

UTT/17/2100/FUL – TAKELEY

PROPOSAL: Application to remove condition 8 from UTT/16/1881/FUL to allow parking provisions to be constructed 'locally' to each phase/building construction group

LOCATION: Bullocks Farm, Bullocks Lane, Takeley, CM22 6TA

APPLICANT: Mrs Jenny Jewell

AGENT: Mark Homer

EXPIRY DATE: 17 October 2017

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The application site is located off Bullocks Lane, in the hamlet of Hope End Green. It accommodates part of a small farm complex containing redundant agricultural buildings.

3. PROPOSAL

3.1 Application seeks the removal of condition 8 under approved planning application UTT/16/1881/FUL to allow parking provisions to be constructed 'locally' to each phase/building construction group.

3.2 UTT/16/1881/FUL granted planning permission for the demolition of redundant farm buildings and the construction of new holiday lets, café/shop, and cookery school/offices. Condition 8 read as follows:

"Prior to occupation of the development, the vehicle parking area must be laid out and surfaced in accordance with Drawing No. PSBF 16/LAND/01 Rev D."

3.3 The applicant now seeks to construct the parking on a phased basis, still in accordance with the previously approved layout.

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 None submitted.

6. RELEVANT SITE HISTORY

- 6.1 UTT/16/1881/FUL: Demolition of redundant farm buildings and the construction of new holiday lets, café/shop and cookery school/offices. Approved 21 November 2016.

7. POLICIES

Uttlesford Local Plan (2005)

S7 - The Countryside

GEN1 - Access

GEN2 - Design

GEN4 - Good Neighbours

GEN6 - Infrastructure Provision to Support Development

GEN7 - Nature Conservation

GEN8 - Vehicle Parking Standards

E3 - Access to Workplaces

E4 - Farm diversification alternative use of farmland

E5 - Re-Use of Rural Buildings

ENV5 - Protection of agricultural land

ENV8 - Other landscape elements of importance for nature

ENV10 - Noise sensitive development and disturbance from aircraft

ENV11 - Noise generators

ENV14 - Contaminated land

LC2 - Access to Leisure and Cultural Facilities

LC5 - Hotels and Bed and Breakfast accommodation

Supplementary Planning Documents/Guidance

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

National Policies

NPPF - National Planning Policy Framework

Other Material Considerations

8. PARISH COUNCIL COMMENTS

- 8.1 No comments received.

9. CONSULTATIONS

ECC Highways

- 9.1 From a highway and transportation perspective the Highway Authority has no objections to make on this proposal.

Informative:

Parking should be provided in accordance with each phase and the EPOA parking standards.

10. REPRESENTATIONS

- 10.1 This application has been advertised and no letters of representation have been received. Notification period expired 29 August 2017.

11. APPRAISAL

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

- A** Character and appearance (S7, GEN2, E4, E5, LC5, 17 & 58)
- B** The principle of development (S7, GEN1, GEN2, GEN4, GEN6, GEN7, GEN8, E3, E4, E5, ENV5, ENV8, ENV10, ENV11, ENV14, LC2, LC5)
- C** Road safety and Parking (GEN1, 32, GEN8, 39, HCWS488)

A Character and appearance (S7, GEN2, E4, E5, LC5, 17 & 58)

- 11.1 The application site is located beyond Development Limits, where Policy S7 restricts development to that which is necessary or appropriate for a rural area. Taking into account policies E4, E5 and LC5, it is considered that the proposed range of uses could be supported. However, the proposal does not fit perfectly into either category represented by Policy E4, which relates to farm diversification and does not prohibit the erection of new buildings, or the combination of policies E5 and LC5, which relate to the re-use of rural buildings.
- 11.2 Policy E5 is supportive of the proposed uses, beyond Development Limits, provided that existing buildings would be re-used. While the proposal does not include such reuse, it is recognised that the buildings to be demolished are of permanent and substantial construction. It is considered that the aim of the policy is to limit the visual impact of new development, thereby protecting the character and appearance of the countryside. It therefore follows that a sensitive redevelopment of a site that currently has a significant visual impact could achieve an equivalent result.
- 11.3 The proposed buildings in the eastern part of the site would appear more solid than the existing open-fronted structures, although the layout and scale would be similar. The two holiday let buildings in the south-west corner would be of a similar scale to the barns they would replace, but they would be reoriented 90 degrees. It is considered that the proposed layout would successfully maintain the character of a farmyard surrounded by a cluster of utilitarian, rural buildings. The designs would reflect the rural character of the area, using simple forms and a palette of appropriate materials including vertical timber boarding and metal and slate roofs.
- 11.4 The capture of a small portion of the adjacent field would have little impact on the operation of the farm, but could provide an opportunity for landscape enhancement through appropriate planting. The existing trees identified for removal are Category B or below and none are the subject of a Tree Preservation Order, such that their removal is not considered harmful to the character of the area.
- 11.5 Taking into account the above assessment, it is considered that the new buildings would protect the rural character of the area by virtue of their scale, layout and design as compared to the existing buildings on the site. Therefore, the proposal is consistent with the aim of Policy E5 and, consequently, Policy LC5, such that it would be appropriate to its surroundings in accordance with policies S7 and GEN2.

B The principle of development (S7, GEN1, GEN2, GEN4, GEN6, GEN7, GEN8, E3, E4, E5, ENV5, ENV8, ENV10, ENV11, ENV14, LC2, LC5)

- 11.6 The principle of the proposed works have previously been assessed and determined as acceptable under application reference UTT/17/2100/FUL .The current application seeks the removal of Condition 8 attached to the approved scheme under planning permission reference UTT/17/2100/FUL.
- 11.7 Condition 8 of application UTT/17/2100/FUL states as follows:-
Prior to occupation of the development, the vehicle parking area must be laid out and surfaced in accordance with Drawing No. PSBF 16/LAND/01 Rev D.
REASON: To prevent on-street parking of vehicles, in the interests of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.
- 11.8 The condition was imposed on the approved scheme in order to ensure that adequate parking provision is provided on-site so that on-street parking of vehicles is prevented as a result of the approved scheme so that safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), and on highway safety, can be effectively mitigated to an acceptable degree.

C Road safety and Parking (GEN1, 32, GEN8, 39, HCWS488)

- 11.9 The applicant has proposed to allow parking provisions to be constructed 'locally' to each phase/building construction group. The plan submitted has indicated the provision of six parking spaces for phase 1 development (Holiday Let).
- 11.10 In this case, highways authority has been consulted regarding the removal of the condition. The application is therefore considered acceptable by highways as it would ensure provision of parking space in accordance with phase of development of the site.
- 11.11 Therefore, given the phase development of the site with provisions of parking spaces in accordance to each phase as approved, it is considered that the removal of the condition 8 would be acceptable subject to a condition that ensures parking spaces are provided along with phase development of the site.

12. CONCLUSION

- 12.1 The proposal to remove Condition 8 attached to application UTT/16/1881/FUL – Demolition of redundant farm buildings. Construction of new holiday lets, cafe/shop, and cookery school/offices. is appropriate and in accordance with the NPPF, ULP Policy GEN8. It is therefore recommended that the application be approved with same conditions imposed as on planning permission UTT/16/1881/FUL with the exception of Condition 8 and the addition of an informative requiring Parking should be provided in accordance with each phase and the EPOA parking standards during the development hereby approved.

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 commencement of the development, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls: Vertical board; Bricks
- Roof: Metal; Slates

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

3. Prior to commencement of the development, details of the following hard landscaping works must be submitted to and approved in writing by the local planning authority:

- Hard surfaces
- Boundary treatment

All hard landscape works must be carried out in accordance with the approved details.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

4. Prior to commencement of the development, an assessment of the nature and extent of contamination must be submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a competent person, and must 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, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- The assessment must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

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). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

5. Prior to commencement of the development, a detailed remediation scheme must be 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 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). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

6. Remediation must be carried out in accordance with the details approved pursuant to Condition 5 prior to commencement of the development (other than that required to carry out the remediation) unless otherwise agreed by the local planning authority. Within three months of the completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation 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).

7. 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. Prior to re-commencement of development, an assessment conforming to the requirements of Condition 4 must be submitted to and approved in writing by the local planning authority. If the assessment identifies that remediation is necessary, a remediation scheme conforming to the requirements of Condition 5 must be submitted to and approved in writing by the local planning authority prior to re-commencement of the development. Remediation must be carried out in accordance with the approved remediation scheme prior to re-commencement of the development, and a validation report conforming to the requirements of Condition 6 must be submitted to and approved in writing by the local planning authority within 2 months of the completion of measures identified in the approved remediation scheme.

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).

8. Prior to occupation of the development, details of all external lighting and consequent light pollution must be submitted to and approved in writing by the local planning authority. The lighting must be installed in accordance with the approved details prior to occupation of the development.

REASON: To preserve the rural character of the area, in accordance with Policy S7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

9. The development must be carried out in accordance with the tree protection

measures in the following documents:

- Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by O.R. Booth (Writtle Forest Consultancy Ltd) and dated 23/09/2016
- Drawing No. 001 Rev. 1 (Tree Protection Plan)

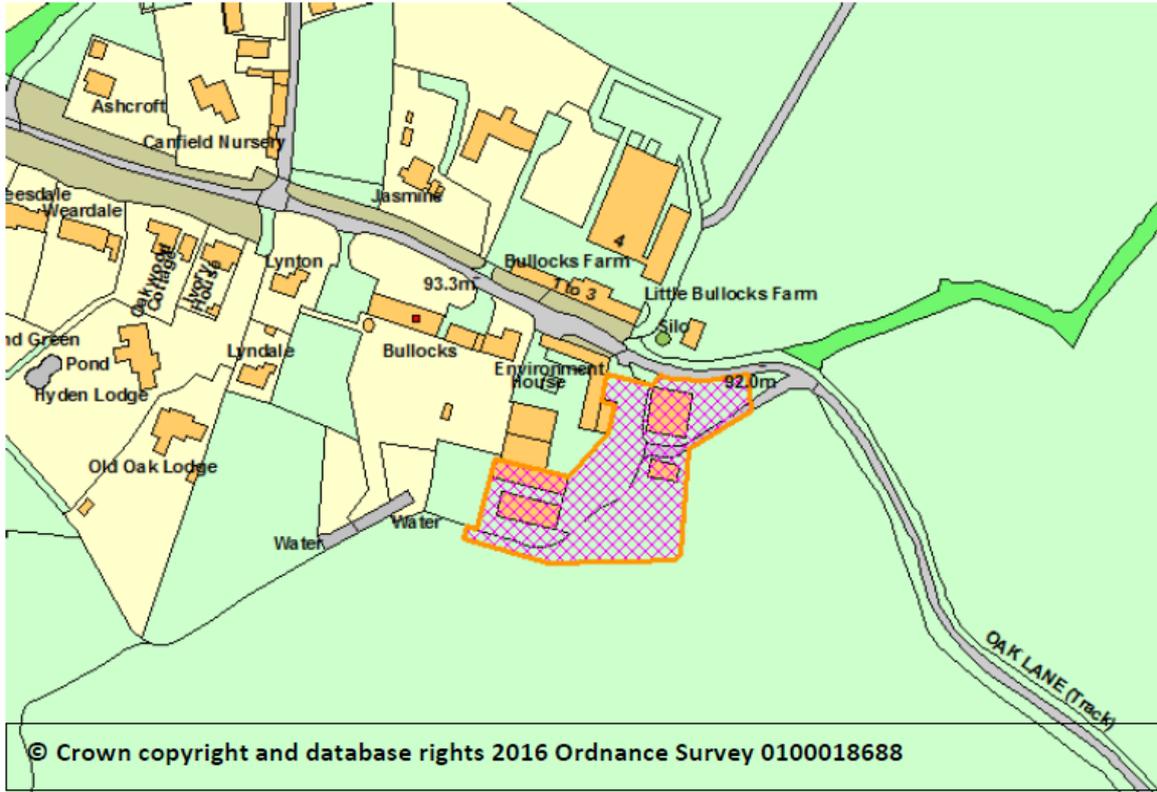
REASON: To prevent the unnecessary loss of trees which contribute to the character of the area, in accordance with Policy S7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

10. The deli/café hereby permitted must not be open to the public other than between the hours of 08:00 until 18:30 Monday to Saturday, and 08:00 until 16:30 Sunday.

REASON: In accordance with the proposed opening hours and to prevent harm to the living conditions of nearby residents from noise disturbance, in accordance with Policy GEN4 and ENV11 of the Uttlesford Local Plan (2005) and the National Planning Policy Framework.

Informatives:

1. Parking should be provided in accordance with each phase and the EPOA parking standards.



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2019