.2 and C.10.17 imposed on the approved planning application UTT/0581/07/FUL.

C.3.1 – The development hereby permitted shall be implemented in accordance with the submitted plans.

C.4.1 – No development shall take place until the landscape details have been submitted and approved.

C.4.2 – All landscaping shall be carried out in accordance with the approved plans.

C.10.17 – The car park area shall be set out and in accordance with the approved plans.

The variation of these conditions was to increase the existing number of parking spaces from 17 to 24. This would include the removal of the existing boundary vegetation and reconfiguration of the parking layout.

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

PC79

UTT/17/2704/HHF - CAMPIONS, 12 WALDEN ROAD, SEWARDS END

Members considered the proposal, which involved the extension of an existing garage/workshop block to include an office and a three bay garage with a log store.

RESOLVED that the application be approved subject to the following conditions.

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

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

2. Before development commences samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: In order enhance the setting of the nearby Listed Building and Barn and the visual amenity of the area in accordance with Policies GEN2 and ENV2 of the adopted Local Plan (2005).

Cllr Howard Rolfe and Ian Rutherford spoke in support of the application.

PC80

UTT/17/2966/FUL - THE LODGE, 56 LONDON ROAD, SAFFRON WALDEN

The proposal was for the installation of a CCTV system consisting of eight external cameras, connected to a local recorder inside the building.

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

The meeting ended at 5.35pm.

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UTT/17/1087/FUL (TAKELEY)

(MAJOR)

PROPOSAL: Change of use to a Coach Depot (Sui Generis) comprising: Change of use agricultural grain store to coach maintenance workshop, and associated land for access and parking forecourt; refurbishment works to Network House, a curtilage listed building; demolition of 6 no. existing B2 workshops; access, resurfacing and levelling of the existing coach depot, parking provision for cars and coaches; associated facilities (including toilet drop and wash down facilities); external lighting associated hard and soft landscaping including the reprofiling and construction of bunding and other boundary treatments including acoustic fencing; and associated infrastructure works.

LOCATION: Site at Waltham Hall Farm, Bambers Green Road, Takeley

APPLICANT: Mr Mick Mullins

AGENT: Mrs Jane Terry

EXPIRY DATE: 26 July 2017 – Extension of time 23 January 2018

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside development limits/Countryside Protection Zone, Adjacent Grade II Listed Buildings, and Protected Lane.

2. DESCRIPTION OF SITE

2.1 The application site as outlined in red on the submitted location plan is located on the eastern side of Bambers Green Road approximately 700m south of the hamlet of Molehill Green. The site itself is relatively level, irregular in shape and is approximately 1.5 hectares in size.

2.2 The site currently contains a diverse collection of buildings including the modern Grain Store constructed in steel profile-cladding, Network House which is curtilage listed and is of a brick construction with a slate roof, and 2 buildings divided into 6 commercial workshop buildings which are all vehicle related.

2.3 The grain store and associated yard is located to the south of the site and is classified as agricultural use. The remaining buildings on the site are used for commercial uses that include an existing coach depot operated by ACME Coaches, a vehicle repair workshop and coach works, and Speedy Hire. CSL Stansted Parking and Pink Elephant Parking operate out of Network House which provide commercial vehicle parking services as a B1 use.

2.4 A single vehicle crossover to the south of Network House provides vehicular access to and from the site. A large hard surfaced area between and around the existing buildings on the site provides a vehicle parking and manoeuvring area. Mature vegetation and earth bunds are located along the boundaries of the site.

2.5 Stansted Airport is located directly to the west of the site, large open fields used for agriculture are located to the south and east of the site and Waltham Hall Farm, which has a mix of residential and B1 office uses adjoin the site's northern boundary.

3. PROPOSAL

3.1 The applicant seeks planning permission for the construction of a bus depot within the site that includes the storage and maintenance of buses to be operated and run by National Express Ltd. Works include:

3.2 Grain Store:

The change of use of the existing grain store into a coach maintenance facility and workshop. The size and scale of the building would remain the same however the proposed conversion would include internal and external alterations consisting of installation of new window and door openings, the change of cladding and provision of office space within.

Network House:

This building would remain as B1 offices in association with the proposed use however it would be refurbished with a new roof, window and door openings and reconfigure the internal space.

Demolition works:

Buildings marked out as A to F on the submitted location plan (drawing no. 140274-01-001K) are proposed to be demolished.

Associated infrastructure:

- Acoustic fencing to the north of the site to protect amenities of nearby residential properties;
- Ivy-screen fencing to screen the acoustic fencing in the vicinity of the listed 9-bay barn;
- External column lighting;
- Landscape bunding and additional planting to screen the site to the south;
- Drainage works;
- Resurfacing of existing hardstanding areas;
- A rising arm vehicle barrier and kerbing to secure access into the main gate;
- Removal of existing young and poor condition trees on site

3.3 The site would accommodate up to 59 bus/coaches and would operate 24 hours a day, 7 days a week. Whilst the layout plan indicates parking provision for 59 bus/coaches, these would predominantly be in service and the parking plan is to demonstrate that in the event of all vehicles having to be removed from service they could be accommodated within the site, to meet the terms of a Vehicle Operator's Licence.

4. APPLICANT'S CASE

- 4.1 The applicant has provided a Design and Access Statement and 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. In addition further information in relation to technical issues such as a Preliminary Ecological Appraisal, a Flood Risk Assessment, Tree Survey, Land Contamination Assessment, Heritage Statement, Lighting Impact Assessment, Waste Management Plan, Bat Survey and a Noise Assessment have also been submitted in support of the proposal.
- 4.2 The applicant considers that the proposal is in accordance with both National and Local Policies in relation to sustainable development, the effective use of previously developed land and protection of employment. It is critical for the continuing use of National Express Stansted routes and is appropriate within the context of the surrounding area.

5. RELEVANT SITE HISTORY

- 5.1 UTT/1803/90 - Proposed conversion of agricultural barns to form 5 residential units. Installation of Klargester Bio-Disc (approved)

UTT/1804/90/LB - Proposed conversion of agricultural barns to form 5 residential units (approved)

UTT/0822/91 - Change of use of barn to Class B1 use and alteration to existing access (approved)

UTT/0693/94/LB - Amendments to Listed Building consent UTT/0308/93/LB to provide alterations to fenestration and doors (approved)

UTT/0694/94/LB - Amendments to Listed Building consent UTT/1804/90/LB to provide alterations to windows and doors (approved)

UTT/0849/11/FUL - Proposed grain store together with creation of vehicular access from Waltham Hall and formation of frontage hardstanding to serve building (approved)

UTT/1327/12/FUL - Change of use to allow parking of motor vehicles in connection with nearby business units (refused and allowed at appeal)

UTT/17/1314/SCO - Request for Screening opinion for proposed development of Coach Depot comprising change of use agricultural grain store to coach maintenance workshop, and associated land for access and parking forecourt; refurbishment works to Network House, a curtilage listed building; demolition of 6 no. existing B2 workshops; access, resurfacing and levelling of the existing coach depot, parking provision for cars and coaches; associated facilities (including toilet drop and wash down facilities); external lighting associated hard and soft landscaping including bunding and other boundary treatments; and associated infrastructure works. (Environmental Impact Assessment not required)

6. POLICIES

- 6.1 **National Policies**

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- S7 – The Countryside
- S8 – The Countryside Protection Zone
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN4 – Good Neighbourliness
- GEN5 – Light Pollution
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- E2 – Safeguarding Employment Land
- E5 – Re-use of Rural Buildings
- ENV2 – Development affecting Listed Buildings
- ENV11 – Noise Generators
- ENV14 – Contaminated Land
- S4 – Stansted Airport Boundary

7. PARISH COUNCIL COMMENTS

7.1 Takeley Parish Council:

Objects for the following reasons:

- The proposal is directly related to the airport and that the concentration and extension of the National Express Depot outside the airport boundaries contradicts the local plan and represents an inappropriate development that provides coalescence with the airport.
- The proposed development would have material impact to the heritage assets (listed buildings) contained within and outside of the site.
- The proposal would likely destroy important archaeological deposits to an ancient monument located to the north of the site.
- The proposal would have an adverse impact to the amenities of adjoining occupiers in relation to noise, disturbance, pollution and vibration.
- The site is not suited to a large scale development contrary to policy GEN2.
- It would have an adverse impact upon biodiversity and ecology.
- The demolition of 6 small B2 workshops will mean that smaller scale commercial concerns not related to the airport will not later be supported.
- There is no delivery of S106 contributions to local community infrastructure.
- The proposal would result in highway safety concerns due to the intensification of the amount of heavy vehicles entering and leaving the site and clogging up the surrounding highway network.
- The removal of the agricultural barn will make it difficult for future farming purposes.
- Concerns over the sewage treatment and waste disposal.
- Inappropriate lighting would harm the countryside and adjoining occupiers.

7.2 Broxton Parish Council:

Objects for the following reasons:

- Please note that Broxton Parish Council wishes to associate itself with the

objections to this application made by Takeley Parish Council in its letter of 3rd June, 2017.

- In particular Broxsted Parish Council is most concerned about the additional traffic movements on the lane leading from Coopers End to Waltham Hall which is already used by very large numbers of heavy vehicles. We agree with Takeley Parish Council that this airport-related operation must be contained within the airport.

8. CONSULTATIONS

ECC Flood and Water Management

- 8.1 No objection - Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission based on imposing planning conditions.

Environment Agency

- 8.2 No objection - We have reviewed the application and supporting documents, as submitted and advise the Council that we have no objection to the development proposal.

ECC Highways

- 8.3 This planning application has been assessed in highways terms based on a transport statement and further information requested on visibility splays, vehicle tracking of the site and estimated trip generation. There is an existing use of the site which includes facilities for buses, although on more of a limited basis. A survey of the existing use was carried out by the developer and future proposed use estimated based on other similar operations and the TRICs data base. The proposed use was significantly lower than the existing over a 12 hour period and slightly lower in the peak, although this will be a 24 hour operation, in terms of traffic congestion, this is not an issue. It is understood from the application that no passengers will be accessing services from this location.

A speed survey was carried out to determine the speed of the road at this point and the visibility from the main access is in line with standards for a road of this speed. The access is to be widened slightly to ensure large vehicles can access safely. One of the conditions recommended is that the access to the north be closed off and retained for emergency use only, as the visibility from this is limited.

The employee parking will have to be organised carefully within the site and to ensure that there is no inappropriate parking on the local roads a condition has been recommended to survey the roads in the vicinity of the site and, if necessary, put parking restrictions in place.

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

Highways England

- 8.4 No objection.

ECC Ecology Advice

- 8.5 No objection – My comments refer to the Bat Survey (Essex Mammal Surveys, January 2016) and the Amphibian Survey (Eco-Planning UK, June 2016). The Bat Survey found no potential for bats within the buildings proposed for demolition. The Amphibian Survey found populations of great crested and smooth newts in a pond off-site. They determined it was unlikely for these species to cross to the pond on-site due to the road barrier in between. No further surveys are necessary.

CIEEM guidelines for preliminary ecological appraisal state that local environmental records centres must be consulted as part of the desk top study.

The PEA should also include a map showing the location of the application site in relation to habitats of ecological importance, including nearby local wildlife sites.

Stansted Airport

- 8.6. 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.

NATS Safeguarding

- 8.7 No objection – 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.

Historic England

- 8.8 No objection – On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

UDC Conservation officer

- 8.9 Having considered the scheme as a whole, it is felt that there would be a degree of harm to the setting of the heritage assets on the Waltham Hall site. The approval of such a use involving parking for numerous buses, washing facilities and refuelling etc, in addition to the requirements for artificial lighting, would alter the rural and agricultural character of the site, and compromise the setting of the listed, and curtilage listed buildings. As such, alternative locations on the airport site ideally, should be considered as a preference.

That being said, the bus operator does offer a public service, and as such, the proposed use of the site is likely to result in public benefit, which must be considered in relation to paragraph 134 of the NPPF, 2012. I am also mindful that the demolition of the modern metal barn structures adjacent to the nine-bay barn in particular, will represent a heritage gain in my view, creating greater spacing around the heritage asset and reinforcing its primacy on the site, particularly when viewed from Bambers Green Road. It could also be argued that with sympathetic treatment to the landscaping, and repairs and alterations to Network House, that the scheme would enhance the current appearance of the site and form a cohesive and more ordered setting, which better responds to the neighbouring heritage assets, and

serves as a long-term viable use for Network House which would secure much needed repairs.

To my mind, the resulting harm, and public benefit of the scheme are finely balanced, and I would refer to paragraph 132 of the NPPF, which calls for 'great weight should be given to the asset's conservation', however, should the planning officer feel minded to approve the scheme, I would recommend conditions be imposed.

UDC Environmental Health Officer

- 8.10 Lighting: The lighting impact assessment prepared by Level EE Ltd has determined the light intrusion and glare as a result of the proposal when considered against existing levels of light from other sources including the airport site.

The worst case in terms of glare will be at Chapter House, where the impact is predicted to be "noticeable", rated as being below "just admissible" on the glare assessment scale. The calculations have not been based on the fitting of baffles to the boundary lights to prevent spill, and therefore represent a worst case. The report states that baffles can be fitted where there is a possibility of spillage. Time controls are proposed, avoiding unnecessary use when natural lighting is adequate.

I would therefore suggest a condition to prevent protect and safeguard the amenity of nearby light sensitive receptors.

- 8.11 Contamination: In view of the current and historic usage of the site, Phase 1 (desk top risk assessment) and Phase 2 (site investigation) reports have been prepared, the findings of which are acceptable.

In order to ensure the site is suitable for the proposed use, limited remediation is necessary to address potential risk to human health. The risk to the water environment from existing contamination was identified as negligible.

The following conditions are therefore recommended:

- 8.12 In terms of noise the acoustic assessment concludes that with mitigation (a proposed 5m and 3m acoustic barrier across the site boundary) there will be an adverse impact (2dB above background) with penalties, however, given the context (an operational unrestricted commercial site) this is acceptable. On balance it is agreed that this is acceptable subject conditions being attached to any permission.

It should be noted that any noise management plan for the site would need to cover (but not be limited to) restricting the amount of vehicles arriving at the site in any given hour (especially in the late evening and night time), the use of the shutter doors on the workshop, the use of reversing beepers, idling engines, any noise generating equipment, vehicle routes and parking plans.

UDC Policy Officer

- 8.13 Given the importance of NEX services to the airport, it does therefore seem surprising that an on-airport location for the depot cannot be found within either the Southern or Northern Ancillary Areas identified in the 2005 adopted Uttlesford Local Plan (ULP). What is now being applied for is, in effect, a "fall-back" position by using the extinguishment of the existing uses on the application site as the proposed trade-off, a consequent effect being the freeing up of industrial premises at Start Hill.

I think it would be reasonable to ask for details of other sites that have been looked at in the form of a sequential test.

The premises are located in the Countryside Protection Zone (ULP Policy S8). A comparison between the proposed site layout and the latest Google aerial photograph shows that a section of hedge to the southeast of the grain store would be removed to allow the encroachment of coach parking up to within a metre or so of the end elevation of the grain store. Also, along the eastern elevation of the grain store, coach parking would take place in association with the coach maintenance operations in the grain store. In my view, these changes would result in physical encroachment into the CPZ contrary to Policy S8.

However, the submitted layout plan does not show any parking to the north of the grain store and west of the access point that the depot would use. This is to be contrasted with the current position where parking on the west side of the access takes place in connection with the existing site uses. Clearance of this parking area and replanting with species suitable for an airport location might be arguable in mitigation, but a view needs to be taken as to whether enforcement action could also achieve site clearance. An inventory of the existing uses on the site, and their planning history, might help in evaluating the extent to which NEX has something to trade with here. There may be public benefit in having one authorised use of the site which can be controlled.

9. REPRESENTATIONS

- 9.1 The application was publicised by sending 21 letters to adjoining occupiers, displaying of a site notice and advertising it within the local newspaper. No representations have been received.

10. APPRAISAL

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

- A** The principle of development on this site (ULP Policies S8, S7, E2 and E5; NPPF)
- B** Impacts on residential amenity and character of rural area (ULP Policies GEN2, GEN4, GEN5 and ENV11; NPPF)
- C** Impacts on listed buildings (ULP Policy ENV2; NPPF)
- D** Impacts on biodiversity (ULP Policy GEN7; NPPF)
- E** Access and parking (ULP Policies GEN1, GEN8; NPPF)
- F** Flood risk (ULP Policy GEN3; NPPF)
- G** Other material planning considerations

A The principle of development on this site (ULP Policies S8, S7, E2 and E5; NPPF)

- 10.1 The application site is located outside any designated development limits and therefore within the countryside. It is located in close proximity to Stansted Airport and falls within the countryside protection zone (CPZ). Both policies S7 and S8 seek to protect the character of the rural area with a presumption against development other than that which needs to take place there or is appropriate to the character of the rural area. Policy S8 has an additional restriction in that development will not be permitted if it would promote coalescence between the airport and existing development or would adversely affect the open characteristics of the area.
- 10.2 Policy E2 seeks to protect existing employment areas and Policy E5 encourages the

re-use of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation.

10.3 The site is currently used for a range of commercial uses. However, it should be noted that planning permission has not been granted for any of the uses falling outside B1 and they are completely unregulated. Two applications for Certificate of Lawfulness have recently been submitted in respect of the operations carried out by Speedy Hire and a coachbuilding firm located in two of the buildings. These have yet to be determined.

10.4 Officers understand that the current, or last use, of the buildings within the application site are as follows:

Network House – CSL and Nick Hayden: Offices associated with airport related car parking (authorised B1 use)

Buildings A-F – Coachbuilder for heavy lorries; refurbishment of cars; Speedy Hire (small equipment hire business)

Remainder of the site – ACME coaches (planning permission only granted for a small area of storage/parking of coaches on appeal following enforcement notice)

Grain store – currently used in association with the farm business

10.5 The proposal relates to the removal of all the existing uses from the site which fall within B1, B2 and sui generis. The existing buildings, with the exception of Network House and the new grain store building, would be removed from the site and a new bus depot is proposed to be created on the site, falling within a sui generis use.

10.6 Network House is proposed to be utilised as the offices for the bus depot, and this would be refurbished. The new grain store building is proposed to be used as a workshop for small scale repairs to vehicles. This proposed use would necessitate some alterations to the elevations of the building. The remainder of the site would be hard surfaced with a toilet drop, fuel storage tanks and pumps, AdBlue tank (AdBlue reduces diesel vehicle emissions), and a coach wash area. A plan has been submitted indicating 47 coaches of various types (13m Levante coaches, 15m Triaxle coaches, 18m bendi-buses) could be accommodated within the site. The plan also indicates saturation parking provision for a total of 62 vehicles. This parking plan is predominantly in relation to the Vehicle Operators Licence indicating parking is available for the number of vehicles registered to the site. Coaches will normally be in service, either on the public highway or on contract work within the airport. The Planning Statement indicates that a maximum of 20 coaches would be parked on the site at any one time, together with vehicles associated with employees.

10.7 Other physical works required associated with the proposed development include:

- Acoustic fencing to the north of the site to protect amenities of nearby residential properties
- Ivy-screen fencing to screen the acoustic fencing in the vicinity of the listed 9-bay barn
- External column lighting
- Landscape bunding and additional planting to screen the site to the south
- Drainage works
- Resurfacing
- A rising arm vehicle barrier and kerbing to secure access into the main gate
- Removal of existing young and poor condition trees on site

- 10.8 The applicant provides coaches for operations within the airport, both airside and landside, plus they operate routes to a variety of destinations serving the airport, including Birmingham, Cambridge, High Wycombe, Ipswich, Liverpool, London, Luton, Manchester, Nottingham, Norwich, Oxford and other routes across Norfolk and Suffolk. The proposed use is strictly considered to be an airport related use. Policies AIR3 and AIR4 seek to provide sufficient land to accommodate such uses within the boundary of the airport. The applicant states in their Planning Statement that negotiations have been undertaken, inter alia, with MAG with regards to the potential of securing a new site within the airport boundary. However, this has not been possible and other sites have been investigated as a result with the current site being identified as the only viable option for the business.
- 10.9 As stated in paragraph 10.1 the site lies within an area where development is restricted, particularly development which may promote coalescence with the airport. The development proposals would be contained largely within the existing footprint of commercial activities on the site. Therefore, the proposals would not promote coalescence. The proposals would also result in the removal of a number of buildings within the site and their replacement with hard surfacing, storage tanks, acoustic screens and lighting columns. Whilst these elements would result in a more urban appearance to the site than the existing former farmyard appearance, it is not considered that the proposals would adversely affect the openness of the CPZ. Indeed, the Inspector when considering the change of use of land for the parking of coaches considered that the use of the site did not promote coalescence. However, it is considered that the proposed lighting would be harmful to the character and openness of the CPZ. This harm would need to be weighed against any potential planning gain.
- 10.10 The principal concern in this case is the change in character the proposed use would have on the rural area. The site currently has the appearance of a former farmyard with its assorted buildings in varying states of repair. In conjunction with the uses on site is a substantial amount of outdoor storage of vehicles, with only a small section of the site having consent for any commercial uses. None of the current uses on the site are authorised or regulated in any way. Applications for Certificate of Lawfulness have been submitted in respect of two businesses on the site. However, even if sufficient evidence has been submitted to support the applications and Certificates of Lawfulness are granted, the Council would not have the ability to retrospectively impose controls to minimise impacts arising from the uses. Furthermore, given the unconstrained use of the site, if the Certificates of Lawfulness are granted, the level of commercial activity on the site could increase outside the control of the Council. These uses would potentially relate to the lorry coachbuilding use and the equipment hire business.
- 10.11 Therefore, the urbanisation of the site and the visual impacts arising from these needs to be balanced against the unconstrained use of the site, together with the potential visual harm and impacts on residential amenity. The existing uses on the site, in particular the parking of double decker buses, are visible within the landscape. The commercial uses are very apparent in this location. The proposed use would result in the clearance of around 950sqm of buildings within the middle section of the site resulting in opening it up. Whilst potentially 20 coaches and up to 80 cars could be parked on the site at any one time, this would be comparable to the current level of activity on the site. Visually the impact could potentially be reduced due to the fact that National Express use coaches and not double decker buses. In addition, improvements would be made to the existing boundary landscaping with a proposed new profiled bund and indigenous hedge planting. However, the visual

harm of the proposed lighting would remain a concern, and will be discussed in more detail in Section B. On balance, it is considered that the proposal is in accordance with Policy S8.

- 10.12 Policy E2 seeks to protect employment land. Whilst this site isn't a designated site it does exceed 1ha and provides employment opportunities. The proposal does not seek to replace the employment use of the site, rather it seeks to change the type of employment. Existing employee numbers on the site are not known and proposed employee numbers are not stated within the application, although the potential for 80 employee vehicles being present on the site indicates that it is likely to be within the region of this amount.
- 10.13 The proposed use would result in the relocation of an existing business from Start Hill where the existing premises would be vacated and made available for an alternative employment use. Overall, it is considered that the proposals comply with Policy E2.
- 10.14 The proposals would result in the reuse of Network House, a curtilage listed building, and the modern grain store. Policy E5 seeks to promote the reuse of existing rural buildings, a principle set out in the NPPF. The applicant's statement indicates that the grain storage isn't required any more due to changes in farming practices and a subsequent reduction in storage requirements. In principle, the reuse of the building for a workshop associated with the depot is considered acceptable and in accordance with Policy E5.

B Impacts on residential amenity and character of rural area (ULP Policies GEN2, GEN4, GEN5 and ENV11; NPPF)

- 10.15 As discussed above, the proposal would result in an urbanisation of the rural area with the introduction of large areas of tarmac surfacing. The existing Grain Store and Network House provide some degree of screening to the site. There is currently an earth bund adjacent to the southern boundary of the site with some planting on top which is still immature and not overly effective. This screening was required to be carried out as a result of the appeal decision in relation to the change of use of the southern part of the site for the parking of buses.
- 10.16 It is proposed to reconstruct the earth bund and plant a new indigenous species hedge along the boundary. This would help to mitigate the visual impact of the proposals.
- 10.17 Lighting columns are proposed to be installed to provide a safe working environment, particularly as the use is proposed to be 24/7. A total of 36 columns are proposed, all 8m in height with lighting ranging from 39w to 103w. Despite the presence of the airport within close proximity of the site, there is no or little lighting in the vicinity of the site. The site extends into the open countryside and the lighting is proposed to the boundaries and would therefore result in harm to the character of the rural area. Policy GEN5 states that lighting schemes will be permitted provided the level of lighting and its period of use is the minimum necessary to achieve its purpose and glare and light spillage from the site is minimised.
- 10.18 The lights would be the modern LED lighting which would result in minimal light spillage beyond the boundary of the site. However, it is proposed that the lighting will be in operation during times when the natural lighting levels fall. The lights would be controlled via photoelectric sensors and timeclock controls.

- 10.19 When considering the impacts of the proposed lighting the applicant has made reference to the lighting scheme at Stansted Airport car parks where lighting masts are 12-15m in height with a cluster of 8 lighting fittings mounted on each mast. Whilst this may be the case, these lights fall within the operational boundary of Stansted Airport and create a degree of harm within the landscape. However, the application site is separated from the nearest lighting within the airport by around 150m. Outside of the airport boundary it is intrinsically dark with no street lighting along this road until the approach to the Coopers End roundabout. This reflects the rural character of the road and area, differentiating this site from the operational airfield.
- 10.20 In terms of impact on light sensitive receptors the Environmental Health Officer notes that the predicted glare at Chapter House (located to the north of the site) would be “noticeable” which is rated as being below “just admissible” on the glare assessment scheme. A condition stipulating that lighting levels do not exceed those set out in the accompanying report is recommended to be imposed.
- 10.21 Notwithstanding this, it is considered that the level of lighting would be harmful to the character of the rural area and overall would be contrary to Policies GEN2 and GEN5. However, if a condition were to be imposed requiring the lighting to be motion sensor then this would mitigate the harm. On balance, it is considered that this would be acceptable in terms of Policy S8, GEN2, GEN4 and GEN5.
- 10.22 Alterations are proposed to Network House and the existing Grain Store. In terms of alterations to Network House, this includes re-roofing the building with slate and replacing windows and doors with double glazed timber windows and timber doors. Network House is proposed to be used for training, offices and as a driver’s lounge/kitchen.
- 10.23 The proposed alterations to Network House are not objected to in principle by the Conservation Officer. However, a condition requiring further detail of the proposed new windows and doors would be required. This will be discussed further in the report for UTT/17/1088/LB which relates to the Listed Building Consent application for these works. In terms of impacts on residential amenity, it is considered that the proposals are acceptable and in accordance with Policies GEN2 and GEN4.
- 10.24 There is reference within the application for a condition permitting the installation of solar panels on this building. However, as a curtilage listed building, Listed Building consent would be required for these works. This has not been applied for and therefore is not considered any further in this application.
- 10.25 The Grain Store is a modern building and set outside what was the original farmyard in the corner of an agricultural field adjacent to the highway. This is a steel framed building with cladding. It is proposed to remove sections of the cladding facing towards the farmyard (northern elevation) to insert four new roller shutter doors to allow vehicular access into the building. Three new personnel doors are also proposed adjacent to the roller shutter doors. On the southern elevation it is proposed to create a fire escape with staircase from the proposed mezzanine floor. Windows are proposed to the western and eastern elevations to provide lighting to the proposed mezzanine floors. Two flues from the spray booth are also proposed.
- 10.26 Two elements of mezzanine floor are proposed to be inserted, one approximately 6.5m deep and the other approximately 6.5 extending to 7.5m deep. They would extend the full width of the building. The building is proposed to be used for vehicle servicing, MOTs and respraying as part of vehicle repairs. The building would

include a spares store, including tyre store, plant and compressor rooms, cleaners, chemical and paint store. Male and female toilets and shower rooms would also be provided. At mezzanine level there would be a bank of offices on one side of the building. On the other side would be offices and an engineers' kitchen and restroom.

- 10.27 In principle there are no objections to the proposed alterations to the Grain Store. It is considered that the proposals would not be out of keeping with the character of the building within the context of the proposed use of the site. No loss of residential amenity would arise from the proposed alterations.
- 10.28 There are a small number of residential properties within close proximity to the site, the Noise Assessment identifying 3. It is proposed that the use would be operational 24/7 and therefore there is the potential for there to be adverse impacts on residential amenity to the nearby properties. A Noise Assessment and Supplementary Noise Assessment have been submitted with the application.
- 10.29 Based on the noise assessment it is considered that there would not be a loss of residential amenity based on a package of mitigation measures. These would include the construction of an acoustic barrier, restrictions on the time of jet wash operations, turning off of reversing beepers during night hours, ensuring shutter doors are kept closed during the night on the maintenance workshop building.
- 10.30 The Noise Assessment and Supplementary Noise Assessment have been considered by the Environmental Health Officer. Initial queries have been responded to by the applicant. There are concerns relating to noise from the proposed use but, on balance when considered against the unregulated uses occurring on site, there are sufficient measures that could be put in place to ensure residential amenity is protected. Therefore, subject to the imposition of conditions requiring mitigation measures to be put in place and a Noise Management Plan to be submitted, it is considered that the proposals would offer a planning gain and would comply with Policies GEN4 and ENV11.

C Impacts on listed buildings (ULP Policy ENV2; NPPF)

- 10.31 The site is located adjacent to Waltham Hall Farm, a listed farmhouse and associated agricultural complex understood to date back to the C17, and perhaps earlier. Along with the farmhouse which is Grade II listed, there are a further five individually listed buildings on the site, although outside of the application site. Network House is not listed in its own right but is classified as curtilage listed. The Nine Bay Barn at Waltham Hall Farm is currently physically attached to a building which is scheduled to be demolished as part of the application. The application is accompanied by a Heritage Impact Assessment.
- 10.32 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. This duty is set out in Policy ENV2 and also within the NPPF. Paragraph 134 of the NPPF states that where a 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.
- 10.33 In terms of impacts on listed buildings, the removal of the building attached to the Nine Bay Barn would be seen as a heritage gain as it would remove an unsightly building and enhance the primacy of the structure reinstating the historic yard

layout. However, the proposed creation of the bus depot, together with the hard landscaping, light and noise pollution, will compromise the present agricultural and rural character and setting of the site. These impacts will be less than significant and therefore the public benefits need to be weighed against the level of harm.

- 10.34 Network House is curtilage listed and in a poor state of repair. There appear to have been numerous unauthorised alterations carried out to the building. The removal of the unauthorised partitions is not objected to in principle, likewise the proposed replacement windows and doors. The proposed replacement to the roof can be controlled by condition to ensure the use of appropriate materials, which would form part of any listed building consent if granted.
- 10.35 The public benefits arising from the scheme are the creation of a new depot for a national bus company, ensuring continued employment with the Uttlesford district. The company provides services both within the airport and nationally with routes from the airport to other destinations. The creation of the depot will be harmful to the setting of the listed buildings, in a similar way that it would be harmful to the character of the rural area. Mitigation measures can be put in place to limit the harm of the acoustic screen by ensuring the screen represents a green wall adjacent to the listed buildings. Mitigation in respect of light pollution could be put in place by a requirement to have motion sensors on the lighting.
- 10.36 At present there is already noise pollution from the unconstrained, and potentially unauthorised, uses on site, without any mitigation measures being capable of being imposed. If Certificates of Lawfulness are granted for the coach builders and equipment hire elements of the site, then these levels of activity could intensify without any mitigation measures being in place. However, the assessment needs to be made in respect of the current situation on site. It is considered, on balance, that the public benefits of the proposals, subject to the imposition of conditions securing appropriate mitigation measures, would outweigh the less than significant harm arising as a result of the development. Therefore, the proposals comply with Policy ENV2 and the NPPF.

D Impacts on biodiversity (ULP Policy GEN7; NPPF)

- 10.37 Policy GEN7 seeks to protect biodiversity and this is also reflected in paragraph 118 of the NPPF. 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. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 requires “A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions”.
- 10.38 The proposal seeks to demolish existing buildings within the site and therefore has the potential to impact on protected species. The application is accompanied by a biodiversity checklist, amphibian survey and a bat survey. The bat survey found no potential for bats within the buildings to be demolished. Great crested newts were found in an off-site pond but it was not considered that there was the potential for migration onto the site. Therefore, it is considered that the proposals to adversely impact on protected species or their habitats. The proposals comply with Policy

GEN7 and the NPPF.

E Access and parking (ULP Policies GEN1, GEN8; NPPF)

- 10.39 Policy GEN1 requires development to be located where the highway network can safely accommodate the development and where it would not result in adverse impacts on other highway users. It is noted that Takeley Parish Council has raised issues regarding highway safety in the area.
- 10.40 The application was accompanied by a transport statement and further information requested on visibility splays, vehicle tracking of the site and estimated trip generation. These were assessed by the Highway Authority. There is an existing use of the site which includes facilities for buses, although on more of a limited basis. A survey of the existing use was carried out by the developer and future proposed use estimated based on other similar operations and the TRICs data base. The proposed use was significantly lower than the existing over a 12 hour period and slightly lower in the peak, although this will be a 24 hour operation, in terms of traffic congestion, this is not an issue. It is understood from the application that no passengers will be accessing services from this location.
- 10.41 A speed survey was carried out to determine the speed of the road at this point and the visibility from the main access is in line with standards for a road of this speed. The access is to be widened slightly to ensure large vehicles can access safely. One of the conditions recommended by the Highway Authority is that the access to the north be closed off and retained for emergency use only, as the visibility from this is limited. However, this access serves the remainder of the site which has authorised use for B1 purposes, all of which appear to be occupied. These uses are within the listed buildings and therefore ensure the long-term viability of these buildings. Therefore, this condition is unreasonable and creates the potential for highway safety issues. Overall, it is considered that the proposals comply with Policy GEN1.
- 10.42 The parking plan indicates that the site can accommodate a saturation parking requirement for 59 coaches of varying sizes. However, it is not envisaged that vehicles would normally be parked at the site with parking for a maximum of 20 vehicles required, although it is expected that this number would be a lot lower as the coaches would be in service. Staff parking for coach drivers would be in the location of the areas shown as coach parking, although 19 car parking spaces are indicated for staff, including 3 disabled spaces. Parking standards for commercial uses are maximum standards and it is considered that the proposals comply with Policy GEN8.

F Flood risk (ULP Policy GEN3; NPPF)

- 10.43 The site area exceeds 1 hectare in area and therefore is accompanied by a Flood Risk Assessment. Policy GEN3 and the NPPF require development to not increase potential flood risk due to surface run-off. The information submitted with the application has been considered by the Lead Local Flood Authority (Essex County Council) who raise no objections subject to conditions. The proposals therefore comply with Policy GEN3 and the NPPF.

G Other material planning considerations

- 10.44 The site has a range of historic uses which are likely to have resulted in contamination of the site. Policy ENV14 requires a site investigation, risk

assessment and remediation strategy to be prepared. A Phase 1 Preliminary Risk Assessment was submitted with the application. This has been considered by the Environmental Health Officer who has no objections to the proposals subject to conditions. The proposals therefore comply with Policy ENV14.

- 10.45 Paragraph 2.16 of the applicant's statement requests a condition allowing solar panels to be fitted to Network House and the Grain Store. These do not form part of the application. The fixing of solar panels to Network House will require Listed Building consent and as such a condition permitting this would be inappropriate. With regards to the Grain Store, the installation of solar panels may be permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class J, but no information with regards to the proposed installation have been given to assess this. It will be up to the applicant to assess whether the works could be permitted development and if they wish to have confirmation of this then an application for a Certificate of Lawfulness will be required.
- 10.46 The latest layout plan includes the installation of a sliding security gate. No details have been given within the application of the size and appearance of the gate. The principle of a security gate may not be acceptable in this location due to the potential impacts on the setting of the curtilage listed building and the character of the rural area. However, the Council would not have any objection to the installation of a rising barrier which can have a farmyard type of appearance. Clarification on this point was awaited at the time of writing this report and an update will be given either in the Supplementary List of Representations or verbally at the committee meeting.

11. CONCLUSION

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

- A The application site is located outside the development limits, within the countryside and on land designated as Countryside Protection Zone. The site is currently in a mix of unauthorised and unregulated commercial uses, with the exception of Network House which appears to be in B1 use. Whilst applications for Certificate of Lawfulness have been made for two of the unauthorised uses these have not yet been determined.

The proposal relates to the removal of the existing unauthorised uses and the creation of a new bus depot to serve National Express. This would result in the urbanisation of the site and a change in characteristics from the current farmyard setting. However, it is considered that, on balance, the change of use and the removal of existing buildings and their replacement with the new equipment associated with the new bus depot would be appropriate. Mitigation measures can be required by way of condition to reduce the impacts of the proposals.

- B The proposals would have an urbanising impact on the character of the rural area. There would be noise and lighting impacts arising from the proposals which could affect residential amenity. However, the existing unregulated and unauthorised uses on the site potentially have similar impacts on residential amenity and the character of the rural area. On balance, it is considered that the opportunity to regularise the position on this site and secure appropriate mitigation measures would provide a planning gain. The potential for loss of residential amenity has been assessed by the Environmental Health Officer who considers that subject to the appropriate mitigation measures being in place the proposals would be

acceptable. Therefore, on this basis, it is considered that the proposals would be in compliance with the relevant policies.

- C The application site contains a curtilage listed building (Network House) and is adjacent to 6 listed buildings. The development would have an impact on the setting of the listed buildings. The Nine Bay Barn would be most affected due to its relationship with the application site. The proposals would involve the removal of the agricultural buildings adjacent to the listed building and would result in the increased prominence of the Nine Bay Barn and the historic farmyard. The creation of the new bus depot would have a less than significant impact on the setting of the listed buildings. The removal of the existing unregularized uses on site and the granting of planning permission for this development would allow the Council to secure mitigation measures by way of condition. On this basis it is considered that the proposals would provide public benefits that would outweigh the harm.
- D There are no protected species recorded within the application site and as such the proposals comply with Policy GEN7.
- E The proposals would utilise the existing access. Parking would be provided within the site for the coaches and employees. The proposals are considered to be acceptable to Essex County Council Highways subject to conditions.
- F The proposals would not give rise to increased flood risk and the proposals are acceptable.
- G The site is likely to be contaminated and mitigation measures can be secured by way of condition.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. Notwithstanding the details submitted, no development shall take place until detailed plans relating to the proposed boundary treatments and landscaping have been submitted to and approved in writing by the local planning authority. Fencing shall be timber boarded and painted black. The development shall be implemented in accordance with the approved plans.

REASON: In the interests of preserving the setting of the heritage assets in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

Justification: Failure to supply this information prior to the commencement of development may result in substantial harm to the significance and setting of the heritage assets.

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

landscaping details to be submitted shall include:

- Full details of the cross-section of the bund
- Planting details, including planting plans giving details of specifications of species, sizes, planting centres, number and percentage mix
- Details of the entrance barrier
- Car parking layout
- Vehicle and pedestrian access and circulation areas
- Details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- Details of siting and timing of all construction activities to avoid harm to all nature conservation features

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Uttlesford Local Plan Policies S7, S8 and GEN2 (adopted 2005) and the NPPF.

4. Prior to the commencement of the development hereby permitted a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Such a management plan shall identify measures to control noise emanating from the hereby permitted facility. Any identified measures shall be implemented in accordance with the approved plan at all times.

REASON: To protect the amenity of neighbouring residents in accordance with Uttlesford Local Plan Policies GEN4 and ENV11 (adopted 2005) and the NPPF.

Justification: Failure to supply this information prior to the commencement of development may result in harm to residential amenity.

5. Prior to the commencement of the development hereby permitted a scheme for protecting the proposed dwellings from noise from the permitted facility shall be submitted to and approved in writing by the local planning authority. No operations shall be undertaken until the scheme has been implemented in accordance with the approved details and it shall be retained in accordance with those details thereafter.

REASON: To protect the amenity of neighbouring residents in accordance with Uttlesford Local Plan Policies GEN4 and ENV11 (adopted 2005) and the NPPF.

Justification: Failure to supply this information prior to the commencement of development may result in harm to residential amenity.

6. Prior to the commencement of the development hereby permitted a scheme for minimising light pollution, including measures such as motion sensor lighting, shall be submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out strictly in accordance with the approved measures.

REASON: To protect the amenity of neighbouring residents and the character of the rural area in accordance with Uttlesford Local Plan Policies S7, S8, GEN2, GEN4 and GEN5 (adopted 2005) and the NPPF.

Justification: Failure to supply this information prior to the commencement of

development may result in development causing significant harm to residential amenity and the character of the rural area.

7. The intensity of illumination of the lighting shall at all times be at the minimum level necessary to ensure safe and secure operational use of the site and at no time exceed the levels specified as part of the Lighting Impact Assessment provided by Level EE dated March 2017. All lighting fixtures shall be shielded where there is a possibility of light spill or any detriment to amenity.

REASON: To protect the amenity of neighbouring residents and the character of the rural area in accordance with Uttlesford Local Plan Policies S7, S8, GEN2, GEN4 and GEN5 (adopted 2005) and the NPPF.

8. Prior to the commencement of the development hereby permitted, a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The scheme must be based on the findings of the ground investigation report prepared by Ian Farmer Associates dated April 2017. The scheme must include all works to be undertaken, proposed remediation objections and remediation criteria, and 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. The development must be carried out strictly in accordance with the remediation scheme.

REASON: To protect the future occupiers of the site in accordance with Uttlesford Local Plan Policy ENV14 (adopted 2005) and the NPPF.

Justification: Failure to supply this information prior to the commencement of development may result in development which would be on contaminated land.

9. The remediation scheme shall be implemented in accordance with the approved timetable of works. Within 3 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.

REASON: To protect the future occupiers of the site in accordance with Uttlesford Local Plan Policy ENV14 (adopted 2005) and the NPPF.

10. 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 2 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 until such time a remediation scheme, as required by condition 7, has been submitted to and approved in writing by the local planning authority. Subsequently, the development shall be carried out in accordance with the remediation measures and within 3 months of the completion of measures a validation report must be submitted to the Local Planning Authority.

REASON: To protect the future occupiers of the site in accordance with Uttlesford Local Plan Policy ENV14 (adopted 2005) and the NPPF.

11. Surface water draining from areas of hardstanding shall be passed through an oil separator or series of oil separators, prior to being discharged into any

watercourse, soakaway or surface water sewer. The separator(s) shall be designed and constructed to have a capacity compatible with the area being drained, shall be installed prior to the occupation of the development and shall thereafter be retained and maintained throughout the lifetime of the development. Clean roof water or vehicle washdowns and detergents shall not pass through the separator(s) and should be drained instead to foul sewer or sealed system.

REASON: To reduce the risk of pollution to the water environment in accordance with Uttlesford Local Plan Policy ENV14 (adopted 2005) and the NPPF.

12. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to the 1 in 1 Greenfield or at least 50% betterment of Brownfield rates for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

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, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005) and the NPPF.

Justification: 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.

13. 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 and prevent pollution 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 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater

level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005) and the NPPF.

Justification: 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.

14. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible 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. Should any part be maintainable by a maintenance company, details of long term funding arrangements shall be provided.

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, as required in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005) and the NPPF.

Justification: 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.

15. The applicant or any successor in title must maintain yearly logs of maintenance which shall be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk as required in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005) and the NPPF.

16. Prior to the occupation of the development hereby permitted, the access as shown in principle on drawing number SK20170718-001 shall be provided. It shall have clear to ground visibility splay with dimensions of 2.4 metres by 73 metres to the south west and 2.4 metres by 72 metres to the north east, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times thereafter.

REASON: To provide safe access and adequate intervisibility between vehicles using the access and those in the existing public highway 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 Uttlesford Local Plan Policy GEN1 (adopted 2005).

17. There shall be no discharge of surface water onto the highway.

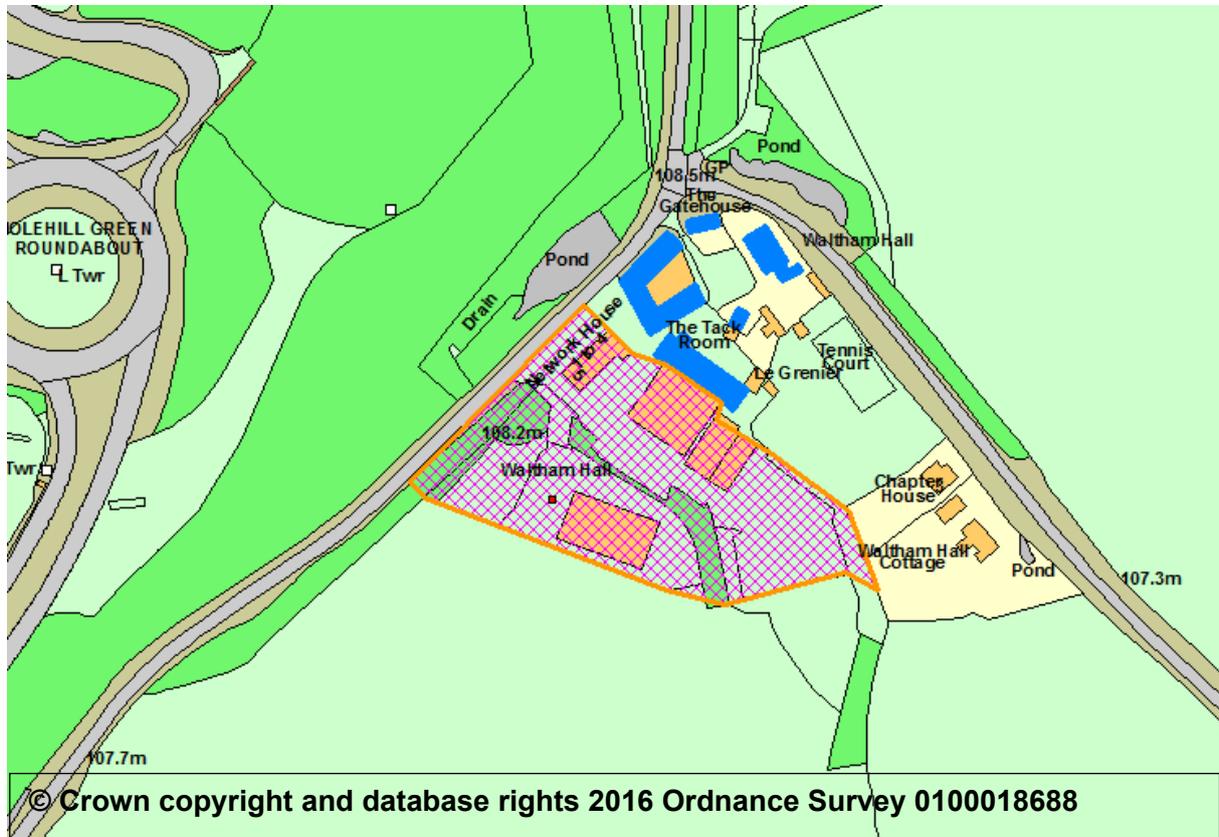
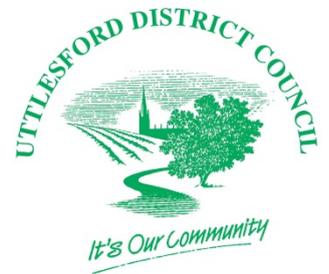
REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with Policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1 (adopted 2005).

18. Prior to the first occupation of the development the car parking spaces in accordance with Essex Parking Standards of a minimum size of 5m by 2.5m, to be provided, hard surfaced, sealed and motorcycle parking and secure, covered cycle parking to be provided in accordance with the Essex Parking Standards, all to be retained thereafter for that purposed.

REASON: To ensure 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 Uttlesford Local Plan Policy GEN8 (adopted 2005).

Application: UTT/17/1087/FUL

Address: Site at Waltham Hall Farm, Bambers Green Road, Takeley



Organisation: Uttlesford District Council

Department: Planning

Date: 4 January 2018

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UTT/17/1088/LB (TAKELEY)

PROPOSAL: Refurbishment and alterations to Network House in replacing existing roof, the removal and addition of internal partitions and the replacement of windows and doors. Replacement guttering to the Tythe Barn.

LOCATION: Site at Waltham Hall Farm, Bambers Green Road, Takeley

APPLICANT: Mr Mick Mullins

AGENT: Mrs Jane Terry

EXPIRY DATE: 26 July 2017 – extension of time 23 January 2018

CASE OFFICER: Karen Denmark

1. NOTATION

- 1.1 Outside development limits/Countryside Protection Zone, Adjacent Grade II Listed Buildings, and Protected Lane.

2. DESCRIPTION OF SITE

- 2.1 The application site as outlined in red on the submitted location plan is located on the eastern side of Bambers Green Road approximately 700m south of the hamlet of Molehill Green. The site itself is relatively level, irregular in shape and is approximately 1.5 hectares in size.
- 2.2 The site currently contains a diverse collection of buildings including the modern Grain Store constructed in steel profile-cladding, Network House which is curtilage listed and is of a brick construction with a slate roof, and 2 buildings divided into 6 commercial workshop buildings which are all vehicle related. This application relates to Network House.

3. PROPOSAL

- 3.1 The proposal relates to the alterations to Network House which include new internal partitions, replacement windows and doors and re-roofing. It is also proposed to demolish existing structures physically attached to a listed building identified as a Nine Bay Barn (known as the Tythe Barn). New guttering will be required to be fixed to the listed building as a result of the demolition works.

4. APPLICANT'S CASE

- 4.1 The application is accompanied by a Heritage Statement which covers the planning proposals as well as the Listed Building application the subject of this report.
- 4.2 The Heritage Statement has found the Proposed Development to be beneficial on built heritage. Once site constraints, avoidance of harm through good design and mitigation are taken into consideration, all likely effects are Minor. Moreover, the Beneficial Effects outweigh the Adverse Effects.

The net benefits are improvements in the readability of the associative relationships between the Listed Buildings within Waltham Hall Farm. Overall, the Proposed Development would have a Beneficial Effect on the settings of the Listed Buildings within Waltham Hall Farm and no effect on the other designated Heritage Assets within the Study Area.

In terms of the NPPF, this would equate to less than substantial harm, which is defined and evidenced in this report. The assessment found that the Proposed Development is beneficial and is therefore in accordance with NPPF Paragraphs 134 and 137 and with local policies.

5. RELEVANT SITE HISTORY

5.1 UTT/1803/90 - Proposed conversion of agricultural barns to form 5 residential units. Installation of Klargestor Bio-Disc (approved)

UTT/1804/90/LB - Proposed conversion of agricultural barns to form 5 residential units (approved)

UTT/0822/91 - Change of use of barn to Class B1 use and alteration to existing access (approved)

UTT/0693/94/LB - Amendments to Listed Building consent UTT/0308/93/LB to provide alterations to fenestration and doors (approved)

UTT/0694/94/LB - Amendments to Listed Building consent UTT/1804/90/LB to provide alterations to windows and doors (approved)

UTT/0849/11/FUL - Proposed grain store together with creation of vehicular access from Waltham Hall and formation of frontage hardstanding to serve building (approved)

UTT/1327/12/FUL - Change of use to allow parking of motor vehicles in connection with nearby business units (refused and allowed at appeal)

UTT/17/1314/SCO - Request for Screening opinion for proposed development of Coach Depot comprising change of use agricultural grain store to coach maintenance workshop, and associated land for access and parking forecourt; refurbishment works to Network House, a curtilage listed building; demolition of 6 no. existing B2 workshops; access, resurfacing and levelling of the existing coach depot, parking provision for cars and coaches; associated facilities (including toilet drop and was down facilities); external lighting associated hard and soft landscaping including bunding and other boundary treatments; and associated infrastructure works. (Environmental Impact Assessment not required).

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- ENV2 – Development affecting Listed Buildings

- GEN7 – Nature Conservation

7. PARISH COUNCIL COMMENTS

7.1 Takeley Parish Council:

Objects for the following reasons:

- The proposal is directly related to the airport and that the concentration and extension of the National Express Depot outside the airport boundaries contradicts the local plan and represents an inappropriate development that provides coalescence with the airport.
- The proposed development would have material impact to the heritage assets (listed buildings) contained within and outside of the site.
- The proposal would likely destroy important archaeological deposits to an ancient monument located to the north of the site.
- The proposal would have an adverse impact to the amenities of adjoining occupiers in relation to noise, disturbance, pollution and vibration.
- The site is not suited to a large scale development contrary to policy GEN2.
- It would have an adverse impact upon biodiversity and ecology.
- The demolition of 6 small B2 workshops will mean that smaller scale commercial concerns not related to the airport will not later be supported.
- There is no delivery of S106 contributions to local community infrastructure.
- The proposal would result in highway safety concerns due to the intensification of the amount of heavy vehicles entering and leaving the site and clogging up the surrounding highway network.
- The removal of the agricultural barn will make it difficult for future farming purposes.
- Concerns over the sewage treatment and waste disposal.
- Inappropriate lighting would harm the countryside and adjoining occupiers.

7.2 Broxted Parish Council:

Objects for the following reasons:

- Please note that Broxted Parish Council wishes to associate itself with the objections to this application made by Takeley Parish Council in its letter of 3rd June, 2017.
- In particular Broxted Parish Council is most concerned about the additional traffic movements on the lane leading from Coopers End to Waltham Hall which is already used by very large numbers of heavy vehicles. We agree with Takeley Parish Council that this airport-related operation must be contained within the airport.

8. CONSULTATIONS

Conservation Officer

- 8.1 I am mindful that the demolition of the modern metal barn structures adjacent to the nine-bay barn in particular, will represent a heritage gain in my view, creating greater spacing around the heritage asset and reinforcing its primacy on the site, particularly when viewed from Bampers Green Road. It could also be argued that with sympathetic treatment to the landscaping, and repairs and alterations to Network House, that the scheme would enhance the current appearance of the

site and form a cohesive and more ordered setting, which better responds to the neighbouring heritage assets, and serves as a long-term viable use for Network House which would secure much needed repairs.

To my mind, the resulting harm, and public benefit of the scheme are finely balanced, and I would refer to paragraph 132 of the NPPF, which calls for 'great weight should be given to the asset's conservation', however, should the planning officer feel minded to approve the scheme, I would recommend conditions be imposed.

Network House is curtilage listed, and much of its significance lies in its relationship to the historic development and function on the site and its fabric and construction. In particular, its materials and forms of the openings are representative of its age, and historic function whilst internally, it features an interesting truss roof with metal king ties and struts.

In terms of internal planform, much of the interior has been altered and suspended ceilings and partition walls/doorways introduced, apparently without consent, to subdivide the space. Whilst the removal of these partitions would not be objected to in principle, the opportunity should be sought to improve the layout and, if possible, reinstate the historic proportions and features of the structure internally. Limited detail has been submitted in respect of this detail at present, and this could be agreed by condition potentially. The replacement of the existing windows and doors would not be objected to in principle, but further detail would be required by way of a condition to ensure the significance and historic character of the structure is not unduly harmed.

As part of the scheme it is also proposed to replace the roof. A site visit revealed that the slates were in a poor state of repair, with areas susceptible to water ingress. However, original slates should be retained and replaced where possible, and new like-for-like slates sourced to make up any shortfall. The application of membranes, insulation or moisture barriers should be fully detailed and conditioned as part of any consent.

ECC Ecology Advice

- 8.2 No objection - My comments refer to the Bat Survey (Essex Mammal Surveys, January 2016) and the Amphibian Survey (Eco-Planning UK, June 2016). The Bat Survey found no potential for bats within the buildings proposed for demolition. No further surveys are necessary.

9. REPRESENTATIONS

- 9.1 The application was publicised by sending 21 letters to adjoining occupiers, displaying of a site notice and advertising it within the local newspaper. No representations have been received.

10. APPRAISAL

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

- A Whether the proposals preserve the listed building, its setting or any features of special architectural or historic interest (ULP Policy ENV2; NPPF)
- B Any impacts on protected species (ULP Policy GEN7; NPPF)

A Whether the proposals preserve the listed building, its setting or any features of special architectural or historic interest (ULP Policy ENV2; NPPF).

- 10.1 Section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990 requires local planning authorities when considering applications for listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. These requirements are also set out in adopted Policy ENV2 and sections 131-134 of the NPPF.
- 10.2 The proposed demolition works of the structures attached to the Nine Bay Barn (Tythe Barn) are considered appropriate in planning terms. The guttering currently serving this listed building would need to be removed as part of the demolition works, predominantly because it is made of asbestos. As a result replacement guttering will be required and this is proposed to be of black aluminium, details of which can be secured by way of a condition.
- 10.3 In terms of Network House, the proposals relate to the alterations to the internal layout, replacement windows and doors and re-roofing. No objections are raised in principle to the proposed works, although details would need to be secured by condition.
- 10.4 In terms of the alterations to the internal layout of the building, it would appear that unauthorised works have previously been carried out to this curtilage listed building which has resulted in a damage to the planform. Therefore, a condition is required to try and secure a better internal layout that respects the characteristics and of the curtilage listed structure.
- 10.5 There is reference within the application for a condition permitting the installation of solar panels on this building. However, as a curtilage listed building Listed Building consent would be required for these works. This has not been applied for and therefore is not considered any further in this application.

B Any impacts on protected species (ULP Policy GEN7; NPPF)

- 10.6 Policy GEN7 seeks to protect biodiversity and this is also reflected in paragraph 118 of the NPPF. 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. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 requires “A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions”.
- 10.7 The proposal seeks to demolish existing buildings within the site and therefore has the potential to impact on protected species. The application is accompanied by a biodiversity checklist and a bat survey. The bat survey found no potential for bats within the buildings to be demolished. Therefore, it is considered that the proposals to adversely impact on protected species or their habitats. The proposals comply with Policy GEN7 and the NPPF.

11. CONCLUSION

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

- A** The proposed alterations to Network House are considered to be acceptable in principle, subject to conditions securing appropriate details and materials. The proposed demolition of structures attached to the Nine Bay Barn (Tythe Barn) and the replacement guttering are considered acceptable. The proposals comply with policy, the requirements of the 1990 Act and the NPPF.
- B** There are no protected species recorded within the application site and as such the proposals comply with Policy GEN7.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

REASON: In order to comply with Section 18 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. No works shall take place until detailed plans illustrating the window and door detailing and sections through the windows have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved plans. Subsequently, the details of the windows and doors shall not be changed without the prior written consent of the local planning authority.

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

Justification. Failure to supply this information prior to the commencement of works may result in substantial harm to the significance and setting of the heritage asset.

3. Notwithstanding the details submitted, the roof to Network House shall be repaired in a like-for-like manner, re-using existing slates where possible and any shortfall shall be made up in a like-for-like manner with hand-made slates to match. Details of any moisture barriers, membranes or insulation shall be submitted to and approved by the local planning authority prior to the commencement of the works. Subsequently, the works shall be carried out in accordance with the approved details and shall not be changed without the prior written consent of the local planning authority.

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

Justification. Failure to supply this information prior to the commencement of works may result in substantial harm to the significance and setting of the heritage asset.

4. Prior to the commencement of the works hereby permitted, full details of the proposed internal partitions, including a vertical cross section through the building showing the treatment of the ceilings/roof space, shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved plans and shall not be changed without the prior written consent of the local planning authority.

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

Justification. Failure to supply this information prior to the commencement of works may result in substantial harm to the significance and setting of the heritage asset.

5. All rainwater goods to Network House and the Nine Bay Barn shall be black with a half-round profile and made of metal.

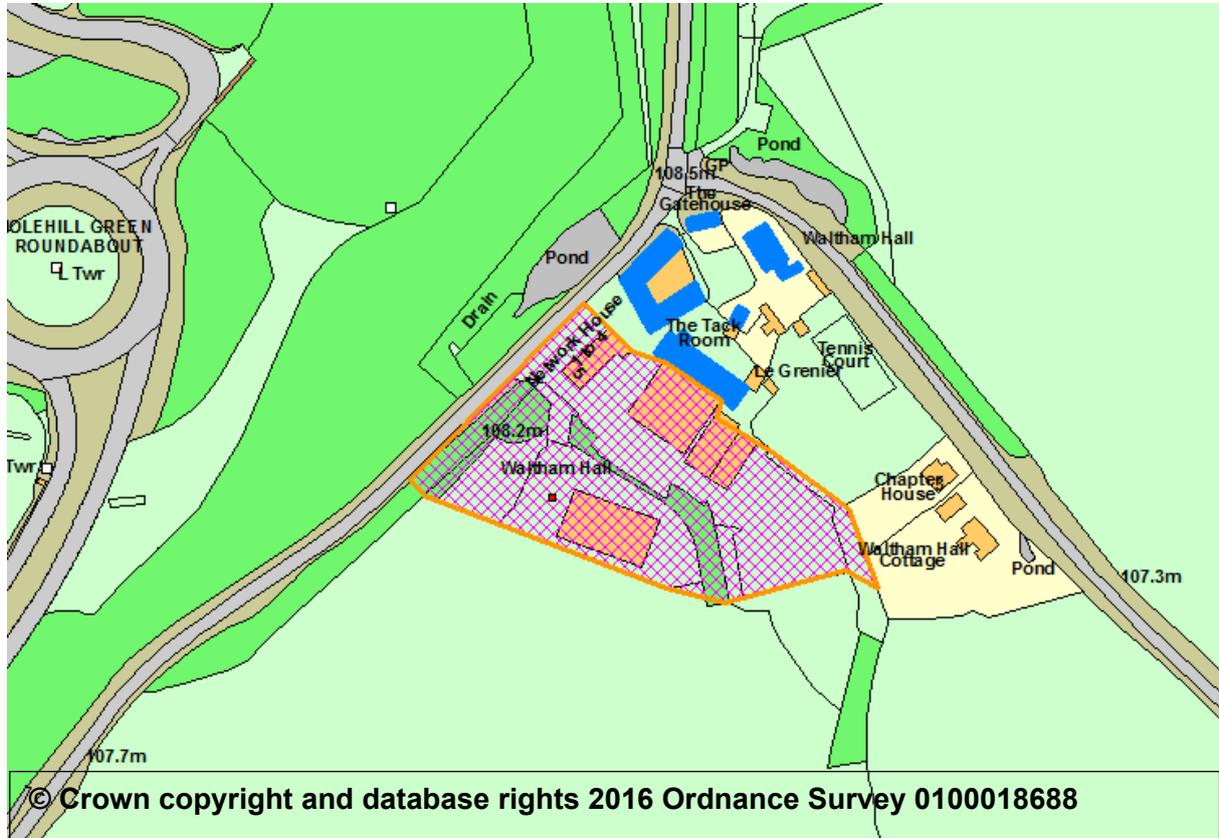
REASON: In the interests of preserving the historic character of the listed building and its setting, in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

6. No historic timbers of the existing building shall be cut or removed without the prior written consent of the local planning authority.

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

Application: UTT/17/1088/LB

Address: Site at Waltham Hall Farm, Bambers Green Road, Takeley



Organisation: Uttlesford District Council

Department: Planning

Date: 4 January 2018

UTT/17/3195/FUL (ARKESDEN)

(District Council owns land required for access)

PROPOSAL: Proposed 1 no. dwelling
LOCATION: 6 Quicksie Hill, Arkesden
APPLICANT: Mr T Wombwell
AGENT: Denn Architects
EXPIRY DATE: 9 January 2018
CASE OFFICER: Luke Mills

1. NOTATION

1.1 Countryside.

2. DESCRIPTION OF SITE

2.1 The site is located off Quicksie Hill, to the north of Arkesden. It contains a semi-detached house, its rear garden and a shared access track serving the rear of the property.

3. PROPOSAL

3.1 The application is for planning permission to erect a detached house in the rear garden. Vehicular access would be via the existing track, and a new shared driveway would provide the existing house with access to a new parking area.

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 2017.

5. APPLICANT'S CASE

5.1 The application includes the following documents:

- Design & Access Statement
- Biodiversity Validation Checklist
- Sustainable Construction Pre-Application Checklist for Dwellings

6. RELEVANT SITE HISTORY

6.1 It is considered that there are no historic applications of relevance to the subject application. The following planning history is noted:

UTT/1615/10/FUL Two storey side and rear extension. Single storey front extension.

Approved with Conditions 25/10/2010

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, (aza) a post-examination draft neighbourhood 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.

7.3 Relevant development plan policies and material considerations are listed below.

Uttlesford Local Plan (2005)

- 7.4
- S7 – The Countryside
 - GEN1 – Access
 - GEN2 – Design
 - GEN3 – Flood Protection
 - GEN6 – Infrastructure Provision to Support Development
 - GEN7 – Nature Conservation
 - GEN8 – Vehicle Parking Standards
 - H1 – Housing Development
 - H4 – Backland Development
 - H9 – Affordable Housing

Supplementary Planning Documents/Guidance

- 7.5
- SPD – Accessible Homes and Playspace (2005)
 - The Essex Design Guide (2005)
 - Parking Standards: Design and Good Practice (2009)
 - Uttlesford Local Residential Parking Standards (2013)

National Policies

- 7.6
- National Planning Policy Framework (NPPF) (2012)
 - paragraphs 14, 17, 32-39, 47-49, 55, 58, 100-104, 111 & 118
 - Planning Practice Guidance (PPG)
 - Design
 - Flood risk and coastal change
 - Housing: optional technical standards
 - Natural environment
 - Planning obligations
 - Rural housing
 - House of Commons Written Statement: Sustainable drainage systems (HCWS161) (2014)
 - Planning Update: Written statement (HCWS488) (2015)

Other Material Considerations

- 7.7 Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Housing Trajectory 1 April 2017 (August 2017)
Arkesden Parish Plan 2009-2014

8. PARISH COUNCIL COMMENTS

- 8.1 Objection. Concerns include:

- Harmful effect on the character of the area
- Loss of amenity for existing residents
- Further damage to the access road maintained by UDC
- Unsuitable vehicular access arrangement for the existing property
- Lack of sustainable transport options
- Approval would set a precedent for future residential development

9. CONSULTATIONS

UDC Housing

- 9.1 "Please note re the above application – there is no access to serve the proposed plans, nor has any been applied for."

Highway Authority (Essex County Council)

- 9.2 No objections, subject to a condition.

10. REPRESENTATIONS

- 10.1 Neighbours were notified of the application by letter and a notice was displayed near the site. The following concerns have been raised among the submitted representations:

- 1) Harmful effect on the character of the area
- 2) Loss of privacy at existing properties
- 3) Unsuitable vehicular access arrangement
- 4) Increased on-street parking on Quicksie Hill
- 5) Risk from surface water flooding
- 6) Approval would set a precedent for future residential development
- 7) Loss of view from existing properties
- 8) Poor condition of the access road

- 10.2 The following comments are made in relation to the above points:

- 1) – 5) Covered in the below appraisal.
- 6) Each case must be assessed on its own merits.
- 7) The loss of a view from private property is not a material planning consideration, albeit the effect on the character and appearance of the area is covered in the below appraisal.
- 8) Maintenance of the road's surface is the responsibility of the owner. Its condition is not a material planning consideration.

11. APPRAISAL

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

- A Location of housing (S7, H1, H4, 55 & PPG)
- B Character and appearance (S7, GEN2, 17, 58 & PPG)
- C Transport (GEN1, GEN8, 32-39 & HCWS488)
- D Accessibility (GEN2, 58 & PPG)
- E Amenity (GEN2 & 17)
- F Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, 118 & PPG)
- I Affordable housing (H9 & PPG)
- J Housing land supply (47-49)
- K Previously developed land (111)

A Location of housing (S7, H1, H4, 55 & PPG)

- 11.1 The site is located beyond Development Limits and therefore in the countryside for the purposes of the Local Plan. Policy S7 seeks to prevent residential development in such a location; however, Policy H1 encourages the reuse of previously developed land and Policy H4 provides support for backland development where it meets certain criteria.
- 11.2 The proposal would reuse domestic garden land, which falls within the definition of previously developed land. Furthermore, the development would make effective use of the large garden associated with 6 Quicksie Hill, while the low number of vehicle movements and the position of the access track prevent significant disturbance to existing residents. It is therefore considered that the proposal accords with Policy H1 and, subject to the amenity considerations assessed later in this report, Policy H4.
- 11.3 Notwithstanding the above, the proposal accords with the more up-to-date policy at paragraph 55 of the NPPF, which only seeks to prevent residential development in isolated locations. The site is located amongst a well-established group of dwellings.

B Character and appearance (S7, GEN2, 17, 58 & PPG)

- 11.4 The existing houses in the group off Quicksie Hill are arranged so that they front the road, with those in the middle set behind an area of open space. The only exception is a converted dwelling to the rear of 1 Quicksie Hill.
- 11.5 A departure from the established pattern of development has the potential to adversely affect the rural character of the surrounding area. However, in this case, the proposal is to reuse land that is within an established residential curtilage. It is therefore considered that any harm to the character of the area would be negligible.
- 11.6 The proposed design is a two-storey detached house, with the main living accommodation on the upper floor and the two bedrooms on the ground floor. An under-croft would be cut out of a portion of the ground floor to facilitate vehicular access for the occupiers of the donor property, which would be provided with a new parking area to the rear of the proposed dwelling.

11.7 In isolation, it is considered that the proposed design is appropriate for the area generally. However, in context, it is considered that the development would appear cramped. Symptoms include the span of the building across the full width of the plot and the use of an under-croft to supply access to the new parking area for the donor property; both of these elements are uncharacteristic when compared with the existing properties in the group. Furthermore, the proposed access and parking arrangements would not be workable because the Council's minimum residential parking standards require parking bay dimensions of at least 2.9 x 5.5 m.

11.8 While there would be no significant harm to the rural setting, it is concluded that the design would be incompatible with existing development due to its cramped appearance, in conflict with Policy GEN2 and paragraph 58 of the NPPF.

C Transport (GEN1, GEN8, 32-39 & HCWS488)

11.9 Taking into account the distance between the site and Arkesden, and the limited services, facilities and employment opportunities, it is clear that sustainable transport opportunities are very limited. This represents a conflict with both Policy GEN1 and paragraph 34 of the NPPF. While the NPPF encourages some flexibility in rural areas, it is considered that the purpose is to facilitate the social benefits arising from the growth of existing settlements (paragraph 55). This is not the case with the proposed development, which would be located some distance from the nearest village.

11.10 Taking into account the comments of the highway authority, it is considered that there would be no significant adverse effects on road safety or the highway network. While the indicated parking spaces are smaller than required by the Council's minimum residential parking standards, it is recognised that a condition could be used to secure an alternative layout that utilises a portion of the proposed front garden.

D Accessibility (GEN2, 58 & PPG)

11.11 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 & 17)

11.12 Taking into account The Essex Design Guide, a non-adopted but useful guidance document, it is considered that the proposed and retained rear gardens would be of a suitable size, and that there would be no significant adverse effects on the amenity of neighbouring premises with respect to daylight, privacy or overbearing impacts. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

F Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)

11.13 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. The SFRA confirms that the

site is not in an area at risk of flooding and, as the development is for less than 10 dwellings, national policy does not require the use of a sustainable drainage system. It is therefore concluded that the proposal would not give rise to any significant adverse effects with respect to flood risk, such that it accords with the policies in the NPPF and PPG.

G Infrastructure (GEN6)

11.14 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, 118 & PPG)

11.15 Taking into account the completed Biodiversity Validation Checklist and the observations made during the officer's site visit, it is considered unlikely that the proposed development would have a significant adverse effect on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

I Affordable housing (H9 & PPG)

11.16 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the proposal need not make a contribution.

J Housing land supply (47-49)

11.17 Paragraphs 47-49 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the most recent housing trajectory document, Housing Trajectory 1 April 2017 (August 2017), the Council's housing land supply is currently 3.77 – 4.2 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.

K Previously developed land (111)

11.18 Paragraph 111 of the NPPF encourages the reuse of previously developed land, a classification which applies to the application site. Therefore, weight should be given to the positive effect of the development in this regard.

12. CONCLUSION

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

- A The proposed development does not accord with the development plan due to conflicts with policies on sustainable transport and design.
- B Notwithstanding the above, the proposal does not represent 'sustainable development' in the context of the NPPF. There would be benefits from a contribution towards the Council's housing land supply and the reuse of previously developed land. However, the adverse effects arising from a lack of sustainable transport opportunities and a design that would be incompatible with its surroundings ensure that the adverse effects would significantly and demonstrably outweigh the benefits of the development.

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

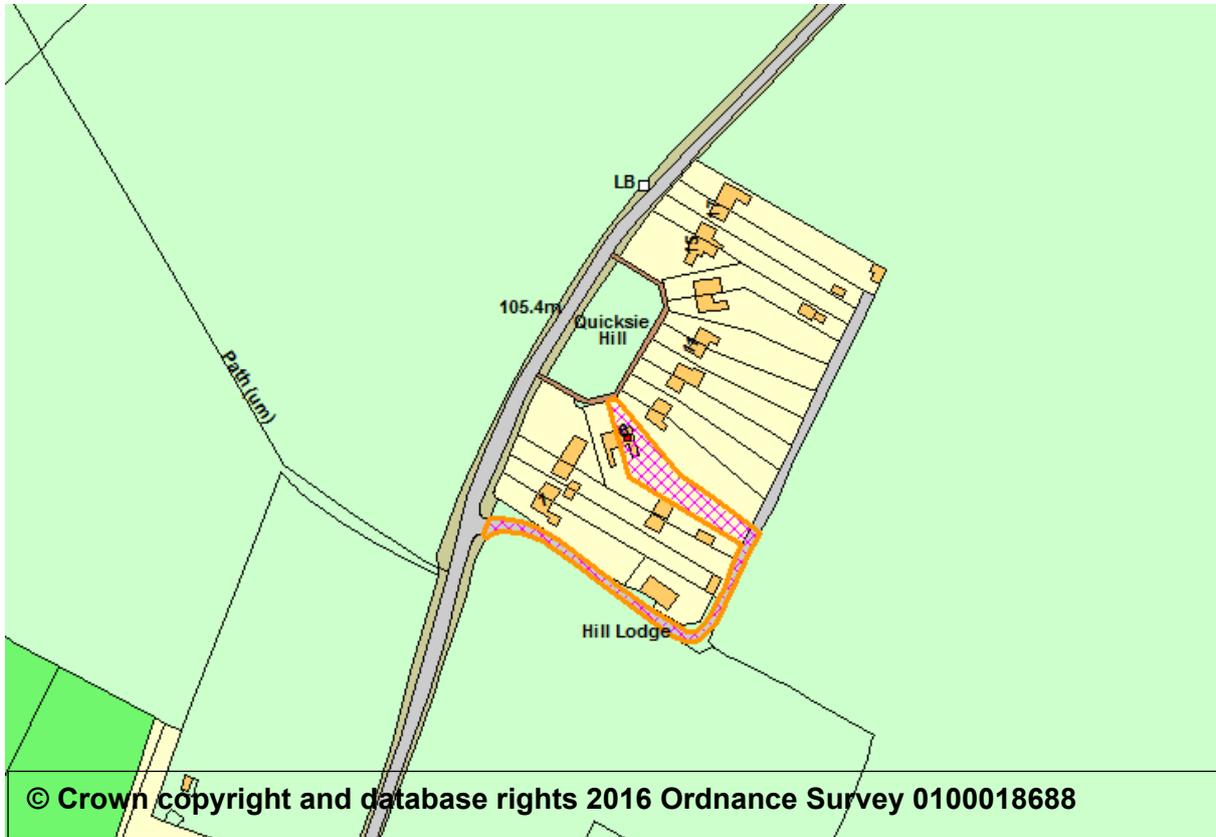
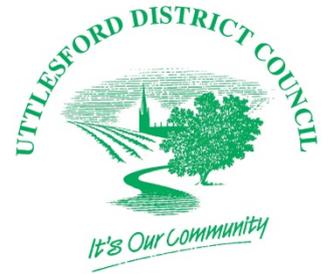
RECOMMENDATION – REFUSAL

Reasons

1. The proposed development does not accord with the Uttlesford Local Plan (adopted 2005) due to conflicts with policies on sustainable transport (Policy GEN1) and design (Policy GEN2). Furthermore, the proposal does not represent 'sustainable development' in the context of the National Planning Policy Framework. There would be benefits from a contribution towards the Council's housing land supply and the reuse of previously developed land. However, the adverse effects arising from a lack of sustainable transport opportunities and a design that would be incompatible with its surroundings ensure that the adverse effects would significantly and demonstrably outweigh the benefits of the development.

Application: UTT/17/3195/FUL

Address: Quicksie Hill, Arkesden, Saffron Walden



Organisation: Uttlesford District Council

Department: Planning

Date: 4 January 2018

UTT/17/2952/LB (SAFFRON WALDEN)

(Referred to Committee by Cllr Lodge. Reason: Possible overdevelopment)

PROPOSAL: Alterations and extensions to include: repair and restoration of window frames, alterations to access to main front door, removal of internal partitions, creation of doorway from existing window on eastern elevation, pitched roof and 1st floor extension to former stable block, addition of conservation roof lights and addition of garden rooms to rear. Alterations to existing front boundary wall.

LOCATION: Police Station, East Street, Saffron Walden

APPLICANT: Cityshape Heritage Limited

AGENT: Ian Abrams Architect Limited

EXPIRY DATE: 18 January 2018

CASE OFFICER: Luke Mills

1. DESCRIPTION OF SITE

1.1 The site is located off East Street, Saffron Walden. It contains a Grade II listed former police station.

2. PROPOSAL

2.1 The application is for listed building consent to make various internal and external alterations to the police station, including:

- Garden room extensions
- First floor extension to former stable block
- Window repairs
- Alterations to door positions
- Removal of internal partitions
- Alterations to front boundary wall
- Alterations to rear retaining wall

2.2 The application was submitted alongside a planning application for a three-dwelling development, which has since been withdrawn (UTT/17/2951/FUL).

3. ENVIRONMENTAL IMPACT ASSESSMENT

3.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4. APPLICANT'S CASE

4.1 The application includes the following documents:

- Planning Supporting Statement incorporating Design and Access Statement

- Heritage Appraisal
- Extended Phase 1 Habitat Survey
- Biodiversity Validation Checklist
- Development Flood Risk Statement
- Phase 1 Environmental Report
- Asbestos Refurbishment Survey

5. RELEVANT SITE HISTORY

5.1 It is considered that there are no historic applications of relevance to the subject application. The following planning history is noted:

CC/SWB/0002/51 Erection of wooden hut at rear of Police Station
Unconditional Approval 27/08/1951

SWB/0093/66 Provision of a double garage on land at rear
Approved with Conditions 14/10/1966

SWB/0090/71 Erection of timber screen and door to front porch
Approved with Conditions 18/10/1971

SWB/0097/72 Police office accommodation
Approved with Conditions 18/10/1972

UTT/1254/83/CC/CA Proposed extension to car park and new petroleum installation
Approved with Conditions 06/02/1984

UTT/2241/88/CC Conversion of garage to recreation room and resiting of garage block
Approved with Conditions 22/02/1989

UTT/0688/96/LB Erection of advertisement display board to replace existing
Approved with Conditions 04/09/1996

UTT/0769/98/FUL Provision of access ramp and provision of new pedestrian gate and 900mm wall between station building and front boundary. Provision of telephone on west elevation
Approved with Conditions 30/09/1998

UTT/0770/98/LB Provision of access ramp and provision of new pedestrian gate and 900mm wall between station building and front boundary. Provision of telephone on west elevation
Approved with Conditions 30/09/1998

UTT/0711/99/AV Erection of 6.25m high flag pole.
Approved with Conditions 20/08/1999

UTT/12/5672/TCA Fell 1 no. Pear, 1 no. Lime and group of conifers. Remove lower branches to height of 2.5-3m, reduce crown by approx. 0.5-1m 1 no. Pear
No Objections 21/11/2012

UTT/15/1011/LB Replacement of previously removed railings; structural repairs to elevated platform supporting railings
Approved with Conditions 23/12/2015

UTT/16/2890/LB Application to vary condition 1 of UTT/15/1011/LB to extend the time frame given for replacing railings.
Pending Decision

6. POLICIES

6.1 Relevant policies for the consideration of listed building consent applications are listed below.

Uttlesford Local Plan (2005)

6.2 - ENV2 – Development affecting Listed Buildings

National Policies

6.3 National Planning Policy Framework (NPPF) (2012)
- paragraphs 128-134

7. TOWN COUNCIL COMMENTS

7.1 Does not wish to comment due to insufficient information.

8. CONSULTATIONS

Conservation Officer

8.1 No objections, subject to minor amendments. Extract:

“I consider that in principle the police station and the attached outbuilding lend itself well to the suggested conversion to three houses. The devised scheme deals intelligently with the subdivision of the historic structure. It aims at the removal of some later partitions and formation of party walls along the logical lines. The two modest extensions at the rear would respond well to the architectural period of the listed building and subject to final details would not unduly detract from its original style. The detailed schedule of repairs mostly indicates like for like repairs which would result in the reinstatement of some previously lost historic details.

The suggested conversion and extension of the garage/stable block would represent a subservient range which while create a useful home would not diminish the primacy of the principle heritage asset on this site. Having said that, there are some small areas of concern which would have to be overcome to gain officers support.

- Although in principle and on balance I have no objection to the formation of a relatively tall brick wall within the frontage of the unit 5, any such wall must be formed in hand made soft red brick to match existing in a brick type, bonding, pointing and coping. However erection of a timber fence running along the left hand boundary of the unit would be unsightly and clearly visible from the public realm of the conservation area. I feel that at least the length of this boundary from the public footpath up to the face of the unit 5 would have to be in matching brick or simple railings and hedging if required.
- I find the suggested large metal gate far too ornate, and a simpler alternative

should be considered.

- The roofs of the two new flat roof extensions should be finish in lead or dark coloured zinc.
- There should be no obscured glazing in any of the windows within historic volume of the building.”

Historic England

8.2 Does not wish to comment.

Ecological Consultant (Place Services)

8.3 ECC Ecology - No objections, subject to conditions. Extract:

“In the north east area of the development site there is Japanese Knotweed, this will need to be removed before construction can start. As the proposed landscaping does not include recommendations outlined in the Extended Phase 1 Survey (T4Ecology, September 2017) this will need to be revised and submitted for approval. It shows timber feather board fencing which would limit the movement of hedgehogs through the site unless hedgehog gaps are installed. There is no lighting scheme, for the houses or parking areas, this will be needed to protect the Slade and surrounding vegetation from light spill. There are no enhancements via native planting. These need to be secured via condition of consent.”

9. REPRESENTATIONS

9.1 Neighbours were notified of the application by letter, and notices were displayed near the site and in the local press. No representations have been received.

10. APPRAISAL

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

- A Impact on the listed building
- B Biodiversity

A Impact on the listed building

10.1 S16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in considering whether to grant listed building consent for any works, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The National Planning Policy Framework and Policy ENV2 of the Uttlesford Local Plan (2005) are material considerations.

10.2 The Conservation Officer raised no objections to the initial submission, subject to a number of minor amendments. Revised drawings have since been submitted, which include changes to the boundary wall detailing and the use of metal gates with simpler detailing. It is concluded that the works as now proposed would not have an adverse effect on the special character of the listed building.

10.3 Regard has been had to the Council's statutory duties under S72(1) of the

Planning (Listed Buildings & Conservation Areas) Act 1990, and it is considered that there would be no adverse effect on the character and appearance of the Saffron Walden conservation area.

B Biodiversity

10.4 S40(1) of the Natural Environment and Rural Communities Act 2006 requires local planning authorities to have regard to the purpose of conserving biodiversity when exercising its functions. Also, R9(3) of the Conservation of Habitats and Species Regulations 2017 requires Local Planning Authorities to have regard to the requirements of the Habitats Directive and Birds Directive when exercising its functions.

10.5 Taking into account the comments of the Council's ecological consultant, it is considered that there would be no adverse effects on any protected species or valuable habitats.

11. CONCLUSION

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

A The proposed works would not have an adverse effect on the special character of the listed building. It is therefore recommended that listed building consent be granted.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

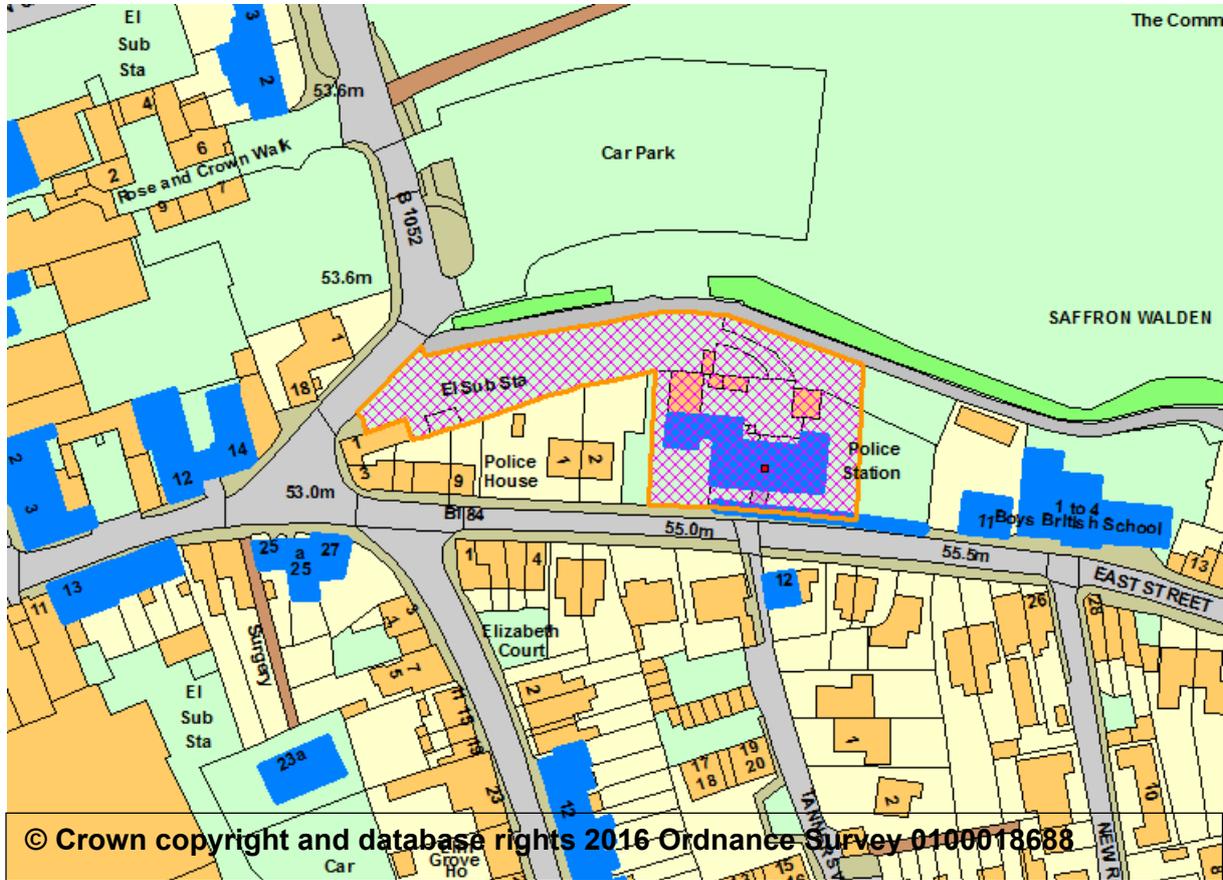
REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The works must be carried out in accordance with the ecological mitigation and enhancement measures and/or works recommended in the submitted Extended Phase 1 Survey (T4 Ecology, September 2017).

REASON: To conserve and enhance biodiversity, in accordance with S40(1) of the Natural Environment and Rural Communities Act 2006 and R9(3) of the Conservation of Habitats and Species Regulations 2017.

Application: UTT/17/2952/LB

Address: Police Station, East Street, Saffron Walden



Organisation:	Uttlesford District Council
Department:	Planning
Date:	4 January 2018