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Uttlesford District Council

Chief Executive: Dawn French

Planning Committee

Date: Wednesday, 13th March, 2019
Time: 2.00 pm
Venue: Council Chamber - Council Offices, London Road, Saffron Walden,
CB11 4ER

Chairman: Councillor A Mills
Members: Councillors R Chambers, P Fairhurst, R Freeman, E Hicks,
M Lemon, J Lodge, J Loughlin (Vice-Chair), H Ryles and L Wells

Substitutes: Councillors T Farthing, A Gerard, G LeCount, J Redfern and G Sell

Public Speaking

At the start of each agenda item there will be an opportunity for members of the public to make statements to the Committee subject to having given notice by 2pm on the day before the meeting. Please refer to further information overleaf.

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

5 - 10

To consider the minutes of the previous meeting.

3 UTT/18/3278/FUL - Saffron Walden

11 - 20

To consider application UTT/18/3278/FUL.

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| 4 | UTT/18/3451/HHF - Saffron Walden | 21 - 24 |
| | To consider application UTT/18/3451/HHF. | |
| 5 | UTT/18/2055/FUL - Thaxted | 25 - 42 |
| | To consider application UTT/18/2055/FUL. | |
| 6 | UTT/18/2238/LB - Thaxted | 43 - 50 |
| | To consider application UTT/18/2238/LB. | |
| 7 | UTT/18/3326/PIP - Clavering | 51 - 60 |
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| 8 | UTT/18/3457/FUL - Saffron Walden | 61 - 68 |
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| 11 | UTT/19/0194/FUL - Saffron Walden | 79 - 82 |
| | To consider application UTT/19/0194/FUL. | |

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**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 20
FEBRUARY 2019 at 2.00 pm**

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

Officers in attendance: N Brown (Development Manager), K Denmark (Development
Management Team Leader), A Mawson (Democratic Services
Officer), L Mills (Planning Officer), E Smith (Solicitor) and
C Theobald (Planning Officer)

PC132 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

No apologies were received.

Councillors Fairhurst and Freeman declared non – pecuniary interests as
members of Saffron Walden Town Council.

PC133 MINUTES OF THE PREVIOUS MEETING

The minutes of 16 January 2019 Planning Committee meeting were agreed as
an accurate record and signed by the Chairman.

PC134 UTT/17/2499/FUL - LAND WEST OF MILL LANE, HATFIELD HEATH

The Development Management Team Leader presented the application which
proposed the demolition of the egg farm buildings and a number of the buildings
on the southern section of the site and the erection of 26 dwellings, including the
conversion and extension of the water tower. A cluster of the former buildings
were proposed to be retained for ancillary residential purposes. Areas of open
space, including a local equipped area of play (LEAP) were also included in the
scheme.

Councillor Chambers left the meeting at 14:20

In response to members' questions the Development Management Team Leader
confirmed that the Greenways Egg site was part of the development and would
all be built on, and that Highways had approved the access road improvements
to surface and margins, and she explained the new road layout. It was also
confirmed that there was an existing designated bridleway along the proposed
new access.

Members discussed the access, the heritage of the site and the classification of
the land covered by the application.

Councillor Fairhurst proposed a motion for refusal of the application.
Councillor Lemon seconded the motion.

The motion for refusal was defeated.

Councillor Hicks proposed a motion for approval of the application.
Councillor Mills seconded the motion.

The motion for approval was defeated.

Councillor Fairhurst proposed a motion to defer the application.
Councillor Ryles seconded the motion.

RESOLVED to defer the application

For the development and negotiation of the S106 agreement, consideration of preservation of one the timber huts, revisit the access and links for the site taking special consideration for the safety of children and young people.

N Champion, N Robley, I Cooper, D Holmes, D Parish, D Farr, and S Bampton spoke on the application.

K Denmark Development Management Team Leader, left the meeting.

PC135 UTT/18/1708/FUL LAND TO WEST OF THAXTED ROAD, DEBDEN

The Planning Officer presented the application for planning permission to erect 36 dwellings, of which 14 would be affordable homes. A new access road off Thaxted Road would be formed and an area of public open space, accommodating a drainage basin, which would be provided in the southern corner of the site. Furthermore, a footpath link would be provided along the western side of Thaxted Road, connecting the site to the village to the north.

Councillor Loughlin said that the 36 dwellings was far above the allocation of the local plan and was concerned that this was a clear breach of the Local Plan (2005) policy S7.

Councillor Fairhurst said that the issue of the verge ownership and permission to access needed to be sorted out. He also said that it was wrong that there were already tractors and a 'site office' structure on site.

Members discussed a number of points about the site which they found disagreeable; clusters of affordable housing rather than integrating across the whole site, tandem parking, excessive numbers and sizes of dwellings, balancing ponds which caused a hazard and encourage wildfowl in the airport flightpath and flooding.

Councillor Ryles proposed a motion for refusal of the application.
Councillor Fairhurst seconded the motion.

RESOLVED to reject the application for the reasons on the decision notice.

Cllr T Knight, J Collins, C Griffin, C Marshal, I Carter, D Scott and R Forster spoke on the application.

PC136 **UTT/18/2899/FUL ADARE, PARSONAGE DOWNS, GREAT DUNMOW**

The Planning Officer presented the application for the erection of four dwellings with associated on-plot parking and improved vehicular access from the B184 (Beaumont Hill) and represented a re-submission proposal without change to refused application UTT/17/1967/FUL for the same development for the same site.

Members discussed the two year neighbourhood plan protection which was introduced in a written ministerial statement, in terms of the weight that could be accorded to the Great Dunmow Neighbourhood Plan after the two years had lapsed.

Councillor Loughlin said that whilst views were not a planning consideration, that refusal grounds could be found in valid policies that would stand at appeal.

Councillor Fairhurst proposed a motion for refusal of the application.
Councillor Lodge seconded the motion.

RESOLVED to reject the application for the reasons on the decision notice.

M Pannell, L Page, F Marjoribanks, D Frost and B Bampton spoke on the application.

Councillors Freeman, Lodge and Fairhurst left the room.

PC137 **UTT/18/3278/FUL R/O 22 THAXTED ROAD, SAFFRON WALDEN**

The Planning Officer presented the proposal for the removal of the existing timber shed building and the erection of a single dwelling. The dwelling would be a terrace dwelling two storey to the front of the site and three storeys to the rear.

Councillor Loughlin proposed that the application be deferred for a site visit.
The Chairman seconded the motion.

RESOLVED to defer the application pending a site visit.

Councillors Freeman, Lodge and Fairhurst returned to the room.

Councillor Mills left the room and passed the Chair to Councillor Loughlin.

PC138 **UTT/18/3357/FUL - BELMONT, HOLLOW ROAD, FELSTED**

The Development Management Team Leader presented the application for permission for an alternative design to the previously approved dwelling and garage.

Councillor Wells proposed approval of the application.
Councillor Lemon seconded the motion.

RESOLVED to approve the application.

Councillor Mills returned to the room and resumed as Chair.

PC139 **UTT/18/2869/HHF ASHLEY, CHLEMSFORD ROAD, FELSTED**

The Planning Officer presented the application for alterations and modifications to the principal elevation of the existing dwelling to provide enhanced front bedroom accommodation together with bay window changes and associated changes to frontage external materials.

Councillor Fairhurst proposed approval of the application.
The Chairman seconded the motion.

RESOLVED to approve the application.

PC140 **UTT/18/3451/HHF 3 LITTLE WALDEN ROAD, SAFFRON WALDEN**

The Planning Officer presented the application for the construction of a single storey rear extension with a 1.2m addition to the side. It is proposed to convert the loft space and insert two rear facing dormers with roof lights to the front facing roof slope. Within development limits and in a conservation area.

The members raised concerns about the proximity to listed buildings and potential effect on the character of the conservation area.

Councillor Freeman proposed a deferral for a site visit.
The Chairman seconded the motion for a deferral for a site visit.

RESOLVED to defer the application pending a site visit.

D John spoke on the application

PC141 **UTT/18/3134/FUL COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN**

The Planning Officer delivered the application for the proposed installation of an Air Quality Station to be situated behind the boundary wall to the south of the 'lodge', to replace the existing temporary station.

The Chairman proposed the approval of the application.
Councillor Fairhurst seconded the motion for approval.

RESOLVED to approve the application.

Meeting close 5:45pm

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UTT/18/3278/FUL (Saffron Walden)
(Applicant related to Cllr Gerrard)

(Deferred for site visit)

PROPOSAL: Retrospective planning permission for the removal of timber shed and the proposed erection of 1 no. dwelling

LOCATION: Rear Of 22 Thaxted Road, Saffron Walden

APPLICANT: Mrs S Perry

AGENT: Mr Jeremy Denn

EXPIRY DATE: 22nd January 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Within Development Limits,

2. DESCRIPTION OF SITE

2.1 The site relates to a large timber shed located between the 22 and 26 Thaxted Road in the town of Saffron Walden. Access to the site is provided by private driveway next to 16 Thaxted Road. To the rear of the site is a large open amenity area mainly bound by hedgerow and trees.

3. PROPOSAL

3.1 This planning application is for the retrospective removal of the existing timber shed building and the proposed erection of a single dwelling. The dwelling will be a terrace dwelling two storey to the front of the site and three storeys to the rear. The application revised the previously refused planning application (UTT/18/1824/FUL).

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

5.1 The applicant has provided a design and access statement in support of the planning application to illustrate the process that has led to the development

proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist

6. RELEVANT SITE HISTORY

- 6.1 UTT/18/1824/FUL- Removal of timber shed and erection of 1 no. dwelling (Refused 1/11/2018)
Refused due to the restrictive size of the garden area.

7. POLICIES

- 7.1 National Policies

- 7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy GEN2 – Design

Policy GEN4- Good Neighbourliness

Policy GEN7 - Nature Conservation

Policy GEN1- Access

Policy GEN8 - Vehicle Parking Standards

7.4 Supplementary Planning Documents/Guidance

Uttlesford Local Residential Parking Standards (2013)

Supplementary Planning Document- Accessible homes and play space homes
Essex Design Guide

8. PARISH COUNCIL COMMENTS

- 8.1 No objection, subject to UDC approval of parking and access arrangements.

9.0 CONSULTATIONS

The Highways Authority

- 9.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

1. The proposed development shall not be occupied until such time as the vehicle parking area indicated on DWG no. PE 0518.01 C has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times.

REASONS To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided. The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council

Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Environmental Health

9.2 Recommendation

No objection to the application as submitted subject to the conditions recommended below to address noise, air quality and contaminated land matters.

I note that this is a resubmission of a previously submitted application for a similar scheme that was refused under UTT/18/1824/FUL. This is a full application that seeks the erection of a 3 storey, 4 bedroomed terraced dwelling between two existing dwellings. The site is situated within the Saffron Walden Air Quality Management Area (AQMA).

Noise:

Access to the site is proposed via the frontage of a neighbouring property (no.16) and will involve access across the rear of nos. 18-22 Thaxted Road. Although the proposed development is only likely to generate a limited number of vehicle movements, the proximity of the access drive to the living accommodation of the neighbouring dwellings may give rise to noise impacts if no mitigation is put in place. I would therefore recommend that the following condition is included with any consent granted for development of the site as proposed:

Noise Attenuation

No occupation of the dwelling hereby permitted shall commence until details of a noise barrier or other suitable scheme for protecting the neighbouring dwellings from noise arising from vehicles using the proposed access drive has been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To ensure that the amenity of existing neighbouring occupiers is not adversely affected by noise from the use of the proposed access driveway.

Land Contamination

The development hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

1. A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites - Code of Practice.
2. A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. The report shall include a detailed quantitative human health and environmental risk assessment.
3. A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.

Air Quality:

The site is within Saffron Walden Air Quality Management Area and additional vehicles entering the town centre as a result of the development will impact on the level of emissions with the AQMA. The impact on the AQMA is likely to be small in

the context of this particular application, but taking account of cumulative impacts it must be minimised as far as practicable by encouraging access other than by motor vehicle, for example by provision of Secure, covered cycle storage and other measures that promote use of more sustainable modes of transport. In view of the scale of proposed development, I do not think this warrants a specific air quality condition for this particular application.

Ecology

9.3 No objection

The proposals are limited in scale/scope and are unlikely to impact designated sites, protected/priority species or priority habitats. It is noted that the weather boarded shed is approximately 208m from water and is covered in ivy therefore I recommend informatives regarding bats and breeding birds.

The OPDM Circular 06/05 is clear that further surveys are only required if there is a reasonable likelihood of biodiversity being impacted. Given the low ecological value of the site, further surveys are not required.

10 REPRESENTATIONS

10.1 Neighbouring properties consultation- expiry 31/12/2018
1 Objection received in regards to the provision of parking

10.2 Re-consultation 27/2/2019 due to the change of description of the development and increasing the garden size.

Any comments received will be presented to the planning committee.

10.3 All material planning merits will be considered in the following report.

11 APPRAISAL

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

- A The principle of development of the site (NPPF, ULP Policies S1, GEN2, ENV14 , ENV13 and the NPPF)
- B Design and visual impact (ULP Policy GEN2)
- C Impact on residential amenity and disturbance (ULP Policies GEN2 & GEN4);
- D Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Parking Standards)
- E Nature Conservation (ULP Policy GEN7)
- F Any other material considerations

A The principle of development of the site (NPPF, ULP Policies S1, GEN2, ENV14 and the NPPF)

11.1 The principle of development of the site (ULP Policies S1, GEN2 and the NPPF)
The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.

11.2 The proposal is in relation to the demolition of a shed building and erection of a single dwelling. The sites character mainly consists of terrace and semi-detached

two storey dwellings of a linear layout along the highway of Thaxted Road. The mix of design and scale of dwellings actively existing contributes to the character of the street scene; the proposed dwelling will be sited along the existing development line of the neighbouring property and will result in the a row of terrace although this will result in an intensification of use of the site, this is not considered a significant level that will be detrimental to the site and its surroundings.

- 11.3 Due to the historic use of the site it may include some contamination. The Council Environmental Health Officer has been consulted and not objections are raised subject to the imposition of conditions. As such it is considered then development accords with ULP Policy ENV14.

In regards to poor air quality, due to the scale of the development the impact to the air quality management area is likely to be small in the context of this particular application. In view of the scale of proposed development and comments received from the Environmental Health Officer it is not considered a specific air quality condition is necessary for this particular application. Therefore it is considered the proposal accords with ULP Policy ENV13

- 11.4 Taking into consideration the mixture and scale and form of neighbouring properties it is considered the principle of the proposed dwelling is appropriate in the context of the site, the surrounding dwellings and character of the area. Taking into account the pattern of development surrounding the site with neighbouring dwellings and the sustainable position of the site within Saffron Walden, in this instance it is considered that there are no material considerations that would warrant refusal of this application. The proposal accords with ULP Policy S1, GEN2 and the NPPF.

B Design and visual impact (ULP Policy GEN2)

- 11.5 The scale of the proposed dwelling is a moderate scale comparable with the neighbouring buildings. The dwelling will include a flat roof design with flat roof single storey element to the rear; this is comparable to the nearby development of Long Row Close. The materials to be used on the external finishes are traditional, vernacular materials and the proposed dwelling would provide an appropriate transition between the neighbouring properties and would be compatible with the group as a whole, that being said a condition should be imposed for the submission of the materials prior to the commencement of the development.
- 11.6 The development will result in the removal of the unsightly shed building and with the introduction of this new dwelling and residential landscaping the street scene would be enhanced. The Council's Landscape officer has been consulted and has not objections; however a landscape condition should be imposed for future boundary treatments. To the rear of the site is off street parking for the neighbouring properties, this will not be affected, however the requirement of a planning condition is required to ensure the parking provision and turning area is retained.
- 11.7 The development will include a sufficient amount of private rear amenity space; this is consistent with the neighbouring properties. The parking tom the rear of the site will impede the use of the amenity space; however this is compatible with the neighbouring properties, as such this is a materials consideration.

The parking area to the rear of the site will require a significant area for car turning and as such this will result in a loss of useable residential amenity space. This was one of the main refusal reasons of the previous planning application on this site (UTT/18/1824/FUL). It is considered the reduction to the footprint of the dwelling and

further extension to the garden area has provided an acceptable garden space which is in character with the immediate neighbouring properties.

As such it is considered the overall scale, design, appearance and layout of the proposed dwelling is acceptable under ULP Policy GEN2 and the NPPF.

C Impact on residential amenity and disturbance (ULP Policies GEN2 & GEN4)

11.8 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.

11.9 Due to the siting and design of the dwelling it will introduce further windows to the rear first floor elevation, however due to the terrace character of the application site the existing neighbouring dwellings already include windows at this level and position, as such it is considered the proposed dwelling will not result in any significant increase in loss of privacy or overlooking to neighbouring properties that will have a harmful impact.

11.10 The location of the parking area will be to the rear of the site. The rear of the application site and neighbouring properties already offer off street parking and as such it is considered the location of the parking area close to the neighbouring properties parking area will not result in a material increase in nuisance and noise that will have a significant harmful impact to neighbouring properties. The proposed amenity area will be in close proximity to the neighbour's front garden area; as such the landscaping condition will deal with proposed boundary treatment.

11.11 The location of the parking area will be to the rear of the site. The rear of the application site and neighbouring properties already offer off street parking and as such it is considered the location of the parking area close to the neighbouring properties parking area will not result in a material increase in nuisance and noise that will have a significant harmful impact to neighbouring properties. The proposed amenity area will be in close proximity to the neighbour's front garden area; as such the landscaping condition will deal with proposed boundary treatment.

D Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Local Residential Parking Standards)

11.12 Policy GEN1 states that development would only be approved when satisfactory safe access can be provided. Access to the front of the site will remain, however a new access to the rear of the site will be created and will provide 2 off street parking spaces. As part of the determination the Highways Authority were consulted, no objects have been made subject to the imposition of conditions.

11.13 The proposal will not generate a volume of traffic that would impact on the surrounding transport network, the site is sustainable with regard to the viability of public transport and services within walking distance. It is therefore considered that the proposed development accords with Policy GEN1.

11.14 The parking will be to the rear of the site, as demonstrated on the submitted block plan, two parking spaces have been provided, however following the case officer site visit it is considered the site could accommodate further off street parking. To ensure the proposal is in accordance with Uttlesford Residential Parking Standards

(2013) 3 off street parking spaces should be provided, from the case officers site visit it is clear this could be provided, as such a condition for a plan of the proposed parking to be submitted prior to the implementation of the development. As such the proposed parking for the development is considered to comply with ULP Policy GEN8 and Uttlesford Local Parking Standards (adopted 2013).

E Nature Conservation (ULP Policy GEN7)

- 11.15 The applicants submitted a biodiversity questionnaire as part of the proposal. The proposed development does include the demolition of the shed building, however it is considered the development will not result in the removal of protected habitat. Essex County Council ecology has been consulted and has not made any objections. As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

F Any other material considerations

- 11.16 Any other material considerations:
The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.

SP9- Development within development limits

D1- High quality design

TA4- Vehicle parking standards

TA1- Accessible development

EN8- Protecting the natural environment.

EN18- Contaminated Land

12. CONCLUSION

- 12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme within the development limits and in terms of design, layout, amenity, parking and the impact on protected species and biodiversity. The proposal would comply with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. Prior to the commencement of the development hereby approved a parking plan shall be submitted and approved in writing by the Local Planning Authority. The

parking layout plan shall demonstrate three off street parking spaces; these shall not be changed without prior written approval from the Local Planning Authority.

REASON

This prior commencement condition is required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policies GEN1 and GEN8.

3. Prior to commencement of the development, details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

REASON: To ensure compatibility with the character of the area in accordance with ULP Policies S1 and GEN2 of the Uttlesford Local Plan (adopted 2005)

4. Notwithstanding the details shown on the submitted plans, details of the proposed external finishing materials shall be submitted and approved by the Local Planning Authority prior to the commencement of the works. The development will be implemented in accordance with the approved material and shall not be changed without prior written approval from the Local Planning Authority.

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

5. The dwelling hereby permitted must be built in accordance with Optional Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.
REASON: To ensure compliance with Policy GEN2 of the Uttlesford Local Plan 2005 and the SPD on Accessible Homes and Playspace.

6. Prior to the occupation of the dwelling hereby permitted shall commence until details of a noise barrier or other suitable scheme for protecting the neighbouring dwellings from noise arising from vehicles using the proposed access drive has been submitted to and approved in writing by the local planning authority. The dwelling shall not be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON: To ensure that the amenity of existing neighbouring occupiers is not adversely affected by noise from the use of the proposed access driveway, in accordance with ULP Policy GEN2

- 7 Prior to the development hereby permitted a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority, in accordance with the aims of ULP Policy ENV14

The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement specifically in writing:

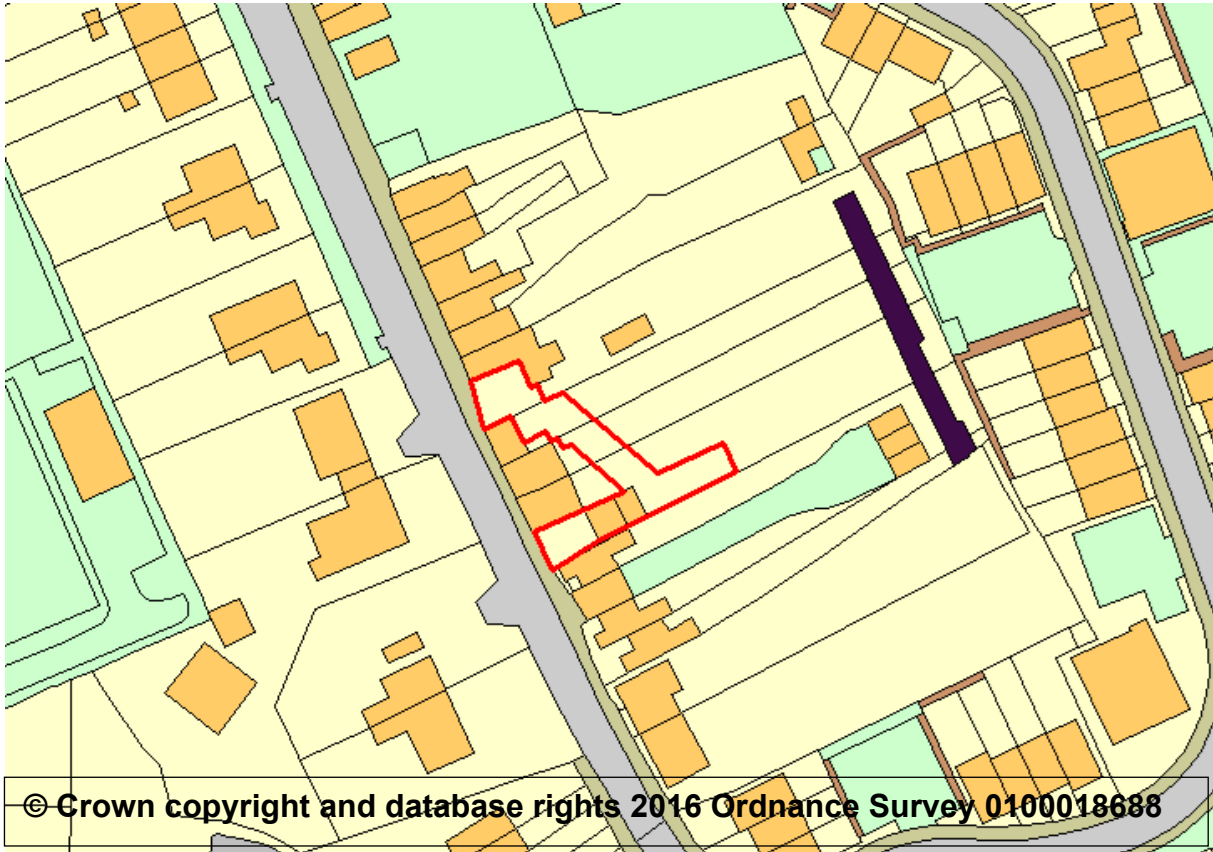
1.A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites - Code of Practice.

2. If any contamination is found during the phase 1 investigation, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

3. The approved remediation scheme shall thereafter be implemented in accordance with the approved timetable of works. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to and approved in writing by the Local Planning Authority.

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



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Organisation: Uttlesford District Council

Department: Planning

Date: 27 February 2019

UTT/18/3451/HHF – Saffron Walden

DEFERRED FOR SITE VISIT

(Referred to Committee by Cllr Freeman. Reason: Impact of development on neighbouring properties, locality and street scene)

| | |
|----------------------|--|
| PROPOSAL: | Erection of a single storey side and rear extension and loft conversion |
| LOCATION: | 3 Little Walden Road Saffron Walden, CB10 2DZ |
| APPLICANT: | Mr and Mrs Allwood |
| AGENT: | Miss Zoe Newton |
| EXPIRY DATE: | 11.2.19 – extension of time 22.2.19 |
| CASE OFFICER: | Rosemary Clark |

1. NOTATION

- 1.1 Within development Limits, Conservation Area

2. DESCRIPTION OF SITE

- 2.1 The application site comprises a two storey end of terrace cottage situated adjacent to Little Walden Road to the north of the town centre of Saffron Walden. The property is finished in red brick under a tiled roof. To the rear is a garden area bordered with a combination of brick walls and fencing. To the side is a parking area.

3. PROPOSAL

- 3.1 This application relates to the proposed construction of a single storey rear extension with a 1.2m addition to the side. It is proposed to convert the loft space and insert two rear facing dormers with rooflights to the front facing roofslope. Changes to internal layout.

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

5. APPLICANT'S CASE

- 5.1 N/A

6. RELEVANT SITE HISTORY

- 6.1 None

7. POLICIES

- 7.1 **Uttlesford Local Plan (2005)**

S1 – Development within Development Limits
GEN2 – Design
ENV1 – Development affecting character and appearance of Conservation Area
GEN8 – Highway Safety and parking provision

7.2 **Supplementary Planning Documents/Guidance**

Supplementary Planning Document 1 – Home Extensions

7.3 **National Policies**

National Planning Policy Framework

7.4 **Other Material Considerations**

Emerging Local Plan Policies –
SP9 – Development within Development Limits
D3 – High Quality Design
EN2 – Design of development within Conservation Areas
TA3 – Vehicle Parking Standards

8. **TOWN COUNCIL COMMENTS**

- 8.1 Town Council consulted – expired – Objection – loss of off road parking; and possible impact on street scene of velux windows in conservation area

9. **CONSULTATIONS**

None

10. **REPRESENTATIONS**

- 10.1 4 neighbours consulted – expired 17.1.19 – 2 responses received – main points –
- Overlooking from dormer windows, loss of privacy
 - Over development of site, impact on neighbouring properties and Conservation Area
 - Concerns regarding boundary wall
 - Parking

11. **APPRAISAL**

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

- A Whether the proposal would respect the size, scale and form of the original dwelling (ULP Policy S1, GEN2 and H8)
- B Whether the proposal would be harmful to the character and appearance of the Conservation Area
- C Whether the proposal would adversely impact neighbouring residential amenity (ULP Policy GEN2 and H8)
- D Whether the proposal would adversely impact highway safety and parking provision

A Whether the proposal would respect the size, scale and form of the original dwelling

- 11.1 The property is situated within the development limits of Saffron Walden, therefore

the principle of modest extensions and alterations are acceptable in accordance with ULP Policy S1.

The property is also situated within the Conservation Area of Saffron Walden, whereby ULP Policy ENV1 would apply. This policy aims to allow development that would enhance or preserve the character and appearance of the Conservation Area.

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

The proposed rear/side extension represents a modest addition to this dwellinghouse. The contemporary design of the proposal clearly identifies this as a more modern addition. The side element would be set back from the front elevation by 3.5m and using matching materials would not look out of place in this location. The dormer windows to the rear roof slope, whilst slightly larger than would be preferred are not considered to be sufficiently harmful to refuse the application.

B Whether the proposal would be harmful to the character and appearance of the Conservation Area

11.2 The bulk of the development is to the rear of the property and therefore would not be visible from the street scene. It is therefore considered that the character and appearance of the Conservation Area would not be unduly harmed as a result of this proposal. A condition would be attached to any approval to ensure that the rooflights to the front facing roof slope are of Conservation Area range.

C Whether the proposal would adversely impact the residential amenity of neighbouring properties

11.3 Due to the location and nature of the rear/side extension there are no concerns regarding neighbouring residential amenity. Whilst it is acknowledged that the addition of the two rear facing dormers may give the impression of an increase in the potential for overlooking, one would serve an ensuite and in reality the potential for any increase in loss of privacy is minimal. It is therefore considered that the proposal complies with ULP policies GEN2 and H8.

D Whether the proposal would adversely impact highway safety and parking provision

11.4 There is currently no parking provision within the site. The dimension of the area to the side currently does not meet the minimum requirements for parking provision as detailed in Uttlesford Local Parking Standards (February 2013). It is acknowledged that an additional bedroom is being provided with the conversion of the loft, however, given the central, town centre location of the property it is considered unreasonable to insist upon additional parking provision being provided, due to the proximity to Saffron Walden town centre and its amenities.

12. CONCLUSION

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

A The proposed development is acceptable in terms of design, size and scale and would comply with the NPPF, ULP Policies GEN2, H8 and SPD1

B The proposed development would not be harmful to the character and appearance of

the Conservation Area given the nature and location of the proposals. The proposals therefore comply with the NPPF and ULP Policy ENV1

C The proposed development would not adversely harm the residential amenities of the neighbouring properties given the nature and location of the proposals and therefore complies with the NPPF and ULP Policies GEN2 and H8.

D The proposed development would not adversely affect Highway Safety and parking provision within the site would not be altered as a result of this proposal.

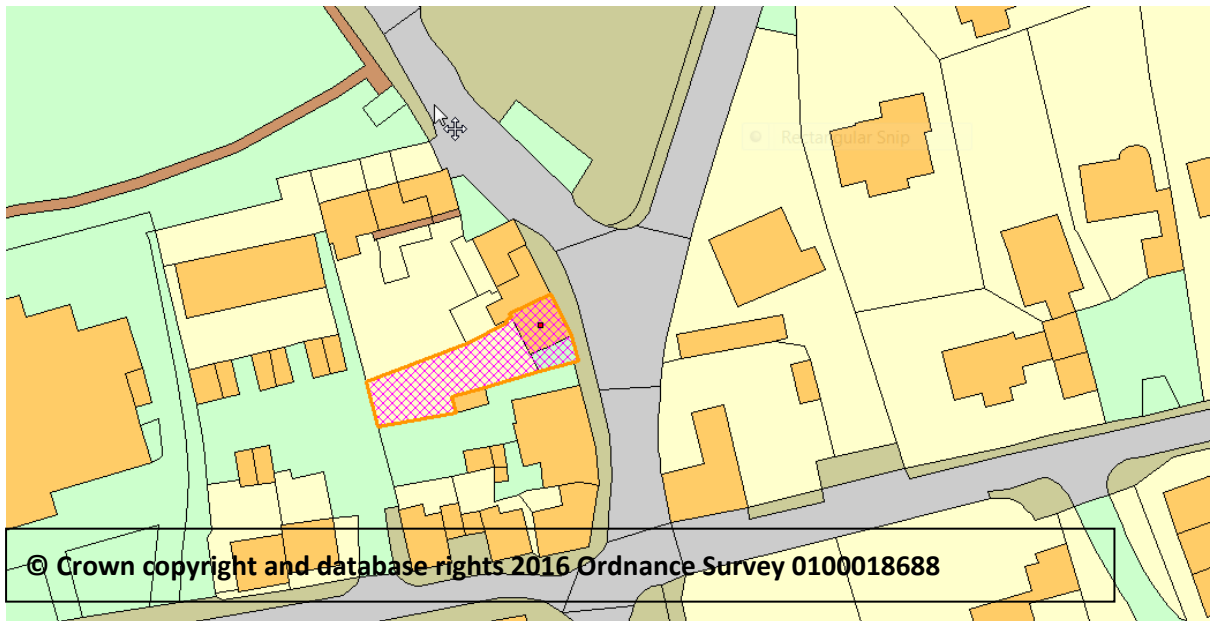
RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.
REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The rooflights shall be of conservation range.
REASON: In the interest of the appearance of the development in accordance with ULP Policy GEN2 and ENV1

Application: UTT/18/3451/HHF

Address: 3 Little Walden Road, Saffron Walden Essex cb10 2DZ



| | |
|---------------|-----------------------------|
| Organisation: | Uttlesford District Council |
| Department: | Planning |
| Date: | 7.2.19 |

UTT/18/2055/FUL – THAXTED

(Referred to Committee as more than 5 dwellings)

PROPOSAL: Change of use of Grade II Listed barn to provide a residential dwelling, change of use and extension of curtilage barn to residential, change of use and residential conversion of existing agricultural silos, demolition of other agricultural buildings and structures, and erection of new agricultural-style dwellings and link buildings to provide 7 residential dwellings with associated parking, landscaping and private amenity space. Erection of new garage to serve plot 1

LOCATION: Cutlers Green Farm Cutlers Green Cutlers Green Lane Thaxted Essex

APPLICANT: Mr R Hingston

AGENT: Laura Dudley-Smith, Strutt & Parker

EXPIRY DATE: 22 October 2018 – Extension of time 22 March 2019

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside development limits/Grade II Listed Building/within the Thaxted Neighbourhood Plan's designated area

2. DESCRIPTION OF SITE

2.1 The application site is part of Cutlers Green Farm which lies on the northern side of Bolford Street. The settlement of Thaxted lies approximately 1.5km to the east, with Great Dunmow and Saffron Walden around 11km away.

2.2 The applicant states the site is approximately 0.83ha in area and comprises of a central Grade II listed barn, surrounded by a range of other agricultural buildings and structures including a large grain store and drier, and a range of silos. The site, which is brownfield, is being redeveloped as the buildings are no longer suitable.

2.3 The ground slopes gently downwards to the north and west with mature plantation along the site boundaries, with farmland to the north and a small ribbon development of residential development. The village green is to the south of the site with further residential development around this feature.

3. PROPOSAL

3.1 The scheme can be summarised as:
Plot 1 – conversion of existing barn to form three storey detached four bedroom dwelling;
Plot 2 – conversion of two existing silos into a four bedroom dwelling over three floors;
Plot 3 – conversion of existing silo into a four bedroom dwelling with new attached

building to provide additional space;
Plots 4 and 5 – new build consisting of two dwellings each containing three bedrooms;
Plot 6 – conversion of existing barn to a single storey two bedroom dwelling;
Plot 7 – new build single storey two bedroom dwelling

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

5. APPLICANT'S CASE

- 5.1 The applicant has included the following documents in support of his application:
- Planning Statement by Strutt & Parker (July 2018);
 - Design and Access Statement by Rachel Furze Design (June 2018);
 - Uttlesford District Council's contamination checklist;
 - Heritage Statement, prepared by Architectural Management (May 2018);
 - Ecology Preliminary Ecological Appraisal which incorporates a bat survey inspection prepared by T4 Ecology Limited (April 2018);
 - Bat Surveys prepared by Essex Mammal Surveys (June 2018 and September 2018);
 - Phase 1 Geo-environmental Report prepared by Brown 2 Green (March 2018);
 - Sustainable Drainage Strategy prepared by MTC Engineering (June 2018);
 - Structural Assessment prepared by Gawn Associates (April 2018);
- 5.2 The applicant's argument for the development is contained in the planning statement.

Conclusion of Planning Statement:

This application seeks Full Planning Permission for the:

Redevelopment of Cutlers Green Farm to provide for 7 residential dwellings through partial demolition and conversion, with associated gardens and private access.

The proposed scheme will allow the sympathetic reuse of this now redundant agricultural brownfield site to meet local housing needs whilst respecting and enhancing the rural character and historic setting of the site. Built development is to be focused largely on the previously developed areas of the site, reflecting the original farmstead form and arrangement across the site. The scheme takes into consideration the existing rural context and impact on the historic setting, in accordance with pre-application discussions. The proposals therefore fully accord with relevant local and national policy.

The proposal is supported by a series of technical reports that have informed the design and layout of the site and conclude that the proposals would be viable and not detrimental to the rural surroundings.

On balance, the proposals put forward a highly sustainable scheme that provides a wide range of planning benefits.

The proposal reutilises a now redundant agricultural site providing much needed

housing for the local area and seeks to consolidate the community by introducing local housing fronting the village green. In redeveloping this redundant site to provide for a visually improved site that is both sympathetic and respectful of the surrounding rural and historic setting, the proposals provide a strong public benefit.

Relocation of the agricultural functions to a nearby site ensures the commercial longevity of the farm and allows opportunity for a residential redevelopment of the site to help support the vitality of Cutlers Green.

The designs shown that retention and sympathetic conversion of existing buildings on site, coupled with the removal of additional structures that undermine the rural and historic context, seek to respect the original agricultural character of the site. This will improve the visual appearance of the site with retention of trees and additional planting, gardens and removal of hardstanding, landscape views are improved across the site.

The relocation of the agricultural building will also mean fewer larger vehicles will travel through the village centre and improve traffic flows, including mitigating visual and noise impacts.

The proposal therefore presents an opportunity for significant environmental, social and economic benefits to ensure sustainable development and redevelopment of this redundant agricultural site.

6. RELEVANT SITE HISTORY

- 6.1 Although the site has been subject to previous applications, the LPA does not consider that any of these are relevant to the current scheme.

7. POLICIES

7.1 Uttlesford Local Plan (2005)

S7 – The Countryside
GEN1 - Access
GEN2 - Design
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
H6 – Conversion of Rural Buildings to Residential Use
H9 – Affordable Housing
H10 – Housing Mix
ENV2 – Development affecting Listed Buildings
ENV4 – Ancient Monuments and Sites of Archaeological Importance
ENV14 – Contaminated Land

7.2 Supplementary Planning Documents/Guidance

SPD - Accessible Homes and Playspace (2005)
The Essex Design Guide (2018)
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

7.3 National Policies

National Planning Policy Framework (NPPF)

Other Material Considerations

- 7.4 Thaxted Neighbourhood Plan: At the time of writing the report the Neighbourhood Plan was not 'made'. However, it had been to referendum and the vote was in favour of the Plan. On 12 February 2019 Cabinet resolved to support the Plan and Full Council were due to consider this on 21 February 2019. Until the Plan is 'made' it does not have full weight, but the policies carry substantial weight at this time given its stage in the process. The following policies are relevant:

TX HC1 – Heritage and Development
TX LSC1 – Protection of the Countryside and rural setting of Thaxted
TX LSC2 – Protection and Enhancement of the Landscape
TX LSC3 – Wildlife Habitats and landscape features
TX LSC4 – Development in Outlying Settlements
TX HD1 – Scale and Location of New Development
TX HD2 – Local Housing Needs
TX HD10 – Design Principles
TX IFS8 – Broadband

- 7.5 The emerging Local Plan was submitted to the Planning Inspectorate on 18 January 2019. While its policies currently carry little weight in decision making, it is noted that the following are relevant:

Emerging Local Plan

Policy SP1 – Presumption in Favour of Sustainable Development
Policy SP2 – The Spatial Strategy 2011-2033
Policy SP10 – Protection of the Countryside
Policy SP12 – Sustainable Development Principles
Policy H1 – Housing Density
Policy H2 – Housing Mix
Policy H6 – Affordable Housing
Policy H10 – Accessible and Adaptable Housing
Policy TA1 – Accessible Development
Policy TA2 – Sustainable Transport
Policy TA2 (duplicate number in LP) – Provision of Electric Charging Points
Policy TA3 – Vehicle Parking Standards
Policy INF4 – High Quality Communications Infrastructure and Superfast Broadband
Policy D1 – High Quality Design
Policy D2 – Car Parking Design
Policy D8 – Sustainable Design and Construction
Policy D9 – Minimising Carbon Dioxide Emissions
Policy D10 – Highly Energy Efficient Buildings
EN1 – Protecting the Historic Environment
EN4 – Development affecting Listed Buildings
Policy EN5 1 – Scheduled Monuments and Sites of Archaeological Importance
Policy EN7 – Protecting and Enhancing the Natural Environment
Policy EN10 – Minimising Flood Risk
Policy EN11 – Surface Water Flooding
Policy EN12 – Protection of Water Resources
Policy EN16 – Contaminated Land
Policy C1 – Protection of Landscape Character

8. PARISH COUNCIL COMMENTS

- 8.1 The Parish Council supports the application but would like all future permitted developments rights to be removed and the site developed in accordance with the submitted plans. The Council would also wish to see a small reorganisation of the site to remove the pinch point between buildings one and five.

Revised scheme: RESOLVED to SUPPORT subject to the following recommendations/Comments:

Permitted development rights are to be removed, Thaxted Parish Council register their strong objections to the Velux Window in their current location and are therefore Seeking to Transfer the Velux windows to the Northern elevation. In accordance to the Emerging Neighbourhood and Thaxted's Village Design Statement.

Additional comments include Thaxted Parish Council stated a Commendable effort from the architect who has taken on board our previous comments, they listened and subsequently revised the plans. We look forward to viewing the plans again with these small modifications included.

9. CONSULTATIONS

Environmental Health Officer

- 9.1 The Phase 1 contamination report by Brown 2 Green Ref. 2002/Rpt1v1 March 2018 has identified potential sources of contamination on the site, including fuel and chemical storage, and pathways by which contamination could affect human health and ground and surface waters. Officers agree with the conclusion of the report that an intrusive Phase 2 investigation should be carried out to further assess the contamination risk and determine what remediation, if any, is required. Officers recommend that suitable conditions are applied to any consent.

ECC - Ecology

- 9.2 **No objection subject to securing biodiversity mitigation and enhancement measures.**

Summary

I have reviewed the Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (T4 Ecology Ltd., April 2018) supplied by the applicant, and the subsequent Bat Survey (Essex Mammal Surveys, Sept 2018), a brown long-eared bat was found roosting in a joint in the timber barn (building 3). An European protected Species Licence will be required for this development.

I am satisfied that there is sufficient ecological information available for determination

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (T4 Ecology Ltd., April 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

ECC - Archaeology

- 9.3 The site contains farm buildings which are of major importance in the development of the Victorian high farming tradition, a period where new ideas resulted in significant alterations in the design and layouts of buildings. The officer therefore recommends that prior to development, the barns are preserved by record through an archaeological survey.

Historic England

- 9.4 Does not wish to offer any comments.

London Stansted Airport Safeguarding

The Group is the safeguarding authority for Stansted Airport and it has no objections to the proposal under the Town and Country Planning (Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Area) Direction 2002.

NATS Safeguarding

- 9.5 The proposed development has been examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria.

Conservation Officer

- 9.6 The proposal subject of this application is the creation of 7 residential units as part of the conversion of redundant farm buildings. The site is located in Cutlers Green which is a small hamlet in an open countryside. It could be said that it is a brown field site as it contains a selection of unremarkable/unsightly modern farm buildings, apart from a 3 bay timber frame barn of possibly C17 origins listed in its own right.

The scheme aims at the conversion of some of the structures and rebuilding others. In principle the saved policy H6 aims at the conversion of redundant rural buildings if their historic, traditional or vernacular form enhances the character of the rural area. Clearly, apart from the listed building, the other structures are rather unremarkable or positively unsightly.

However, I find the proposed scheme architecturally exceptional and one which will positively contribute to the locality and stand as an innovative and interesting example of possible conversion of rural modern buildings. The suggested conversion of the metal silos with its novel arrangement of glazed screens while retaining its agricultural features, would provide future generations with some evidence of typical C20 farming practice.

The other buildings would also retain most of their agricultural characteristics, but the suggested modernistic fenestration and elevational finishes would give them a

unique C21 flavour. In conclusion I feel the scheme would enrich the locality and represent architectural gem, subject to being implemented strictly according to the current architect's proposal.

10. REPRESENTATIONS

10.1 This application has been advertised and representations have been made raising the following issues. Notification period expired 1 February 2019

- too many houses, three (or five as suggested in a separate representation) would be a better number;
- the development's traffic generation could be dangerous;
- houses' materials are inappropriate, for example the roofs should be constructed from thatch;
- existing drainage serving Maynards Croft;
- safeguarding the adjacent garage on Maynards Croft, including the brick boundary wall;
- excessive number of parking spaces;
- safety of access sight lines;
- oil tanks and location of gas supplies;
- excessive noise from the development's traffic;
- development could cause damp issues for a neighbouring occupier;
- worried about damage to the neighbours' trees.

11. APPRAISAL

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

- A Principle of development (NPPF, Local Plan Policies S7 and H6);
- B Development affecting listed buildings (Local Plan Policy ENV2);
- C Contaminated land (Local Plan Policy ENV14);
- D Archaeological matters (Local Plan Policy ENV4);
- E Housing mix (Local Plan Policy H10);
- F Requirement for affordable housing (NPPF, Local Plan Policy H9);
- G Design and amenity (NPPF, Local Plan Policy GEN2);
- H Site biodiversity (NPPF, Local Plan Policy GEN7);
- I Access and parking (Local Plan Policies GEN1 and GEN8, Essex Parking Standards, and Uttlesford Parking Standards).
- J Other material planning considerations (Thaxted Neighbourhood Plan; Emerging Local Plan)

A Principle of development (NPPF, Local Plan Policies S7 and H6)

- 11.1 The Local Plan places the site as being outside any settlement limits (ie within the open countryside) and so Policy S7 applies to the proposal. Both the Local Plan and the NPPF recognise that the countryside needs to be protected for its own sake; however, this view does not amount to a bar to development in such areas.
- 11.2 Policy S7 states that development in the countryside will be permitted if it needs to be there, or it is appropriate to a rural area. A residential development for commercial gain would not meet either of the policy's two criteria.
- 11.3 Since the Council adopted the Local Plan, the government has published the National Planning Policy Framework (NPPF) in 2012 and updated in 2018. The Council's own compatibility assessment of the Local Plan in relation to the NPPF's

new requirements showed that Policy S7 was only partially consistent with the NPPF. Accordingly, Policy S7 only carries limited weight.

- 11.4 The NPPF takes a less prescriptive approach to development in the countryside, especially, as is the case for Uttlesford District Council, local planning authorities cannot demonstrate a five year supply of deliverable housing land. The Council's most recent housing trajectory in August 2018 calculated that the Council had around four years' worth of land for housing. In such circumstances, the NPPF's so called tilted balance to sustainable development applies which is set out in paragraph eleven of the NPPF.
- 11.5 The NPPF established the concept of sustainable development and the principle that consent for such development should be granted unless there were exceptional circumstances. The NPPF sets out three objectives to sustainability: economic, social and environmental.
- 11.6 Economic – there would be some economic benefit arising from the proposed development, arising from construction jobs followed by additional support from residents for local facilities. However, these benefits would be limited given the scale of the development.
- 11.7 Social - the new occupiers would be able to support local services in nearby villages, and not just Thaxted. The site is located on a bus route with two services passing the site, an hourly service between Stansted Airport and Saffron Walden, and an additional service 4 times a day between Saffron Walden and Great Dunmow. On balance, the proposals would offer social benefits, but these would be limited.
- 11.8 Environmental: the proposals would utilise the reuse of existing structures for four of the proposed dwellings, one listed in its own right and one curtilage listed. The NPPF supports the reuse of rural buildings, as does adopted Policy H6. The NPPF has a more relaxed approach and does not require the sequential approach set out in the adopted policy. As such the policy is only partially compliant with the NPPF.
- 11.9 The impacts of the scheme on heritage assets will be discussed in further detail below. However, the scheme would ensure the long-term viability of the listed and curtilage listed building. The scheme has been carefully considered in terms of its impacts and it is considered that the proposals would not result in a significant environmental harm. Overall, it is considered that the proposals would represent sustainable development.

B Development affecting listed buildings (Local Plan Policy ENV2; NPPF)

- 11.10 The site contains a Grade II listed building. Historic England's records described it as a seventeenth century barn that is timber framed, with weatherboarding and a corrugated asbestos roof. The building is five bays long, with a gabled mistrey (covered porch) to the south.
- 11.11 Due to the presence of a heritage asset, then Local Plan Policy ENV2 applies to the proposal. The policy reflects the LPA's statutory duty set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, s66(1) which states that a development which affects a listed building should be in keeping with its scale, character and surroundings. Development proposals that adversely affect the setting and special characteristics of a listed building will not be permitted.

- 11.12 The NPPF states that permission will be refused if the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.
- 11.13 The impact of the development on the listed building is considered in further detail in the accompanying application for listed building consent, but for the purposes of the planning application, the Council's conservation officer is satisfied that the proposal meets all relevant policy.

C Contaminated land (Local Plan Policy ENV14; NPPF);

- 11.14 Paragraphs 178-180 of the NPPF requires that planning decisions should ensure that a site is suitable for its proposed use based on any potential risks from contamination (amongst other factors), and this factor is particularly true for residential development. Where land is suspected to be contaminated then the applicant is obliged to carry out an assessment to determine the risk and proportionate measures to mitigate against such a risk.
- 11.15 The previous use of the site as a farmyard does suggest that the land may be contaminated, which is often a common feature of brownfield site. The accompanying contamination report suggested that potential hazardous sources included asbestos from barn roofing, pesticides and herbicides and fuel. Further examination from a Phase 2 investigation was recommended with a risk assessment prepared on completion of the report and the Council's environmental health officer agrees with this finding, which should form part of the conditions of any consent.

D Archaeological matters (Local Plan Policy ENV4; NPPF);

- 11.16 Policy ENV4 seeks to protect archaeological features, either by retaining in situ or by recording. Chapter 16 of the NPPF also seeks to protect heritage assets, including archaeology. Proposals should be determined with regard being had to the impact on heritage assets.
- 11.17 The proposed development comprises the conversion of a range of historic and modern agricultural buildings at Cutlers Green Farm, one of which is listed. The listed building description states the barn is of 17th century date (EHER 376502) however, the heritage statement suggests it could be 18th rather than 17th century. The heritage statement also states that there are earlier openings within the barn.
- 11.18 Recent work published in the *East Anglian Archaeology: Research and Archaeology: A Framework for the Eastern Counties 2. Research Agenda and Strategy* states that the East Anglian Farmstead (1750-1914) is a crucial, but understudied component of the East Anglian Landscape. Such farm buildings are of major importance in the development of the 'Victorian High Farming tradition' when new ideas culminated in significant alterations in the design and layouts of buildings. It is therefore recommended that prior to development the barns proposed for conversion are 'preserved by record' through archaeological survey. This can be secured by condition if planning permission is granted.

E Housing mix (Local Plan Policy H10)

- 11.19 Policy H10 states that all developments on sites of 0.1ha and above or three or more dwellings will be required to include a significant proportion of market housing

comprising small properties (such as two and three bed homes). The proposal meets this requirement.

F Requirement for affordable housing (NPPF, Local Plan Policy H9);

11.20 Paragraph 63 of the NPPF states that LPAs should only seek affordable housing for major developments (ie ten or more units). The proposal does not meet this criterion and so the applicant is not obliged to make any such provision. The NPPF has superseded the provisions of Local Plan Policy H9 which required the Council to negotiate an element of affordable housing on a site to site basis.

G Design and amenity (NPPF, Local Plan Policy GEN2);

11.21 Policy GEN2 seeks to ensure that development proposals are of a good standard of design and would not result in harm to residential amenity of existing properties. Securing good design is also a thrust of the NPPF, being a key aspect of sustainable development.

11.22 The proposed conversion of the existing buildings is considered to be sympathetic and respects the building and setting of the site. The imaginative reuse of the silos enables to retention of a part of historical farming practices that may otherwise be lost. In terms of design, the proposals are in accordance with the policy.

11.23 Each dwelling would have sufficient amenity space and parking requirement.

| PLOT NO | NO OF BEDS | GARDEN SIZE | PARKING SPACES |
|---------|------------|-------------|----------------|
| 1 | 4 | 1370 | 3 |
| 2 | 4 | 940 | 3 |
| 3 | 4 | 2030 | 3 |
| 4 | 3 | 203 | 2 |
| 5 | 3 | 102 | 2 |
| 6 | 2 | 262 | 2 |
| 7 | 2 | 172 | 2 |

11.24 There would not be any adverse impacts on residential amenity due to overlooking or overbearing impacts.

H Site biodiversity (NPPF, Local Plan Policy GEN7)

11.25 Local Plan Policy GEN7 requires applicants to show that the development would not have a harmful effect on wildlife or geological features unless the need for the development outweighs the importance of the feature to nature conservation. Applicants also have a legal duty towards legally protected species or habitats. The site is in the countryside with the potential for there to be potential impacts, particularly in respect of bats given the fact that barn conversions and demolition are proposed.

11.26 Essex County Council's Place Services are the ecology consultants for the LPA and they consider that the proposal is acceptable, subject to their suggested conditions being added to any consent.

I Access and parking (Local Plan Policies GEN1 and GEN8, Essex Parking Standards, and Uttlesford Parking Standards).

- 11.27 Applicants are required to show that their development would not compromise the safety of the highway by ensuring that any additional traffic generated by the development can easily be accommodated within the existing highway network (Policy GEN1) and by providing a commensurate level of parking that is appropriate for the development (Policy GEN8).
- 11.28 The development would lead to an uplift of traffic, but due to the relatively small number of proposed dwellings, such an increase would be acceptable.
- 11.29 Parking requirements for residential developments depends in part on the number of bedrooms for each house:
 Two and three bedrooms: two parking spaces.
 Four or more bedrooms: three parking spaces.
- 11.30 The plans indicate that each dwelling would have the required number of parking spaces. Each plot also has a space that would be capable of being enlarged to meet the requirements of Part M of the Building Regulations. Two visitor parking spaces are proposed and there would be more than sufficient space within the courtyard to accommodate parking for the development. Therefore, the proposals comply with the policy.

J Other material planning considerations (Thaxted Neighbourhood Plan)

- 11.31 It is envisaged that the Thaxted Neighbourhood Plan will be ‘made’ by the time this application is considered at the Planning Committee on 13 March 2019. The relevant policies are set out above in section 7.4. These policies are compliant with the requirements of the NPPF and the assessment above largely covers the issues raised in the policies.
- 11.32 Policy TX LSC1 and TX LSC2 relate to the protection of the countryside and this site falls within LPLCA2 (Local Plan Landscape Character Area 2). This area is “open, visually exposed landscape with far reaching radial/panoramic views”. This landscape has a “low capacity for change”. In this instance the site is a brownfield site with the reuse and replacement of buildings. As such, the proposals would not adversely affect the character of the landscape.
- 11.33 Policy TX LSC4 supports appropriate development, including the reuse of existing commercial sites in outlying areas, including Cutlers Green. Whilst this proposal does not relate to the reuse of a commercial use but an agricultural complex, it does form the reuse of an existing brownfield site for residential which is supported by the Parish Council.
- 11.34 Paragraph 14 of the NPPF gives greater weight to ‘made’ Neighbourhood Plans in situations where Councils do not have a 5 year land supply. It states:
“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:
- a) *the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
 - b) *the neighbourhood plan contains policies and allocations to meet its identified housing requirement;*

- c) *the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and*
- d) *the local planning authority's housing delivery was at least 45% of that required over the previous three years."*

11.35 In this instance, subject to Full Council approval, the Neighbourhood Plan has become part of the development plan within two years or less. The Plan does include policies and allocations to meet its identified housing need. The Council does have at least three year supply of deliverable housing sites and delivery was at least 45% of that required over the previous three years.

11.36 The NPPF at paragraph 11d state that if the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed and any adverse impacts of approving development would significantly or adversely outweigh the benefits then permission should be refused. In this instance, as discussed above, the proposals would deliver benefits that outweigh the harm and should be approved in line with the NPPF.

11.37 Therefore, whilst this site lies outside the development area for Thaxted, it does represent the appropriate reuse of a site in line with other policies within the Neighbourhood Plan. As stated, the scheme is supported by the Parish Council, subject to some design amendments relating to the position of velux windows. Whilst this is noted, there is no policy within the Neighbourhood plan specifically relating to such a requirement and the Thaxted Design Statement merely states that there wasn't much support for features such as velux windows. Therefore, it is not considered that it would be appropriate for the windows to be moved. Overall, the scheme is acceptable.

12. CONCLUSION

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

- A** The site lies outside the development limits and constitutes the reuse of rural buildings, a form of development that is supported in the NPPF. The proposed development would not give rise to any material harm to the heritage assets and the less than substantial harm would be outweighed by the benefits of the scheme.
- B** There is no specific design, access or parking issues. Ecology and contamination can be dealt with by way of appropriate conditions if planning permission is granted, as can archaeological recording of the buildings. The housing mix is appropriate and there is no requirement for affordable housing.
- C** The proposal complies with the Neighbourhood Plan and is supported by Thaxted Parish Council.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. Prior to the erection of the development hereby approved samples of the materials to be used in the construction of the external surfaces of the development and conversion works hereby permitted, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policies GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to the erection of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-
 - i. proposed finished levels or contours;
 - ii. means of enclosure;
 - iii. other vehicle and pedestrian access and circulation areas;
 - iv. hard surfacing materials;

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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

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

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

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

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

6. No development or conversion of any kind shall take place until the applicant has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. The programme of historic building shall be carried out in accordance with the approved written scheme.

REASON: In order to provide a record of the historic buildings on the site in accordance with Uttlesford Local Plan Policies ENV2 and ENV4 and the NPPF.

Justification: The proposed development comprises the conversion of a range of historic and modern agricultural buildings at Cutlers Green Farm, one of which is

listed. The listed building description states the barn is of 17th century date (EHER 376502) however, the heritage statement suggests it could be 18th rather than 17th century. The heritage statement also states that there are earlier openings within the barn.

Recent work published in the East Anglian Archaeology: Research and Archaeology: A Framework for the Eastern Counties 2. Research Agenda and Strategy states that the East Anglian Farmstead (1750-1914) is a crucial, but understudied component of the East Anglian Landscape. Such farm buildings are of major importance in the development of the 'Victorian High Farming tradition' when new ideas culminated in significant alterations in the design and layouts of buildings. It is therefore recommended that prior to development the barns proposed for conversion are 'preserved by record' through archaeological survey.

7. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (T4 Ecology Ltd., April 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes: covering trenches overnight, humane rabbit control prior to construction starting, due diligence regarding nesting birds, enhancing the development with bat and bird boxes, retaining permeable boundaries for hedgehogs.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998,

8. The works hereby permitted to Convert the barns at Cutlers Green Farm shall not in any circumstances commence unless the local planning authority has been provided with either:
 - a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998, and in accordance with Uttlesford Local Plan Policy GEN7 (adopted 2005) and the NPPF.

9. ENV1 No development other than that required to be carried out as part of a scheme of investigation or remediation shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. It must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, building services and controlled waters;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).This must be undertaken by a competent person, in accordance with DEFRA and

the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11", and take account of Essex guidance "Land Affected by Contamination: Technical Guidance for Applicants and Developers 3rd edition", available on the UDC website.

REASON: In order to ensure a safe environment is provided for the future residential occupation of the site, in accordance with Uttlesford Local Plan ENV14 (adopted 2005), and the NPPF.

10. ENV2 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, building services and controlled waters has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In order to ensure a safe environment is provided for the future residential occupation of the site, in accordance with Uttlesford Local Plan ENV14 (adopted 2005), and the NPPF.

11. ENV3 The remediation scheme shall be implemented in accordance with the approved timetable of works prior to the commencement of development (other than that required to carry out the remediation) unless otherwise agreed by the local planning authority. Within 2 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

REASON: In order to ensure a safe environment is provided for the future residential occupation of the site, in accordance with Uttlesford Local Plan ENV14 (adopted 2005), and the NPPF.

12. ENV4 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 immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination.

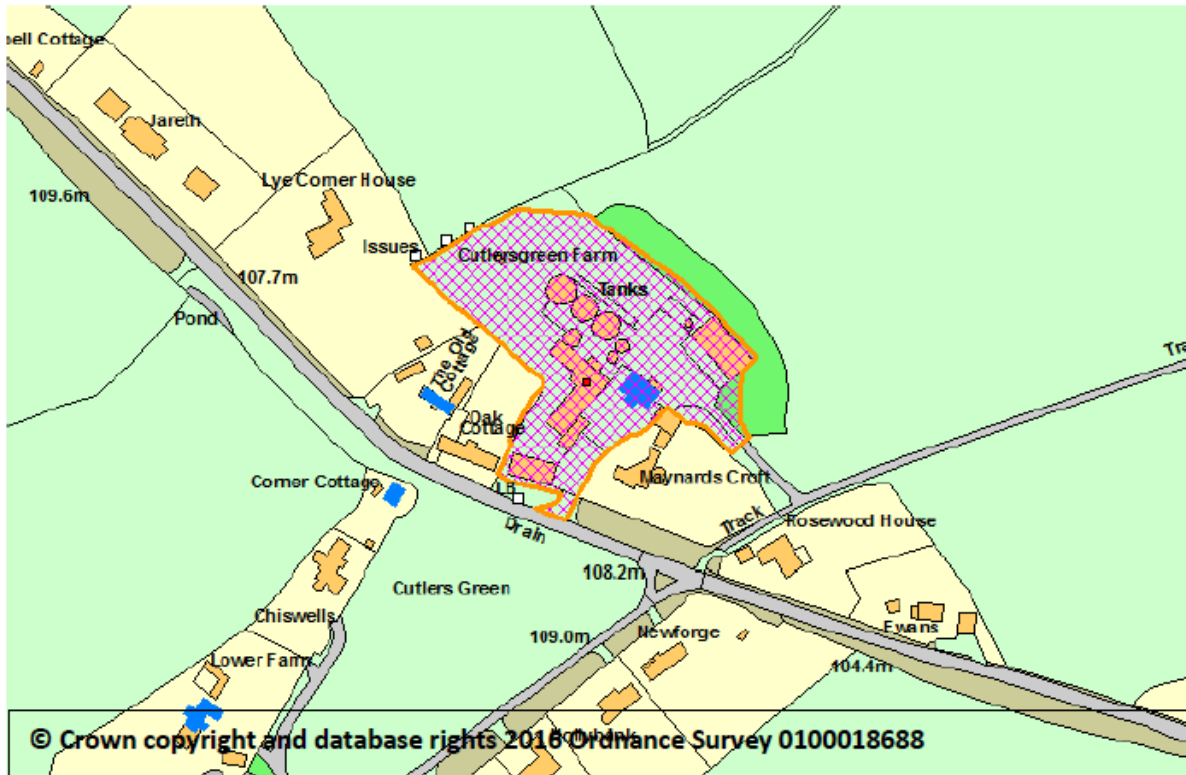
An assessment must be undertaken in accordance with the requirements of condition ENV1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition ENV2.

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition ENV3.

REASON: In order to ensure a safe environment is provided for the future residential occupation of the site, in accordance with Uttlesford Local Plan ENV14 (adopted 2005), and the NPPF.

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

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



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| Organisation: | Uttlesford District Council |
| Department: | Planning |
| Date: | 20 February 2019 |

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UTT/18/2238/LB – THAXTED

PROPOSAL: Conversion of and alterations to Grade II Listed barn to provide a residential dwelling, conversion, extension and alterations to curtilage barn to residential

LOCATION: Cutlers Green Farm Cutlers Green Cutlers Green Lane Thaxted Essex

APPLICANT: Mr R Hingston

AGENT: Laura Dudley-Smith, Strutt & Parker

EXPIRY DATE: 22 October 2018 – Extension of time 22 March 2019

CASE OFFICER: Karen Denmark

1. NOTATION

- 1.1 Outside development limits/Grade II Listed Building/within the Thaxted Neighbourhood Plan's designated area

2. DESCRIPTION OF SITE

- 2.1 The application site is part of Cutlers Green Farm which lies on the northern side of Bolford Street. The settlement of Thaxted lies approximately 1.5km to the east, with Great Dunmow and Saffron Walden around 11km away.
- 2.2 The applicant states the site is approximately 0.83ha in area and comprises of a central Grade II listed barn, surrounded by a range of other agricultural buildings and structures including a large grain store and drier, and a range of silos. The site, which is brownfield, is being redeveloped as the buildings are no longer suitable.
- 2.3 The ground slopes gently downwards to the north and west with mature plantation along the site boundaries, with farmland to the north and a small ribbon development of residential development. The village green is to the south of the site with further residential development around this feature.

3. PROPOSAL

- 3.1 The scheme can be summarised as:
Plot 1 – conversion of existing barn to form three storey detached four bedroom dwelling;
Plot 6 – conversion of existing barn to a single storey two bedroom dwelling;

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

5. APPLICANT'S CASE

- 5.1 The applicant has included the following documents in support of his application:
- Planning Statement by Strutt & Parker (July 2018);
 - Design and Access Statement by Rachel Furze Design (June 2018);
 - Uttlesford District Council's contamination checklist;
 - Heritage Statement, prepared by Architectural Management (May 2018);
 - Ecology Preliminary Ecological Appraisal which incorporates a bat survey inspection prepared by T4 Ecology Limited (April 2018);
 - Bat Surveys prepared by Essex Mammal Surveys (June 2018 and September 2018);
 - Phase 1 Geo-environmental Report prepared by Brown 2 Green (March 2018);
 - Sustainable Drainage Strategy prepared by MTC Engineering (June 2018);
 - Structural Assessment prepared by Gawn Associates (April 2018);
- 5.2 The applicant's argument for the development is contained in the planning statement.

Conclusion of Planning Statement:

This application seeks Full Planning Permission for the:

Redevelopment of Cutlers Green Farm to provide for 7 residential dwellings through partial demolition and conversion, with associated gardens and private access.

The proposed scheme will allow the sympathetic reuse of this now redundant agricultural brownfield site to meet local housing needs whilst respecting and enhancing the rural character and historic setting of the site. Built development is to be focused largely on the previously developed areas of the site, reflecting the original farmstead form and arrangement across the site. The scheme takes into consideration the existing rural context and impact on the historic setting, in accordance with pre-application discussions. The proposals therefore fully accord with relevant local and national policy.

The proposal is supported by a series of technical reports that have informed the design and layout of the site and conclude that the proposals would be viable and not detrimental to the rural surroundings.

On balance, the proposals put forward a highly sustainable scheme that provides a wide range of planning benefits.

The proposal reutilises a now redundant agricultural site providing much needed housing for the local area and seeks to consolidate the community by introducing local housing fronting the village green. In redeveloping this redundant site to provide for a visually improved site that is both sympathetic and respectful of the surrounding rural and historic setting, the proposals provide a strong public benefit.

Relocation of the agricultural functions to a nearby site ensures the commercial longevity of the farm and allows opportunity for a residential redevelopment of the site to help support the vitality of Cutlers Green.

The designs shown that retention and sympathetic conversion of existing buildings on site, coupled with the removal of additional structures that undermine the rural and historic context, seek to respect the original agricultural character of the site.

This will improve the visual appearance of the site with retention of trees and additional planting, gardens and removal of hardstanding, landscape views are improved across the site.

The relocation of the agricultural building will also mean fewer larger vehicles will travel through the village centre and improve traffic flows, including mitigating visual and noise impacts.

The proposal therefore presents an opportunity for significant environmental, social and economic benefits to ensure sustainable development and redevelopment of this redundant agricultural site.

6. RELEVANT SITE HISTORY

- 6.1 Although the site has been subject to previous applications, the LPA does not consider that any of these are relevant to the current scheme.

7. POLICIES

7.1 Uttlesford Local Plan (2005)

GEN7 – Nature Conservation
ENV2 – Development affecting Listed Buildings

7.2 Supplementary Planning Documents/Guidance

N/A

7.3 National Policies

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

Other Material Considerations

- 7.4 Thaxted Neighbourhood Plan: At the time of writing the report the Neighbourhood Plan was not 'made'. However, it had been to referendum and the vote was in favour of the Plan. On 12 February 2019 Cabinet resolved to support the Plan and Full Council were due to consider this on 21 February 2019. Until the Plan is 'made' it does not have full weight, but the policies carry substantial weight at this time given its stage in the process. The following policies are relevant:

TX HC1 – Heritage and Development
TX LSC3 – Wildlife Habitats and landscape features

- 7.5 The emerging Local Plan was submitted to the Planning Inspectorate on 18 January 2019. While its policies currently carry little weight in decision making, it is noted that the following are relevant:

Emerging Local Plan

EN1 – Protecting the Historic Environment
EN4 – Development affecting Listed Buildings

8. PARISH COUNCIL COMMENTS

- 8.1 The Parish Council supports the application but would like all future permitted developments rights to be removed and the site developed in accordance with the submitted plans. The Council would also wish to see a small reorganisation of the site to remove the pinch point between buildings one and five.

Revised scheme: RESOLVED to SUPPORT subject to the following recommendations/Comments:

Permitted development rights are to be removed, Thaxted Parish Council register their strong objections to the Velux Window in their current location and are therefore Seeking to Transfer the Velux windows to the Northern elevation. In accordance to the Emerging Neighbourhood and Thaxted's Village Design Statement.

Additional comments include Thaxted Parish Council stated a Commendable effort from the architect who has taken on board our previous comments, they listened and subsequently revised the plans. We look forward to viewing the plans again with these small modifications included.

9. CONSULTATIONS

ECC - Ecology

- 9.1 **No objection subject to securing biodiversity mitigation and enhancement measures.**

Summary

I have reviewed the Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (T4 Ecology Ltd., April 2018) supplied by the applicant, and the subsequent Bat Survey (Essex Mammal Surveys, Sept 2018), a brown long-eared bat was found roosting in a joint in the timber barn (building 3). An European protected Species Licence will be required for this development.

I am satisfied that there is sufficient ecological information available for determination

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in Preliminary Ecological Appraisal Incorporating Bat Survey Inspection (T4 Ecology Ltd., April 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Conservation Officer

- 9.2 The proposal subject of this application is the creation of 7 residential units as part of the conversion of redundant farm buildings. The site is located in Cutlers Green which is a small hamlet in an open countryside. It could be said that it is a brown field site as it contains a selection of unremarkable/unsightly modern farm buildings, apart from a 3 bay timber frame barn of possibly C17 origins listed in its own right.

The scheme aims at the conversion of some of the structures and rebuilding others. In principle the saved policy H6 aims at the conversion of redundant rural buildings if their historic, traditional or vernacular form enhances the character of the rural area. Clearly, apart from the listed building, the other structures are rather unremarkable or positively unsightly.

However, I find the proposed scheme architecturally exceptional and one which will positively contribute to the locality and stand as an innovative and interesting example of possible conversion of rural modern buildings. The suggested conversion of the metal silos with its novel arrangement of glazed screens while retaining its agricultural features, would provide future generations with some evidence of typical C20 farming practice.

The other buildings would also retain most of their agricultural characteristics, but the suggested modernistic fenestration and elevational finishes would give them a unique C21 flavour. In conclusion I feel the scheme would enrich the locality and represent architectural gem, subject to being implemented strictly according to the current architect's proposal.

10. REPRESENTATIONS

- 10.1 This application has been advertised and representations have been made raising the following issues. Notification period expired 1 February 2019.
- too many houses, three (or five as suggested in a separate representation) would be a better number;
 - the development's traffic generation could be dangerous;
 - houses' materials are inappropriate, for example the roofs should be constructed from thatch;
 - existing drainage serving Maynards Croft;
 - safeguarding the adjacent garage on Maynards Croft, including the brick boundary wall;
 - excessive number of parking spaces;
 - safety of access sight lines;
 - oil tanks and location of gas supplies;
 - excessive noise from the development's traffic;
 - development could cause damp issues for a neighbouring occupier;
 - worried about damage to the neighbours' trees.

11. APPRAISAL

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

- A Impact on listed buildings (ULP Policy ENV2; NPPF)
- B Site biodiversity (NPPF, Local Plan Policy GEN7);
- C Other material planning considerations (Thaxted Neighbourhood Plan; Emerging Local Plan)

A Principle of development (NPPF, Local Plan Policies S7 and H6)

- 11.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall have special regard to the desirability of preserving a listed building or its setting..." and LPA's are required to apply this statutory advice when determining listed building applications. ULP Policy ENV2 requires that development affecting a listed building should be in keeping with its scale, character and surroundings, adding that development proposals that adversely affect the setting and alterations that impair the special characteristics of a listed building will not be permitted. Paragraph 189 of the NPPF states that "In determining [planning] applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting", whilst paragraph 196 states that "Where in cases where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use".
- 11.2 The scheme involves the conversion of a Grade II listed barn and a curtilage listed barn. The scheme has been sensitively designed respecting the character of the buildings. There would be less than substantial harm arising from the proposals and the public benefits would be the long-term viability of the two buildings, together with additional housing to meet local needs.

B Site biodiversity (NPPF, Local Plan Policy GEN7)

- 11.3 Local Plan Policy GEN7 requires applicants to show that the development would not have a harmful effect on wildlife or geological features unless the need for the development outweighs the importance of the feature to nature conservation. Applicants also have a legal duty towards legally protected species or habitats. The site is in the countryside with the potential for there to be potential impacts, particularly in respect of bats given the fact that barn conversions and demolition are proposed.
- 11.4 Essex County Council's Place Services are the ecology consultants for the LPA and they consider that the proposal is acceptable, subject to their suggested conditions being added to any consent.

C Other material planning considerations (Thaxted Neighbourhood Plan)

- 11.5 It is envisaged that the Thaxted Neighbourhood Plan will be 'made' by the time this application is considered at the Planning Committee on 13 March 2019. The relevant policies are set out above in section 7.4. These policies are compliant with the requirements of the NPPF and the assessment above largely covers the issues raised in the policies.

12. CONCLUSION

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

- A** The proposals would result in the long-term viability of a Grade II Listed Building and a curtilage listed building. These benefits would outweigh any harm to the heritage assets and the proposals comply with the relevant policies.

- B** No ecological issues arise as a result of these proposals and appropriate conditions are included on the planning permission.

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. The windows of Plots 1 and 6 of the development hereby permitted shall be single-glazed. All new frames and glazing bars shall be painted timber, in accordance with details, which have been submitted to and approved in writing by the local planning authority before development commences. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

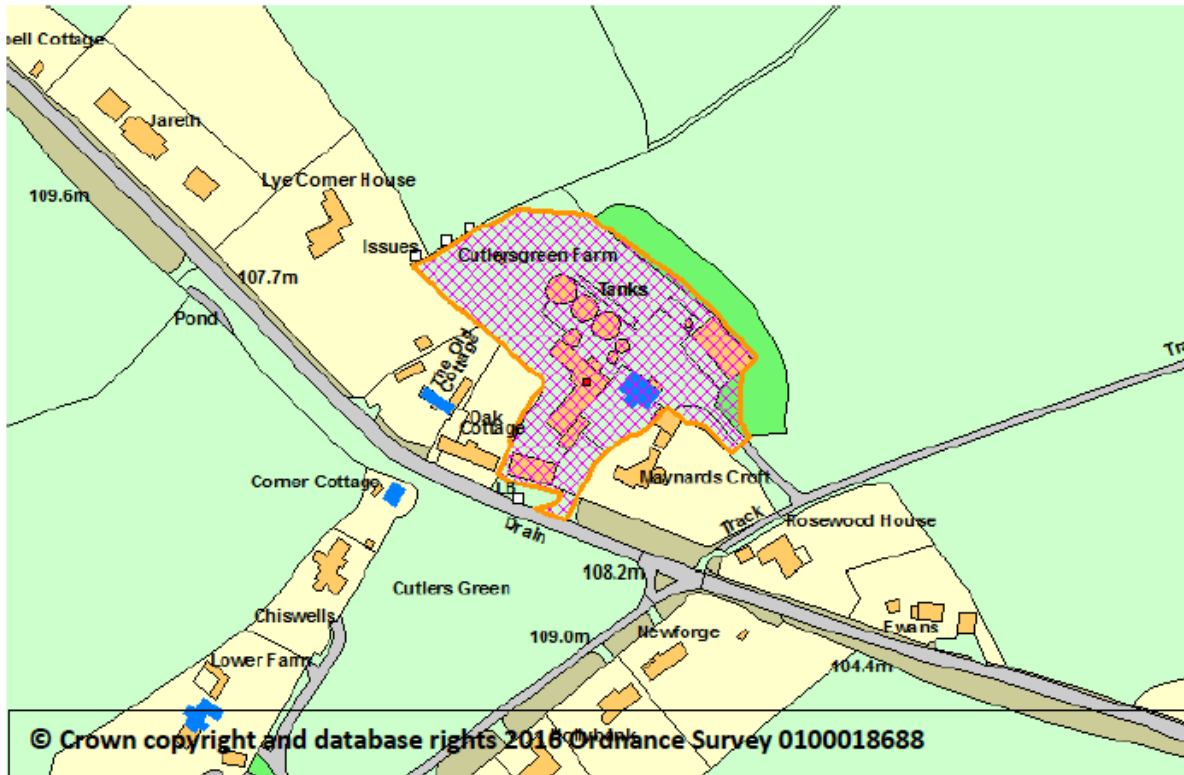
REASON: In order to protect the character of the listed building, in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

3. Prior to the commencement of the works hereby approved samples of the materials to be used in the conversion works hereby permitted, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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

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

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



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|---------------|-----------------------------|
| Organisation: | Uttlesford District Council |
| Department: | Planning |
| Date: | 20 February 2019 |

UTT/18/3326/PIP (CLAVERING)

(Referred to Committee by Cllr Oliver. Reason: Contrary to NPPF sustainability requirements; poor precedent)

| | |
|----------------------|--|
| PROPOSAL: | Application for permission in principle for the erection of min. 6 dwellings and max. 8 dwellings |
| LOCATION: | Land West of Stortford Road, Clavering |
| APPLICANT: | Mr J Noble |
| AGENT: | Sworders |
| EXPIRY DATE: | 8 January 2019 |
| CASE OFFICER: | Luke Mills |

1. NOTATION

1.1 Countryside.

2. DESCRIPTION OF SITE

2.1 The site is located to the west of Stortford Road, Clavering. It comprises 0.5ha of undeveloped agricultural land.

3. PROPOSAL

3.1 The application is for permission in principle for residential development comprising a minimum of six dwellings and a maximum of eight.

3.2 The permission in principle legislation is new and this is the third application of this type that the UDC Planning is dealing with.

3.3 The application submitted seeks to establish the principle of having 6-8 residential dwellings on this particular site.

3.4 The process sits between the pre-application stage and the outline planning permission stage. The National Planning Practice Guidance states "*The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.*"

3.5 In terms of assessing the application the NPPG states "*A decision on whether to grant permission in principle to a site following a valid application or by entering it on Part 2 of a brownfield land register must be made in accordance with relevant policies in the development plan unless there are material considerations, such as those in the National Planning Policy*

Framework and national guidance, which indicate otherwise.”

- 3.6 Conditions and S106 Agreements cannot be attached to a grant of permission in principle and the terms of the consent may only apply to the site location, the type of development and amount of development. Conditions and obligations which meet the 6 tests can be however applied to the approval of technical details consent.

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 contains the following documents:

- Planning Statement

6. RELEVANT SITE HISTORY

- 6.1 No recent, relevant history.

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
ENV5 – Protection of Agricultural Land

ENV8 – Other Landscape Elements of Importance for Nature Conservation
H1 – Housing Development
H9 – Affordable Housing
H10 – Housing Mix

Supplementary Planning Documents/Guidance

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

National Policies

- 7.6 National Planning Policy Framework (NPPF) (2018)
- paragraphs 11, 63, 73, 78-79, 102-111, 127, 155-165, 170 & 175
Planning Practice Guidance (PPG)
- Design
- Flood risk and coastal change
- Housing: optional technical standards
- Natural environment
- Planning obligations
- Rural housing

Other Material Considerations

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Housing Trajectory and 5-Year Land Supply Statement 1 April 2018 (October 2018)
Emerging Local Plan
- SP1 Presumption in Favour of Sustainable Development
- SP2 The Spatial Strategy 2011-2033
- SP3 The Scale and Distribution of Housing Development
- SP10 Protection of the Countryside
- SP12 Sustainable Development Principles
- H1 Housing Density
- H2 Housing Mix
- H6 Affordable Housing
- H10 Accessible and Adaptable Homes
- TA1 Accessible Development
- TA2 Sustainable Transport
- TA2 Provision of Electric Charging Points
- TA3 Vehicle Parking Standards
- INF1 Infrastructure Delivery
- INF4 High Quality Communications Infrastructure and Superfast Broadband
- D1 High Quality Design
- D2 Car Parking Design
- D8 Sustainable Design and Construction
- D9 Minimising Carbon Dioxide Emissions
- EN7 Protecting and Enhancing the Natural Environment
- EN10 Minimising Flood Risk
- EN11 Surface Water Flooding

- EN12 Protection of Water Resources
- C1 Protection of Landscape Character

8. PARISH COUNCIL COMMENTS

8.1 Objection, on the following grounds:

- The site was rejected in the Call for Sites assessment
- Harm to the character of the area
- The proposal would increase the risk of flooding
- Increased traffic

9. CONSULTATIONS

Highway Authority (Essex County Council)

9.1 No objections. Extract:

“The technical details consent application must accord with current safety and design standards.”

London Stansted Airport

9.2 No objections. Extract:

“The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no aerodrome safeguarding objections to the proposal but request that, should this scheme proceed through the Planning process that we are consulted further, especially on the details of the landscaping and SuDS.”

Environmental Health

9.3 No objections. Extract:

“Land Contamination:

This is a greenfield site, forming part of a larger arable field, which we are advised has historically been used for agricultural purposes. Agricultural uses can involve the application of pesticides to the land over time, and residual amounts of pesticides on the land can present a contamination risk. In view of the proposed contamination-sensitive end use of residential occupation with gardens, a Phase I Desk Top Study should be submitted with the technical details stage of this application to identify any potential contamination risks in relation to this site.

Noise:

Potential noise sources that could impact on the development are traffic on the Stortford Road, and operations (i.e. deliveries and any external plant) in connection with the local stores and post office.

In relation to traffic noise, it is noted that the dwellings will be set back from Stortford Road by the proposed access drive. It is anticipated that normal construction of the dwellings, including standard thermal double glazing

should be sufficient to achieve satisfactory internal noise levels in accordance with the acoustic design standards set out in BS8233:2014. Similarly, as the main external garden areas will be located to the rear of the dwellings these should provide some noise protection for the private amenity spaces in accordance with the external noise standards specified in the WHO Community Noise Guidelines 1999.

With regards to noise from the local stores/post office, it is noted that there are already dwellings in closer proximity to this site. Noise generating activities i.e. deliveries and any external plant are likely to be located to the rear of the stores and furthest away from the application site. No special noise conditions are therefore considered necessary in the context of the application site and these potential noise sources.

The development of this site could have impacts on the amenity of existing neighbouring residential occupiers during the site preparation and construction phases of the development. To mitigate any adverse impacts, it is recommended that all construction operations are carried out in accordance with an approved Construction Management Plan. A construction management plan condition is therefore likely to be recommended at the technical details stage.

Light:

No details of external lighting have been provided with this application. It will be necessary to ensure that any lighting scheme introduced in conjunction with the development does not have an adverse impact on existing neighbouring residential occupiers from obtrusive or spillover light or glare. A suitable condition to secure this is therefore likely to be recommended at the technical details stage.”

Cllr Oliver (Ward Councillor)

9.4 Objection, on the following grounds:

- The site was rejected in the Call for Sites assessment
- The proposal would increase the risk of flooding
- The site is located beyond the Development Limits
- Harm to the character of the area

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, including from the ‘Hands Off Clavering’ group:

- 1) No need for additional housing in Clavering
- 2) The site is located beyond Development Limits
- 3) Harm to the character of the village and its setting
- 4) Increased traffic and risk to road safety
- 5) Inadequate sustainable transport opportunities
- 6) Overbearing impact on neighbouring properties
- 7) Overlooking of neighbouring properties
- 8) Increased risk of flooding
- 9) Increased pollution e.g. air, noise and light

- 10) Inadequate infrastructure e.g. education, healthcare
- 11) Loss of high quality agricultural land
- 12) Local services and facilities do not require the support of further housing
- 13) Approval would set a precedent for further development

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

1) – 12) Covered in the below appraisal.

13) Each application will be determined on its own merits, taking into account all material considerations at that time.

11. APPRAISAL

Bearing in mind the scope of the planning assessment is limited to the consideration of location, land use and the amount of development, as explained in the Planning Policy Guidance, the issues to consider in the determination of the application are (relevant policies in brackets):

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character and appearance (S7, GEN2, 127, 170 & PPG)
- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, 127 & PPG)
- E Amenity (GEN2, 127 & PPG)
- F Flooding (GEN3, 155-165, PPG & SFRA)
- G Infrastructure (GEN6 & PPG)
- H Biodiversity (GEN7, ENV8, 175 & PPG)
- I Agricultural land (ENV5 & 170)
- J Affordable housing (H9 & 63)
- K Housing mix (H10 & SHMA)
- L Housing land supply (11 & 73)

A Location of housing (S7, H1, 78-79 & PPG)

11.1 The Local Plan places the site beyond the defined Development Limits for town and villages, and therefore in a countryside location that is inconsistent with policies S7 and H1 on the location of housing.

11.2 Notwithstanding the above conflict with development plan policies, the proposal accords with the more up-to-date national policy in the NPPF. Paragraphs 78-79 take a less restrictive approach compared with the Local Plan, supporting the growth of existing settlements while preventing isolated homes that could lead to sporadic development in the countryside. The site's location adjacent the built-up area of Clavering ensures its consistency with paragraphs 78-79.

11.3 In consideration of the location of the site in terms of its proximity to the local school and village shop with Post Office the application site is considered to be sustainable.

B Character and appearance (S7, GEN2, 127, 170 & PPG)

11.4 As is consistent with the type of application submitted, there is no detail regarding the design of the proposed development because this would be assessed at the technical details consent stage, should this application be

granted. However, it is necessary to consider whether the location, land use and amount of development would be appropriate for the character of the area.

- 11.5 The introduction of housing to an undeveloped field would inherently have a harmful effect on the rural character of the area, in conflict with Policy S7 and paragraph 170 of the NPPF. However, it is necessary to determine the weight that should be given to such an adverse effect.
- 11.6 One mitigating factor is that the site is not in an area of designated landscape value. Furthermore, existing housing to the north and east ensures that the proposal would be compatible with the existing pattern of development. It is therefore concluded that limited weight should be given to the adverse effect on landscape character in this instance.

C Transport (GEN1, GEN8 & 102-111)

- 11.7 Clavering contains a number of local services and facilities but it is acknowledged that residents of the proposed development would require a car to access most services, facilities and employment, in conflict with the sustainable transport objectives of Policy GEN1. However, paragraph 103 of the NPPF requires consideration of the differing opportunities in urban and rural areas. It is therefore concluded that the abovementioned paragraphs 78-79 provide the key policy for the location of small-scale rural housing.
- 11.8 Taking into account the comments of the highway authority, it is considered that there would be no adverse effects on road safety or capacity, in principle. A subsequent application for technical details consent would need to provide for a suitably-designed access, as well as appropriate car parking.

D Accessibility (GEN2, 127 & PPG)

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

E Amenity (GEN2, 127 & PPG)

- 11.10 Taking into account The Essex Design Guide, which represents non-adopted but useful guidance, it is considered that a development of six to eight dwellings could be accommodated in a manner that ensures suitable private amenity space provision and prevents adverse effects on neighbouring premises with respect to daylight, privacy or overbearing impacts. The Environmental Health Officer has confirmed that noise and light pollution matters could be suitably addressed at the technical details consent stage.

F Flooding (GEN3, 155-165, PPG & SFRA)

- 11.11 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 proposal is not a

'major development'; 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.

- 11.12 Notwithstanding the above, it is noted that an appropriate surface water drainage scheme would need to be implemented through the Building Regulations approval process.

G Infrastructure (GEN6 & PPG)

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

H Biodiversity (GEN7, ENV8, 175 & PPG)

- 11.14 The PPG confirms that impacts on protected species should not be assessed until the technical details consent stage (Paragraph: 003 Reference ID: 58-003-20190615).

I Agricultural land (ENV5 & 170)

- 11.15 Policy ENV5 seeks to prevent significant losses of the best and most versatile (BMV) agricultural land, and paragraph 170 of the NPPF has a similar objective. While the site is classified as Grade 2, which is regarded as BMV land, the development would not represent a significant breach of these policies because the land is small in agricultural terms and the high quality of land across the majority of the District means that some loss is inevitable due to meeting the 5 year housing land supply.

J Affordable housing (H9 & 63)

- 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.

K Housing mix (H10 & SHMA)

- 11.17 Policy H10 requires that small market housing comprises a significant proportion of the total number of units. However, the housing mix would be determined at the technical details consent stage.

L Housing land supply (11 & 73)

- 11.18 Paragraphs 11 and 73 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 and 5-Year Land Supply Statement 1 April 2018 (October 2018), the Council's housing land supply is currently 3.46 – 4.45 years. Subsequent updates to the NPPF and PPG in February 2019 regarding housing needs calculations indicate that the land supply is likely to be lower. Therefore, contributions towards housing land supply must be regarded as a positive effect.

12. CONCLUSION

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

- A** The proposal does not accord with the development plan due to conflicts with policies on the location of housing, countryside character and sustainable transport.
- B** Notwithstanding the above, it is concluded that the proposal represents 'sustainable development' in the context of the NPPF. The tilted balance at paragraph 11 is engaged because relevant policies for the supply of housing, including the associated site allocations and Development Limits, are out of date. In this case, the limited adverse effect on countryside character would not significantly and demonstrably outweigh the benefits from the proposal's contribution towards housing land supply.
- C** Taking into account the more up-to-date nature of the NPPF with respect to the determining issues, it is considered that the lack of accordance with the development plan is overridden in this instance. Regard has been had to all other material considerations, and it is concluded that planning permission should be granted.

RECOMMENDATION – APPROVAL

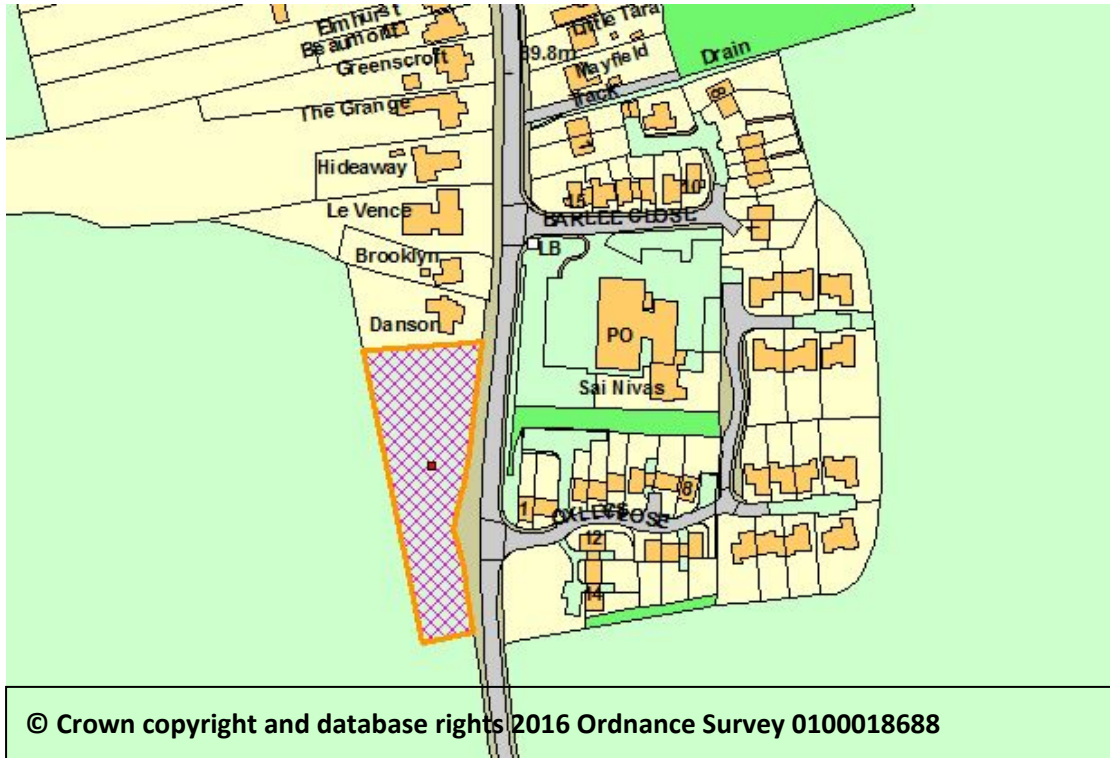
Conditions

1. The development hereby permitted in principle must be begun within three years of the date of this notice.

REASON: In accordance with section 70(2ZZC) of the Town and Country Planning Act 1990 (as amended).

Application: UTT/18/3326/PIP

Address: Land West of Stortford Road, Clavering



Organisation: Uttlesford District Council

Department: Planning

Date: 08/02/2019

UTT/18/3457/FUL
(Saffron Walden)
(UDC Planning Application)

PROPOSAL: Works to the ruins of Walden Castle to allow for public access, comprising a new internal floor to the castle, new security gates and fence and an external lighting scheme.

LOCATION: Saffron Walden Castle, Museum Street, Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: Caroe Architecture Ltd.

EXPIRY DATE: 15th March 2019

CASE OFFICER: Chris Tyler

1. NOTATION

- 1.1 Within Development Limits
Grade I Listed Building
Scheduled Monument
Conservation Area

2. DESCRIPTION OF SITE

- 2.1 The site relates to Saffron Walden Castle and is located on raised ground north west of The Common. The Castle is a designated scheduled monument and only one of six Grade I listed structures in the Conservation area of Saffron Walden.

3. PROPOSAL

- 3.1 This planning application is works to the castle including new internal floor, new security gates, fences and external lighting scheme.

The proposal includes:
1x main gate (MG01)
1x fence/ railing (MG02)
2x access gates (MG03 and MG04)

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

And

Human Rights Act considerations:

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

taken into account in the determination of this application

5. APPLICANT'S CASE

- 5.1 The applicant has provided a heritage, design and access statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist

6. RELEVANT SITE HISTORY

- 6.1 There are no previous planning applications linked to this proposal.

7. POLICIES

7.1 National Policies

- 7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy ENV1- Design of development within the conservation area

Policy ENV2- Development affecting Listed Buildings

Policy GEN2 – Design

Policy GEN4- Good Neighbourliness

Policy GEN5- Light Pollution

Policy GEN7 - Nature Conservation

Policy GEN1- Access

Policy GEN8 - Vehicle Parking Standards

Policy ENV4 - Ancient Monuments and sites of Archaeological Importance

8. PARISH COUNCIL COMMENTS

- 8.1 No comments received- expiry date 24/1/2019

9.0 CONSULTATIONS

The Highways Authority

- 9.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:

1. The external lighting / floodlighting shall be so positioned and shielded, in perpetuity, to direct light away from the highway. Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council

Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1. Informatives:

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

Environmental Health

9.2 No objection to the application as proposed.

The application seeks consent for a range of improvement works to the historic Saffron Walden Castle, comprising a new internal floor to the castle, new security gates and fences and an external lighting scheme. From an Environmental Health perspective, the only issue for consideration is the potential for obtrusive or spillover light from the 3 proposed external lighting units to impact on neighbouring residential properties.

The applicants are conscious of this and it appears to have been taken into account in the design of the exterior lighting scheme. The 3 low wattage LED light units that comprise the lighting scheme will be contained within ground level "hides" with the light directed onto the existing walls of the castle. The hides should enable the light to be directed where it is intended and reduce the likelihood of spillover or obtrusive light as a result.

Having reviewed the lighting details submitted, I would advise that Environmental Health have no objection in respect of the development as proposed.

INFORMATIVES

Developers are referred to the Uttlesford District Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein.

Ecology

9.3 No objections or further recommendations made.

Conservation Officer

9.4 The application is for works to the ruins of Walden Castle to allow for public access, comprising a new internal floor to the castle, new security gates and fences and an external lighting scheme.

Saffron Walden Castle is the remains of a twelfth century tower-keep, grade I listed (ref: 1297737) and located upon the Bury Hill scheduled monument (ref: 1009307), within the Saffron Walden I Conservation Area. The Castle is an important remnant of the town's history and a well-documented example of a motte and bailey castle with important archaeological remains.

The proposals will not cause harm to the castle, and will be beneficial in terms of public engagement with the site. Access to the site will be improved by the insertion of the floor within the keep and the proposed lighting is sensitive to both the listed structure and the conservation area. Concealing the lighting within grass mounds will especially ensure the setting of the castle is not harmed by the proposals, allowing for the grass to appear largely uninterrupted when viewed from afar.

The gates specified within the proposal are sensitive to the structure, and will not detract from the setting. Relatively unobtrusive, the additional protection they provide the castle outweighs any aesthetic harm caused by the modern intervention.

Historic England

- 9.5 The proposal has been assessed by historic England and schedule monument consent has been granted for the works. We advised the proposal is in line with the aims and objective of the NPPF with respect to the historic environment.

BAA

- 9.6 No aerodrome safeguarding objections

ECC Archaeology

- 9.7 The Historic Environment Record shows that the proposed development lies within the Scheduled Monument of Saffron Walden Castle (EHER 411). A programme of work has already been completed by Pre Construct Archaeology which has been agreed with Historic England. As the programme has been agreed no archaeological recommendations are being made on this application.

10 REPRESENTATIONS

- 10.1 Neighbouring properties consultation- 24/1/2019
Expiry date 11/1/2019
Site notice and advertisement consent- 25/1/2019

1 letter of comments received

| Neighbours Comments | Case Officers Comments |
|--|---|
| The documents include state the site will be used for events | The application is for the works to the castle, this does not include change of use and therefore this cannot be considered. |
| There are other venues within the town for this | The planning application does not consider the castle as a venue and therefore this cannot be considered. |
| The site is open to the weather; there is no proposal for cover. | The application proposal does not include cover; this is not part of the proposed development submitted and not a material consideration. |
| There is not reference for traffic/ parking | The applications for the works to the building |
| No consultation on wildlife | Essex County Council Ecologists have been consulted, no objections or further recommendation have been made. A completed biodiversity checklist was submitted with the application. |
| The application lack this practical information | It is considered the application includes sufficient information in regards to the proposed works. |

10.2 All material planning merits will be considered in the following report.

11 APPRAISAL

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

- A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)
- B Whether the proposal would have a detrimental impact on the historic fabric, character or appearance of the listed building and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).
- C Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4)
- D Impact on residential amenity, disturbance and light pollution (ULP Policies GEN2 & GEN5)
- E Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Parking Standards)
- F Nature Conservation (ULP Policy GEN7)
- G Any other material considerations

A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)

- 11.1 The principle of development of the site (ULP Policies S1, GEN2 and the NPPF)
The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.
- 11.2 The proposal is for the proposed works to the Saffron Walden Castle, the proposed works are considered to have significant material change to the character of the site and its setting that will result in any harm.
- 11.3 The proposal will replace the existing fencing, boarding and existing metal gates, there are currently in a poor state of repair, the proposed works are considered of a sensitive design that will in compatible with the site.
- 11.4 The lighting will include concrete base and trenching, the installation of the lighting will include some moderate impact, however due to the arched design of the units within the ground and being covered by turf, it is not considered the physical installation of the lighting units will not result in any harmful impact to the character of the site.
- 11.5 The lighting is intended to floodlight specific areas of the external wall of the castle with subtle warm wash of light. The lighting will illuminate the southwest corner of the castle, the south wall and south east corner; this leaves the rest of the castle and residential area to the rear in darkness. As such, although the introduction and use of lighting will material change the character of the castle the design and fitting will result in a will not result in a visible impact to the aesthetic value of the site and would lead to an enhancement.
- 11.6 Taking in consideration the above points it is considered the proposed development is in accordance with ULP Policies S1, GEN2 and the NPPF.

B Whether the proposal would have a detrimental impact on the historic fabric,

character or appearance of the listed building and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

- 11.7 The building is Grade I Listed and is also a Scheduled Monument, Saffron Walden Castle is the remains of a twelfth century tower-keep, grade I listed (ref: 1297737) and located upon the Bury Hill scheduled monument (ref: 1009307), within the Saffron Walden I Conservation Area. The Castle is an important remnant of the town's history and a well-documented example of a motte and bailey castle with important archaeological remains. As such due to the important and sensitive nature of the site due consideration is made to the assessment of this application.
- 11.8 Essex County Council Conservation officers have been consulted in regards to the proposal development, no objection have been made. The conservation officer considered the development will not cause harm to the castle, and will be beneficial in terms of public engagement with the site.
- 11.9 Historic England has also been consulted and supports the proposal, it's also noted that scheduled monument consent has been granted for the works and has been submitted to the local planning authority for review. As such taking the consultation responses the proposed development will not have any harmful impact to the setting and character of the historic building and the surrounding conservation area and therefore accords with the aims of Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

C Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4)

- 11.10 Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4) ULP Policy ENV4 assesses the need for the development in regard to the impact on the archaeological importance of the site. A programme of work has been completed by Pre Construction archaeology which has been agreed with Historic England. Essex County Council archaeological specialist has assessed the proposal, no objections or further conditions are made. As such it is considered the proposal does not conflict with ULP Policy ENV4.

D Impact on residential amenity, disturbance and light pollution (ULP Policies GEN2 & GEN5)

- 11.11 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.
- 11.12 The proposal, in the context of the works to the building is not considered to result in any significant impact or loss of residential amenity to neighbouring properties that will have any materials harm. The works do not include the change of use of the site and as such the use of the building will not result in any significant intensification. As such the proposal accords with ULP Policy GEN2.
- 11.13 In regards to light pollution ULP Policy GEN5 states a lighting scheme is not permitted unless the level of lighting and its period of use is the minimum necessary to achieve it purpose and the glare and light spillage from the site is minimised.

- 11.14 The proposed development includes details of the proposed lighting; the design of the lighting has been to avoid neighbouring properties. A mock up of the proposed lighting was made in May 2018. The Council Environmental Health officer have been consulted, no objection have been made. Due consideration has been made in regards to light spill over the neighbouring residential properties.
- 11.15 The 3 low wattage LED light units that comprise the lighting scheme will be contained within ground level "hides" with the light directed onto the existing walls of the castle. The hides should enable the light to be directed where it is intended and reduce the likelihood of spill over or obtrusive light as a result. As such it is considered the proposal accords with ULP Policy GEN5.

E Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Local Residential Parking Standards)

- 11.16 As stated previously the proposed development does not include the change of use of the site, therefore the proposal does not require any additional parking provisions.

In regards to Highway safety (ULP Policy GEN1) the Highways Authority have been consulted, no objection have been made subject to the imposition of conditions for the positioning of the lighting. As such it is considered the proposal will not result in a significant harmful impact to parking provisions or highway safety and the proposal accords with ULP Policies GEN1 and GEN8.

F Nature Conservation (ULP Policy GEN7)

- 11.17 The applicants submitted a biodiversity questionnaire as part of the proposal, The proposal includes the works to the castle, no demolition of the building and it is considered the development will not result in the removal of protected habitat. That being said the proposed lighting scheme could have the potential to impact biodiversity.
- 11.18 Essex County Council ecology has been consulted, no objections or further recommendation have been made. As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

G Any other material considerations

- 11.19 The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.
- 11.20 SP9- development within development limits
 D1- High quality design
 EN2- Design of development within conservation areas
 EN4-Development affecting Listed Buildings
 EN5- Schedule Monuments and sites of archaeological importance
 EN20- Light pollution
 TA1- Accessible Development
 TA4- Vehicle parking standards
 EN8- Protecting the natural environment

12. CONCLUSION

12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme in terms of the heritage asset and its surroundings. The proposal would comply with national and relevant local plan policy and is acceptable.

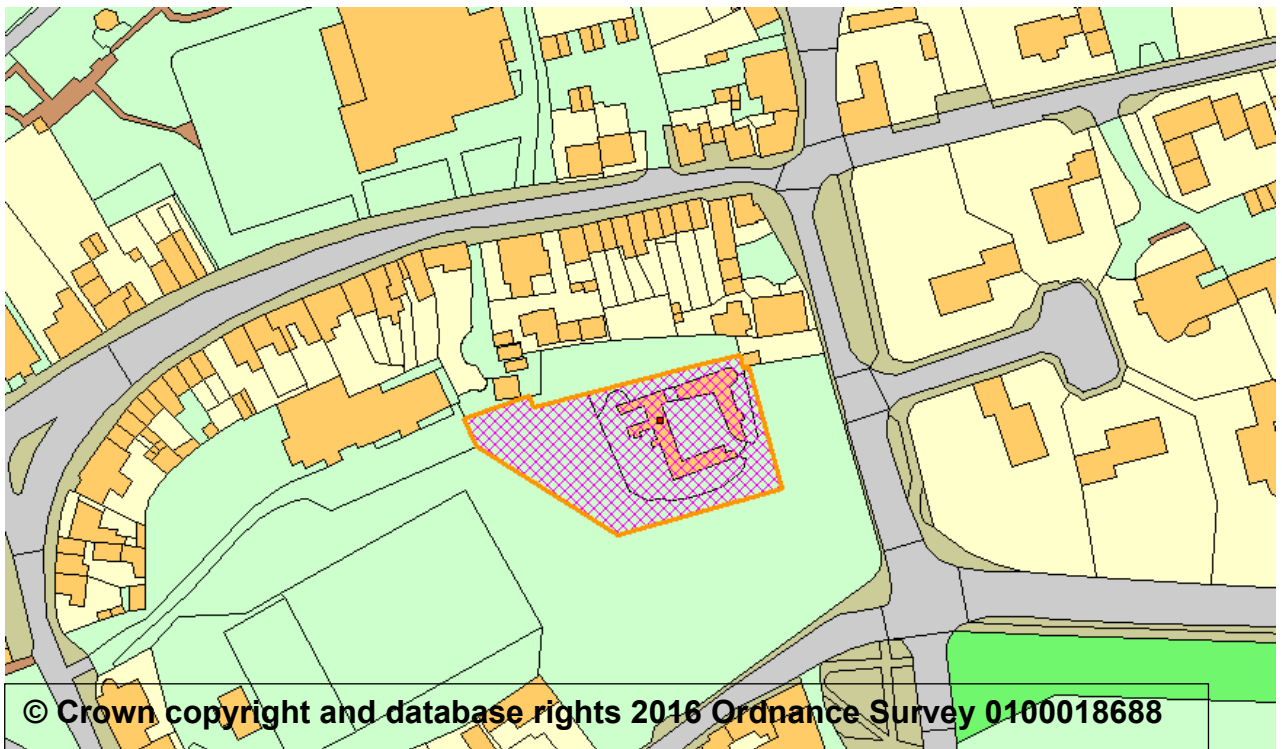
RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. The lighting hereby approved will be installed and operated in strict accordance with the approved plans 098303 and 384_D-001. The use of this condition is to ensure the development does not result in any light pollution that will have a detrimental impact to neighbouring residential properties, in accordance with ULP Policies GEN and GEN5.



Organisation: Uttlesford District Council

Department: Planning

Date: 22 February 2019

UTT/18/3422/FUL
(Saffron Walden)
(UDC Planning Application)

PROPOSAL: Repair and rebuild section of boundary wall.

LOCATION: Saffron Walden Museum, Museum Street, Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: N/A

EXPIRY DATE: 15th March 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Within Development Limits
Grade II Listed Building
Conservation Area

2. DESCRIPTION OF SITE

2.1 The application site relates to the rear boundary wall of Saffron Walden Museum. The boundary wall is between the north of the museum and the properties along Castle Street.

3. PROPOSAL

3.1 This planning application is in relation to the repair and rebuild of a section of the boundary wall.

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

5.1 The applicant has provided a heritage, design and access statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist

6. RELEVANT SITE HISTORY

6.1 There are no previous planning applications linked to this proposal.

7. POLICIES

7.1 National Policies

7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy ENV1- Design of development within the conservation area

Policy ENV2- Development affecting Listed Buildings

Policy GEN2 – Design

Policy GEN4- Good Neighbourliness

Policy GEN7 - Nature Conservation

8. PARISH COUNCIL COMMENTS

8.1 Noted with no objections subject to approval by the Conservation Officer.

9.0 CONSULTATIONS

Historic England

9.1 We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

However, please note that should the rebuilding of the wall require a new foundation, scheduled monument consent would need to be sought from the Secretary of State, advised by Historic England.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals

Conservation Officer

9.2 There is no objection to the rebuilding of the section of boundary wall specified within this application. The wall has failed in part, and sensitive rebuilding of this area will not cause harm to the associated listed building, Saffron Walden Museum.

10 REPRESENTATIONS

10.1 Neighbouring properties consultation expiry date 11/1/2019

No comments received

11 APPRAISAL

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

- A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)
- B Whether the proposal would have a detrimental impact on the historic fabric, character or appearance of the listed building and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).
- C Impact on residential amenity (ULP Policy GEN2)
- D Any other material considerations

A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)

- 11.1 The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.
- 11.2 The materials to be used in the repairs will be considered to be compatible with the existing wall and will include the reuse of the bricks.
- 11.3 Taking in consideration the above points it is considered the proposed development is in accordance with ULP Policies S1, GEN2 and the NPPF.

B Whether the proposal would have a detrimental impact on the historic fabric, character or appearance of the listed building and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

- 11.4 The museum is Grade II listed and therefore the wall in question is considered to be curtilage listed. The Essex County Council Conservation officers have been consulted in regards to the proposal development, no objection has been made, the proposed repair work will not result in any significant harmful impact to the setting of the listed building or surrounding conservation area.
- 11.5 Historic England has also been consulted, no objections have been made. It is noted that if the proposal requires significant works to the foundation schedule monument consent will be required, this will be included in an attached informative. As such taking the consultation responses the proposed development will not have any harmful impact to the setting and character of the historic building and the surrounding conservation area and therefore accords with the aims of Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

C Impact on residential amenity (ULP Policy GEN2)

- 11.6 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.
- 11.7 The proposal works to and repair to the existing wall is not considered to result in any significant impact or loss of residential amenity to neighbouring properties that will have any materials harm. As such the proposal accords with ULP Policy GEN2.

D Any other material considerations

11.8 The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.

11.9 SP9- development within development limits
D1- High quality design
EN2- Design of development within conservation areas
EN4-Development affecting Listed Buildings

12. CONCLUSION

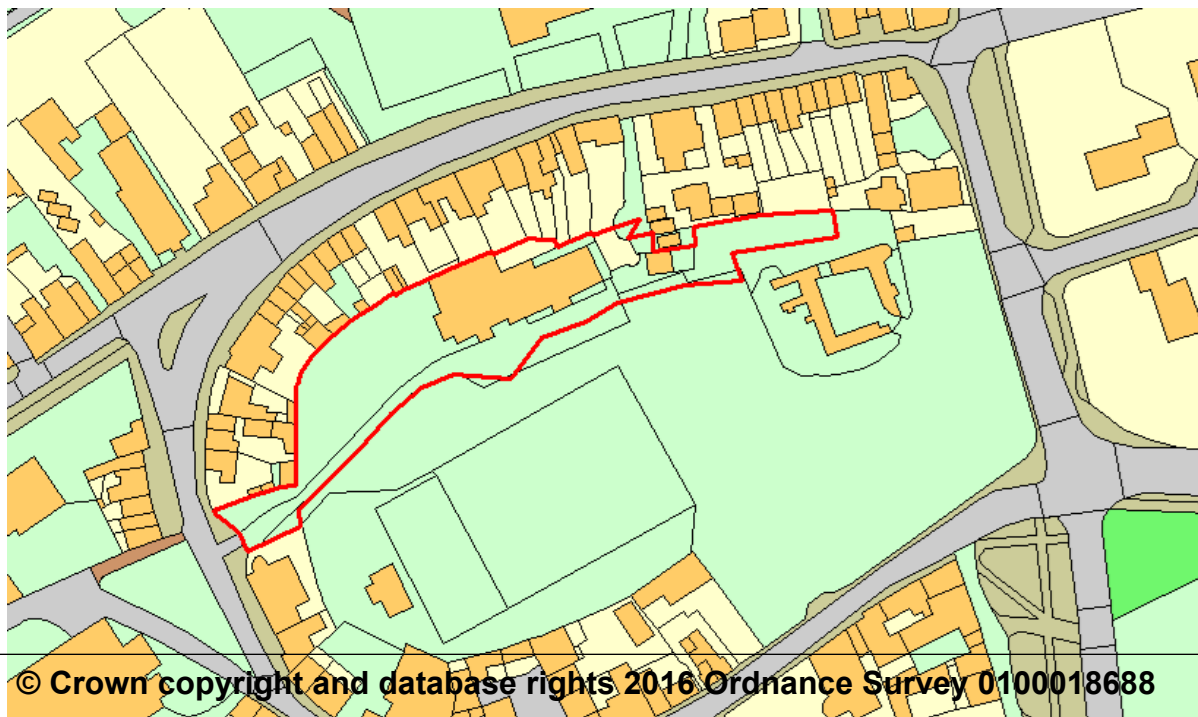
12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme in terms of the heritage asset and its surroundings. The proposal would comply with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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



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Organisation: Uttlesford District Council

Department: Planning

Date: 27 February 2019

Organisation: Uttlesford District
Council

Department: Planning

Date: 22 June 2017

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UTT/18/3421/LB
(Saffron Walden)
(UDC Planning Application)

PROPOSAL: Repair and rebuild section of boundary wall.

LOCATION: Saffron Walden Museum, Museum Street, Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: N/A

EXPIRY DATE: 15th March 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Within Development Limits
Grade II Listed Building
Conservation Area

2. DESCRIPTION OF SITE

2.1 The application site relates to the rear boundary wall of Saffron Walden Museum. The boundary wall is between the north of the museum and the properties along Castle Street.

3. PROPOSAL

3.1 This planning application seeks listed building consent for the repair and rebuild of a section of the boundary wall.

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

5.1 The applicant has provided a heritage, design and access statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist

6. RELEVANT SITE HISTORY

6.1 There are no previous planning applications linked to this proposal.

7. POLICIES

7.1 National Policies

7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy ENV2

8. PARISH COUNCIL COMMENTS

8.1 Noted with no objections subject to approval by the Conservation Officer

9.0 CONSULTATIONS

Historic England

9.1 We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

However, please note that should the rebuilding of the wall requires a new foundation; scheduled monument consent would need to be sought from the Secretary of State, advised by Historic England.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals

Conservation Officer

9.2 There is no objection to the rebuilding of the section of boundary wall specified within this application. The wall has failed in part, and sensitive rebuilding of this area will not cause harm to the associated listed building, Saffron Walden Museum.

10 REPRESENTATIONS

10.1 Neighbouring properties consultation expiry date 11/1/2019

No comments received

11 APPRAISAL

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

A Whether the proposal is in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy ENV2 of Uttlesford District Council's adopted Local Plan.

B Any other material considerations.

A Whether the proposal is in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy ENV2 of Uttlesford District Council's adopted Local Plan

11.1 Policy ENV2 (Development affecting Listed Buildings) seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.

11.2 Paragraph 189 of the NPPF requires the applicant to describe the significance of the heritage asset affected to understand the potential impact of the development on their significance. Paragraph 196 considers the harm to the designated heritage asset; this harm should be weighed against the public benefits of the works.

11.3 The proposal is for the repair of the boundary wall to the rear of the museum building. The application has been referred to the conservation officer, not objection have been made. Comments are regards to the reuse of the original bricks have been submitted and as such a condition will be included.

11.4 Overall the proposed repair works have been assessed and will not result in any harm to the fabric and setting of the heritage asset and is therefore considered that the development would not diminish its special architectural or historic interest. The proposal accords with ULP policy ENV2, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF.

B Any other material considerations

11.5 The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.

11.6 EN4-Development affecting Listed Buildings

12. CONCLUSION

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

RECOMMENDATION – LISTED BUILDING CONSENT WITH CONDITIONS

Conditions

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

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

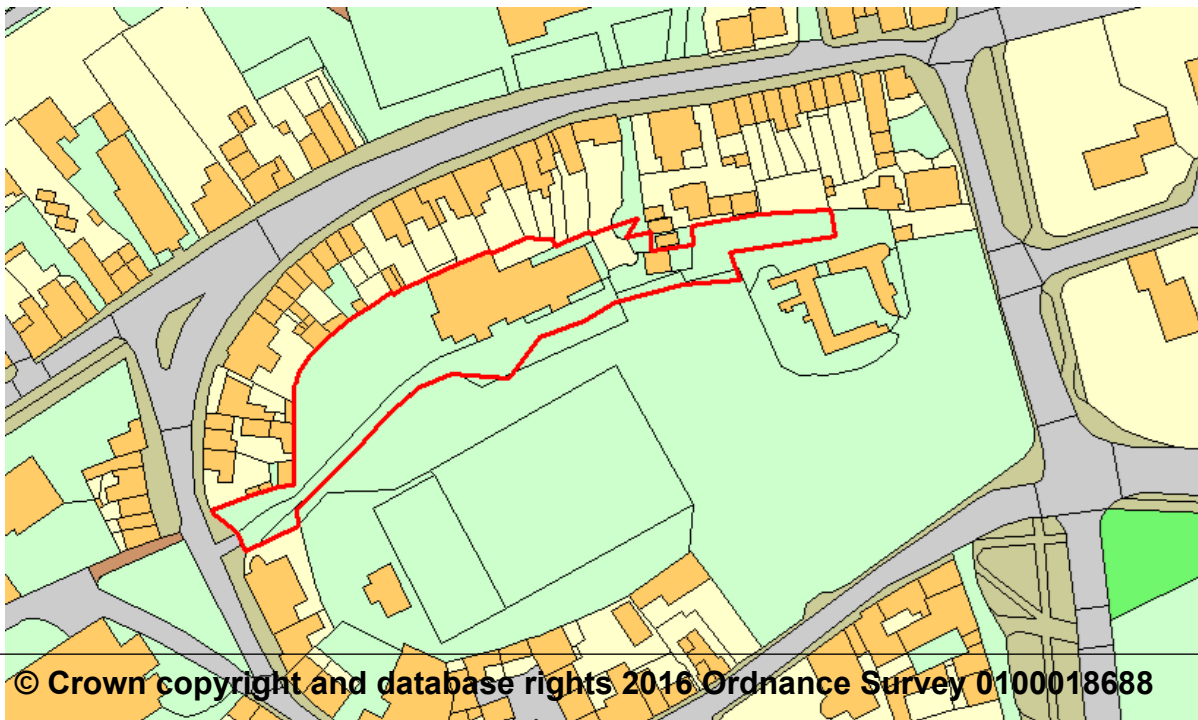
2. The repairs and repointing hereby permitted shall match the existing. A lime base

mortar shall be used in the pointing work. These details shall not be changed without the written permission form the Local Planning Authority

REASON: In the interests of the historical importance of the wall in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005)

- 3 The repairs to the wall shall re-use the original bricks of which can be appropriable included and re-used. The proposed bricks to be used in the repair shall be of a similar appearance, size and colour to the original wall.

REASON: In the interests of the historical importance of the wall in accordance with Policy ENV2 of the Uttlesford Local Plan (adopted 2005).



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Organisation: Uttlesford District Council

Department: Planning

Date: 27 February 2019

UTT/19/0194/FUL
(Saffron Walden)
(UDC Planning Application)

PROPOSAL: Change of use from waste land to garden land including the erection of 1.8m high close board fencing with concrete posts and gravel boards.

LOCATION: Waste Land Space, Radwinter Road, Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: N/A

EXPIRY DATE: 27th March 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Within Development Limits

2. DESCRIPTION OF SITE

2.1 The site relates to the strip of waste land located to the rear of 14, 18 and 20 Radwinter Road in the town of Saffron Walden. To the south of the site is a footpath; however this is not a public right of way.

3. PROPOSAL

3.1 This application is in relation to the proposed change of use of the waste land to domestic garden including the erection of 1.8m high close-board fencing.

4. ENVIRONMENTAL IMPACT ASSESSMENT

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

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

5.1 N/A

6. RELEVANT SITE HISTORY

6.1 There are no previous planning applications linked to this proposal.

7. POLICIES

7.1 National Policies

7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy GEN2 – Design

Policy GEN7 - Nature Conservation

8. PARISH COUNCIL COMMENTS

8.1 No comments received- expiry 28/2/2019

9.0 CONSULTATIONS

9.1 N/A

10 REPRESENTATIONS

10.1 Neighbouring properties consultation expiry -22/2/2019
Site notice and advertisement expiry -7/3/2019
No comments received at the time of completion of report.

11 APPRAISAL

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

- A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)
- B Impact on residential amenity and disturbance (ULP Policies GEN2 & GEN4)
- C Nature Conservation (ULP Policy GEN7)
- D Whether the proposal would have a harmful impact on the character or appearance of the surrounding conservation area as outlined in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policy ENV1, NPPF).
- E Any other material considerations

A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)

11.1 The principle of development of the site (ULP Policies S1, GEN2 and the NPPF)
The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.

11.2 The application seek planning permission for the change of use of a small piece of waste land to domestic garden, the land is to the south of Saffron Walden Cemetery. The proposal includes the introduction of close board fencing that will provide three individual sections of garden area. It is considered the proposal although would result in a material change to the use and appearance of the site this would not be harmful or detrimental to the overall character of the site. The introduction of the close board fencing would have a domestic appearance, however

this is considered compatible with the dwellings to the north and west of the site. As such it is considered the change of use of the site and introduction of fencing is in accordance with ULP Policies S1, GEN2 and the NPPF.

B Impact on residential amenity and disturbance (ULP Policies GEN2 & GEN4)

11.3 The scale and location of the application site will not result in any significant intensification of the site that will result in a material harm to neighbouring properties. The change of use to garden area will not result in any impact to neighbours in terms of overlooking, loss of privacy and disturbance. As such the proposal accords with ULP Policy GEN2 and GEN4.

C Nature Conservation (ULP Policy GEN7)

11.4 The applicants submitted a biodiversity questionnaire as part of the proposal, The proposal does not include in any demolition of any structures or buildings, as such the proposal has not triggered the requirement for the submission of further ecology surveys or reports. As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

D Whether the proposal would have a harmful impact on the character or appearance of the surrounding conservation area as outlined in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policy ENV1, NPPF).

11.5 The site is located inside the conservation area as such due consideration should be made to ensure the development preserves or enhances the character of the conservation area. The proposed change of use and works to the site will result in some minor material change to the character of the site, however this is not considered to be detrimental or harmful. As such the proposed development is considered to accords with ULP Policy ENV1 and the NPPF.

E Any other material considerations

11.6 The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.

11.7 SP9- development within development limits
D1- High quality design
EN2- Design of development within conservation areas
EN8- Protecting the natural environment

12. CONCLUSION

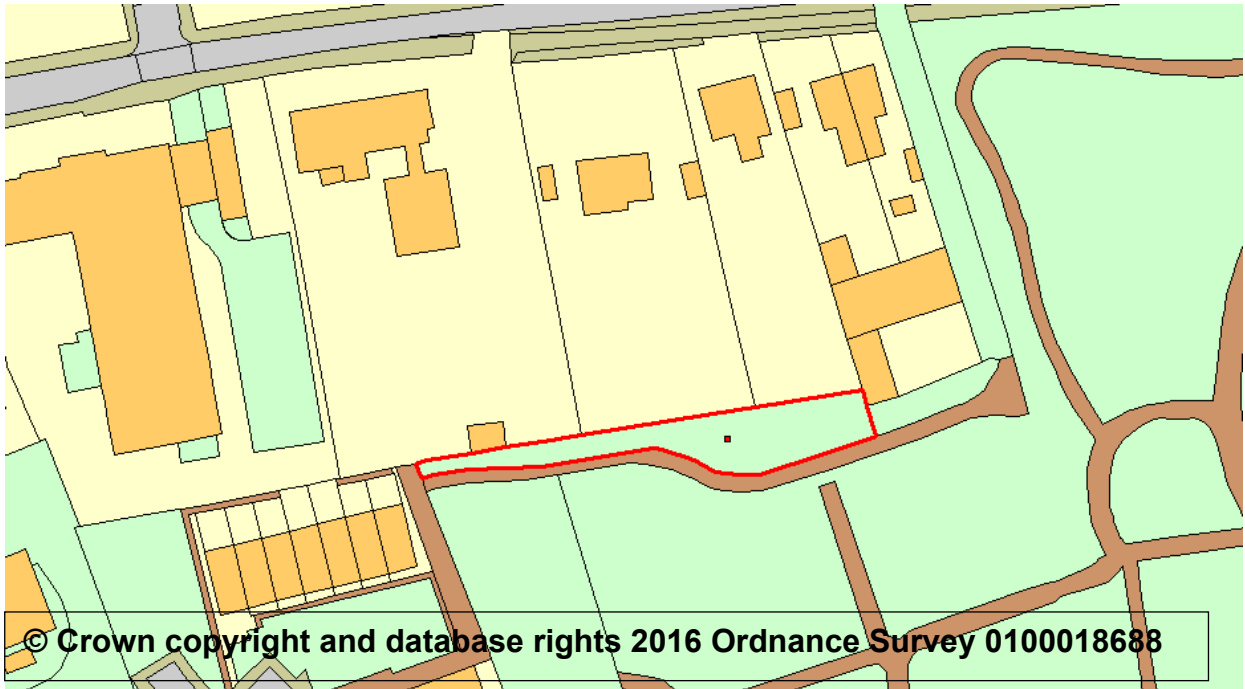
12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme in terms of the character of the site and surrounding conservation area. The proposal complies with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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



Organisation: Uttlesford District Council

Department: Planning

Date: 27 February 2019