

UTT/19/3124/FUL

PROPOSAL: Demolition of outbuildings, conversion and extensions to stables to form 9 no. dwellings, associated parking and amenity space.

LOCATION: Brook End Farm Stables, Easton Lodge, Park Road, Little Easton.

APPLICANT: Landsec.

AGENT: Mr Alisdair Sherry c/o Strutt & Parker.

EXPIRY DATE: 12 February 2020 (extension of time agreed until 31 August 2020)

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits / affecting setting of Grade II listed building / Within 100m of Local Wildlife Site / Within 250m of Ancient Woodland / Aerodrome Direction / Public Right of Way (Public Footpath).

2. DESCRIPTION OF SITE

2.1 The site is located at the end of Park Road to the west of The Gardens of Easton Lodge and Little Easton Church and comprises a sizeable and impressive traditional style red brick and pantiled quadrangle stable livery complex which stands adjacent to the grade II listed Brook End Farmhouse. Stables House tower stands in the middle of the complex, whilst the eastern corner tower comprises a 1 bedroomed dwelling (Grooms Cottage) and the western corner tower contains a first floor studio flat with a tack room on the ground floor.

2.2 A large post and railed paddock exists in front of the stable complex, whilst the immediate environs to the complex contains minor storage outbuildings and an area to the side presently being used for the storage/stationing of vehicles associated with the yard. The site is generally flat and open in character extending to a stated overall area of 0.49 ha. The site boundaries are framed with sporadic tree cover. The stable complex, comprising 21 no. stable loose boxes, was being used until last year as livery stables when it was noted by the planning officer upon inspection that it represented a highly active livery yard, although the yard presently stands empty following a decision by the owners not to renew the livery leases on the yard and the associated residential accommodation.

3. PROPOSAL

3.1 This full application proposal relates to the demolition of the existing outbuildings and the conversion and extension of the existing stables complex to form 9 no. separate dwelling units together with private rear gardens, a green private community space to the front of the building and associated communal resident parking area to the side within an existing paddock area.

3.2 The newly created residential units through residential conversion would incorporate either rear or side extensions to four of the units (Plots 1, 4, 6 and 9), whilst the units created for Plots 2, 3, 5, 7 and 8 would involve the conversion of

the existing building footprint only without extensions. It should be noted that two of the new residential units to be formed would be created by way of refurbishment out of the two existing units of residential accommodation within the stable complex, namely Plot 5 (Stables House) and Plot 8 (Grooms Cottage) meaning that the proposed scheme would in effect result in a total of 7 no. new residential units being formed within the existing shell of the building. Vehicular access into the site would be via the existing established site entrances from the end of the private road.

3.3 The current application represents a revised application submission to the Council following the withdrawal of applications UTT/18/3316/FUL and UTT/18/3317/LB for the residential conversion and extension of Brook End Stables which involved its conversion to 11 no. residential units with associated extensions rather than the 9 no. units with extensions as now proposed.

3.4 The accommodation schedule for the proposed building conversion is set out below:

Plot Number	Bedrooms	Total Floorspace	Garden Size (sqm)	Parking allocation
1	2	67.9	134.5	2
2	3	100.5	275.6	2
3	2	79.3	249.1	2
4	2	78.9	152.2	2
5	2	74.5	116.5	2
6	2	77.7	150.9	2
7	2	79.0	248.3	2
8	3	97.8	267.8	2
9	2	65.4	139	2

3.5 As previously mentioned, Plots 5 and 8 would be created out of two existing residential units of accommodation within the complex (Stables House and Grooms Cottage), whilst Plot 2 would be created out of an existing first floor studio flat.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The proposal amounts to "Schedule 2" development (10. Infrastructure Projects - (b) Urban development projects...) for the purposes of the Town and Country Planning (Environmental Impact Regulations) 2017. However, as the development proposal by reason of its nature, size or location (i) does not exceed 1 hectare of urban development which is not dwelling-house development; (ii) does not exceed 150 dwellings and (iii) the overall area of the development does not exceed 5 hectares, the proposal is not EIA development and an environmental assessment is not required to assess the environmental impacts of the development whereby the site does not fall within a "sensitive area".

5. APPLICANT'S CASE

5.1 The application is accompanied by the following supporting documents:

- Planning supporting statement (Strutt & Parker);

- Design and Access Statement (Private Property Projects);
- Structural report of existing buildings (Edward Parsley Associates Ltd);
- Assessment of Potential Re-Uses of Brooke End Stables with Addendum Statement and summary document (Strutt & Parker),
- Heritage Statement with Addendum Statement (Architectural Management);
- Strategic Overview to Scope of Work (Private Property Projects);
- Financial viability statement (Strutt & Parker);
- Preliminary Ecological Appraisal and Bat Survey (Essex Ecology Services Ltd);
- Phase 1 GeoEnvironmental Assessment (GEMCO).

5.2 The covering letter prepared by Strutt & Parker for the submitted proposal states as follows:

“The revised proposal provides for a reduction in the total number of units in the buildings from 11 to 9. There are two existing residential units within the stable complex meaning the scheme would result in a total of 7 new units being created. Apart from the reduction in the number of units, the other principal changes in these applications include: -

- Relocation of the communal parking for the units from the south of the building to a paddock area to the west, further preserving the views to the front of the stable building and reducing any impact on the relationship between Brook End Farm House.
- A reduction in the amount of rear extensions to the building and changes to their design.
- Less change/alteration and/or restoration of certain features, such as external rear walls, retention and/or restoration of internal walls.

5.3 The submitted planning statement sets out the applicant’s reasoning and planning justification for the conversion and residential use of this large stable complex at this rural location and why residential conversion with associated limited extensions would be the only financially viable and realistic means of being able to secure and preserve the long term longevity of the heritage asset given the building’s stated general poor state of repair due to a lack of any substantial maintenance over the years. The statement concludes as follows:

- Brook End Stables is a substantial, attractive building that contributes to the current rural setting of the area and the nearby listed building at Brook End. This revised proposal provides for a sympathetic and well-considered scheme for residential conversion and modest extensions to viably restore, maintain and enhance the building, while prolonging its lifespan.
- Whilst the site is located within the countryside, as a conversion of an existing rural building, the proposal is an exception to the countryside protection policy that would otherwise apply. In satisfying the requirements for a rural conversion, the proposal would meet the criteria of Policy H6, and represent the most economically viable option that would provide for the future safeguarding of the building.
- Following the withdrawal of the previous applications, detailed liaison with the Council and various consultants has resulted in amendments to the original scheme to the overall number of units, the amount of extensions and provide for greater attention to the internal fabric. The heritage aspects are set out in an addendum of the originally submitted Heritage Statement,

which concludes that the very little change will occur to the setting of the former Brook End Farmhouse, and that the neutral/slight impact caused by the proposed extension and conversion works constitute considerably less than substantial harm to the listed heritage asset. The applications are considered to meet the requirements of Paragraphs 196 and 197 of the NPPF.

- The scheme will enable the removal of a series of unsympathetic outbuildings, which will enhance the overall setting of Brook End Farmhouse as well as the stables. Given the quality of the building and its importance to the setting of Brook End Farmhouse, a residential use would secure the necessary investment in its future upkeep. The scheme responds to the rural context and is also sympathetic to the nearby listed heritage asset, as demonstrated on the plans that accompany this application.
- The proposal does not propose any undue harm or risk to biodiversity and the proposals do not propose a risk in respect of flooding and drainage. The site will retain the use of the existing access via the two private driveways, and deliver a policy compliant level of car and cycle parking in a suitable location.
- The benefits of the scheme are that the development would make a valid and modest contribution to the supply of housing within the District to assist in meeting a defined housing need. Furthermore, the proposal would enable a viable, suitable repair and restoration of the stables by the conversion with a sensitive design to the extensions and alterations.
- Against this background, it is respectfully requested that this planning permission and listed building consent is granted.

5.4 The submitted Design and Access statement concludes as follows:

“The application principally proposes a change of use of existing stables in order to maintain the countryside setting and appearance. Extensions are proposed, sympathetic in design and materiality to create 7 no. additional dwellings. These and the works to form suitable parking provision will not detract from the overall appearance of the buildings and will not result in any greater impact on the surrounding countryside, but will preserve the unique rural character of the buildings and the adjacent Listed Building”.

5.5 The submitted Addendum to the Heritage Statement concludes as follows (extracted):

- The proposed revised and reduced scheme for a residential conversion will occasion a degree of change to the fabric of the stables and, to a much lesser extent, to the setting of the stables and the former farmhouse;
- This revised scheme enables a greater amount of the existing external walls to be retained, whilst the number of extensions is significantly reduced, thus reducing the overall visual impact.
- The stables make a positive contribution to the [listed building] setting, by way of their physical form and presence, evoking the former relationship between the agrarian function, the adjacent farmhouse and the stables. This relationship has been eroded over time, as the farmhouse no longer fulfils that function. However the appearance of each of the buildings and the visual relationship remains very much intact, enabling a very clear understanding of the historic setting;

- The assessment of impact and the conclusions in the body of the main report remain unchanged, although the scheme itself is much reduced. The overall impact is still neutral/slight (positive).
- This constitutes considerably less than substantial harm in the NPPF paragraph 196 test. This impact, however slight, is entirely positive, in that it supports improvements to the current condition of the stables and a viable use and future for the stables block, ensuring that they remain in use and enjoy regular and proper maintenance.
- The scheme offers an opportunity to sustain the future of the stables building via the option of an alternative use, which will safeguard the future of the form and fabric. The careful design and use of quality materials sets the level at which both the use and appreciation of the converted buildings will be gauged;
- The applicant's Planning Statement, Design and Access Statement and Assessment of Potential Re-Uses contain further information and detail on the design ethos, materials, use of building and viability of the scheme;
- For the foregoing reasons the scheme substantiates the changes to the buildings occasioned by the alterations and the change of use.

5.6 The conclusions of the Addendum to the Assessment of Potential Re-Uses of Brook End Stables are as follows:

- This addendum to the assessment of various potential re-uses of Brook End Stables concludes that the most suitable re-use of the buildings is a conversion of the buildings to 9 units. It is in the only means of paying for the repairs recommended in the report produced by Edward Parsley Associated Ltd and generating a financially feasible return.

6.0 RELEVANT HISTORY

6.1 This stable complex conversion proposal was originally subject to a preliminary enquiry submitted to the Council by the applicant in 2018, albeit as an 11 no. two bedroomed dwelling proposal with more extension floorspace shown for the conversion. The Council's written response to that enquiry concluded as follows:

"I consider that your client's site is in a reasonably sustainable location, although not inherently so given the absence of public footpaths and street lighting, although is not isolated in my opinion given that it lies within a small cluster of houses. The proposed development would not in my view have a significant impact on the rural character of the area subject to appropriate screening being secured for the indicated frontage surface parking area and I consider that a presumption in favour of sustainable development could be demonstrated given the previously developed nature of the site, as the presented scheme would represent a small to medium site proposal making more effective use of the site in being able to meet the need for new homes as actively promoted by the NPPF and as the Council currently has a lack of a 5 year housing supply where ULP Policy S7 is vulnerable. As such, I consider that your client's proposal has planning merit, although the heritage comments which I have expressed relating to the treatment of the extensions should be carefully considered to reduce the possibility of a design refusal. Furthermore, you will need to demonstrate by quantifiable evidence that alternative business or B&B use of the stable complex would not be a commercially viable or practical proposition for this site. Both private amenity provision and parking provision shown would meet adopted standards. Finally, I consider that the scheme could be successfully implemented

alongside the proposed garden community where it ought not to be fettered by this large scale housing proposal for the area”.

- 6.2 Subsequent planning and listed building applications UTT/18/3316/FUL and UTT/18/3317/LB for the “Demolition of outbuildings, conversion and extensions to stables to form 9 no. dwellings and alterations and renovations to 2 no. existing dwellings, associated parking and amenity space” at Brook End Stable was submitted to the Council, but was withdrawn after concerns were expressed by Place Services (Heritage) that the extent of internal sub-division of the existing building and the number of extensions shown for the new residential units would be excessive and be harmful to the fabric and setting of the building.
- 6.3 Following withdrawal of the above applications, discussions took place between the applicant and Council Officers which resulted in revised plans being submitted for formal consideration which sought to take account of the heritage concerns expressed by Place Services whereby less of the rear “spine wall” would be removed thereby increasing its retention and visibility, retention as much as possible of the internal dividing walls, lowering of the eaves line of the rear extensions and a reduction of the amount of rear extension floorspace overall. Accordingly, the revised scheme was reduced to 9 no. new dwellings to include the refurbishment of the two existing residential units (Stables House and Grooms Quarter) which now forms the basis of the current planning and listed building applications. The applicant has stated that 9 no. dwellings would provide for the viability of the proposed conversion, including the substantial capital expenditure required for the range of repairs and improvements required to be carried out to the building, but that the limit of viability as a 9 no. dwelling scheme has now been reached and, as a result, a conversion scheme with any fewer homes would not provide the necessary financial return to enable these works to happen to safeguard the future of the building.

7. POLICIES

National Policies

National Planning Policy Framework (revised 2019)

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside

ULP Policy H1 – Housing Development

ULP Policy H6 – Conversion of rural buildings to residential use

ULP Policy H9 – Affordable Housing

ULP Policy H10 – Housing Mix

ULP Policy ENV2 – Development affecting Listed Buildings

ULP Policy ENV14 – Contaminated Land

ULP Policy GEN1 – Access

ULP Policy GEN2 – Design

ULP Policy GEN3 – Flood Risk

ULP Policy GEN7 – Nature Conservation

ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

SPD “Accessible Homes and Playspace”

Essex Design Guide

ECC Parking Standards – “Design and Good Practice” (September 2009)
UDC Parking Standards (adopted February 2013)

Other Material Considerations

None

8. PARISH COUNCIL COMMENTS

8.1 This council OBJECTS to this application on the following grounds:-

The stables were built by the stepfather of the Countess of Warwick and are an integral part of the Easton Park Estate. The Parish Council would wish to see the continued use of the premises as a working stables and feel that the site is unsuitable for use as residential properties. The detailed planning reasons for our objection are as follows:

Development Boundary & Sustainability

The proposed development site is outside the Little Easton Village development boundary in a relatively isolated location and therefore gives rise to a number of issues in terms of sustainable development.

The issues in terms of sustainability are acknowledged by the applicant within the application. In assessing the options of converting the stables to offices (Assessment of Potential Re-Uses of Brooke End Stables, Strutt & Parker 19th November 2018), section 8.10 states *“The property is located at the end of Park Road - a narrow, private road - only suitable for small quantities of traffic. It is also several miles from the nearest public transport link, so would be inappropriately placed for those who do not have the use of a car to travel to work”*.

Section 9.16 of the same document states *“The position of Brook End Stables at the end of a privately owned Estate road does not allow for easy access to public transport. This would not only deter visitors who are reliant on public transport, but also deters from the sustainability of the overall scheme”*.

If these sustainability issues reflect negatively on other potential uses of the site, the same issues are equally relevant to the conversion of the stables to residential accommodation.

The document also states that conversion to residential dwellings will generate traffic movements of up to 66 vehicles a day (section 5.1.6) which is a considerable number of traffic movements for “a narrow, private road - only suitable for small quantities of traffic” (also section 5.1.6).

We would welcome further clarification from the UDC Planning Officer as to what he means by defining the site as a “reasonably sustainable location” and why this site is deemed as sustainable.

LEPC would also disagree with the contention in section 5.17 of the Planning Statement (Strutt & Parker, December 2019) that either Little Easton or Great Easton have the amenity of shops within the villages. There are no shops within Little Easton or Great Easton and the nearest shops are in the town of Great Dunmow which is five miles by car or a walk of several miles to the nearest bus stop.

UDC 2005 Local Plan Policies

The relevant policy regarding the conversion of rural buildings to residential use from the current Uttlesford District Council Local Plan (2005) is policy H6. The policy states that the conversion of rural buildings to dwellings will be permitted only if it can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses.

It is the view of LEPC that there is an ongoing and significant demand for continued use of Brooke End Stables as a livery business. The previous tenants ran the stables as a successful and viable livery business for ten years and the only reason that they were unable to continue running the business is that the planning permission applicant gave them notice to quit the premises.

It is difficult to understand how the document "Assessment of Potential Re-Uses of Brooke End Stables" (Strutt & Parker 19th November 2018) can state that *"it is difficult to find good quality and reliable livery tenants"* (section 7.1.page 6) when the applicant has just given an excellent long term tenant notice to quit. It is worth noting that the previous tenant would still be running the stables successfully had they not been given notice to quit.

It is well known that the business was a viable proposition for the last ten years. The stables consistently had a full yard of 22 horses and ran a waiting list for vacant stables. The demand for stables remains high as there are few other facilities locally for local residents. The Parish Council have had enquiries from parties interested in taking over the running of the stables and if the stables were to open again they would fill up very quickly.

Section 7.6 of the Strutt & Parker document states that there are *"limitations on being able to provide additional facilities that are expected to command higher rents and rates of return such as providing areas to ride such as indoor arenas, outdoor rings and trails and connection to a Bridle network"*.

Brooke End Stables has an outdoor ring and direct access to a wide range of bridleways and trails right outside the front gate so it is difficult to see how this conclusion can be reached.

Re-letting of Brooke End Stables (S.7 of "Assessment of Potential Re-Uses of Brooke End Stables" (Strutt & Parker 19/11/18))

This section of the document states that the current condition of the stables is poor with potential refurbishment costs of £555,720 (section 7.4). The applicant has owned the property for more than 15 years and would presumably have had responsibility for structural repairs as the landlord of the property. It is difficult to understand therefore how the property has been able to fall into such a state of disrepair to require such significant refurbishment costs prior to letting to the next tenant.

The fact that refurbishment costs are required does not mean that there is not still significant demand for continued use of the property as a livery. The test required in Local Plan Policy H6 (a) has therefore not been met.

The table in Section 7.6 of the assessment document is somewhat misleading as it only mentions a rent figure of £35.00 for DIY livery. No mention is made of

timescales or annual rental returns. As the current average DIY rental livery is about £35.00 per week, this section should fully explain that this rental amounts to £1820.00 pa per stable. This translates to a tenant income of over £40,000pa for all the stables (assuming 22 stables as that is how many horses were previously stabled at Brooke End).

Heritage

LEPC feel that the application does not adequately address the concerns raised in the Place Services heritage comments on the previous application for this site.

Highways Objection

LEPC have noted the consultation response from Essex County Council Highways Dept. that states the proposal is not acceptable to them as the legal line of public footpath no 17 (Little Easton) will be obstructed by the proposal and to date no application to divert the footpath has been received. LEPC would wish to understand any diverted route for the footpath before planning permission is granted.

Biodiversity Sites and Habitats Checklist

The Biodiversity checklist (Place Services June 2015) submitted as part of the application states that the proposed site is not within 250 meters of any ancient woodland or Local Wildlife site. This assessment is at odds with the Constraints Sheet which details the site as being within 250 meters of Ancient Woodland and within 100 meters of a Local Wildlife Site (Middlefield Wood – Site number UFD 179). This discrepancy needs to be explored and rectified.

Affordable Housing

Should Planning Officers be minded to grant planning permission for this proposal, LEPC would like to echo the comments of the UDC planning officer (Mr C Theobald) in respect of affordable housing.

Section 2.1 of the Planning Statement (Strutt & Parker December 2019) states that the application site is 0.497 Ha in area. This area is just 0.003 of a hectare less than the 0.5 Ha threshold for 40% affordable housing as set out in Policy H9 of the 2005 Local Plan.

LEPC would agree that this would appear to be somewhat contrived and designed to avoid having to provide an affordable housing element to the proposal. LEPC would respectfully request that if planning permission is granted, the applicant should be required to provide the appropriate affordable housing for the benefit of the local community in line with Local Plan policy.

9. CONSULTATIONS

ECC Place Services (Heritage)

- 9.1 This application pertains the '*Conversion of stables including alterations to the existing residential accommodation, with associated works of demolition and extensions, to form 9 no. dwellings along with associated parking and amenity space*'.

In terms of background this submission follows a withdrawn application ref: UTT/18/3317/LB; the previous scheme was unsupported by Built Heritage predominantly on the grounds of intensification and design.

The subject building for conversion is a stable block, it is a curtilage listed building. The building recently ceased as a working livery and is not from my inspection considered to be 'At Risk'.

The host listed building associated with the stable range is BROOKEND FARMHOUSE, Grade II listed (List Entry Number: 1322579. Date first listed: 26-Sep-1984 *'Farmhouse, c.1500 and late C16. Timber framed and plastered with gabled peg tile roof. Of two storeys and 'U' plan form with wings to the rear. Front has gabled, formerly jettied, crosswing and 20 century gabled porch..... Two storey late C16 block is replacement for former open hall'* (Extract from Historic England 2020).

The U-shaped stable range of Brooke End Stables is located to the east of the host listed building. It dates from the C19th century, although this farmstead itself as an adaptation from an earlier farm complex (please refer to the County Archaeologist for further advice); its surroundings are open and predominantly consist of a flatted landscape offering long wider views of the environs; this landscape and its openness is a positive contributor to setting.

The farmstead within the stable block is sited and is accessed via a narrow track also serving Easton Park to the south east. Whilst Easton Park is nationally designated and registered as a Grade II Park, it is outside the proposed development site. However, its original boundaries survive in outline outside the area registered and in close proximity to the application site; this is evident from cartographic data.

As previously stated, the setting of the complex of buildings, both the stable range and host listed building of Brook End Farmhouse, is open and rural, most of the field parcels in the environs are registered monuments containing former WWII airfields. There is an intrinsic link between the landscape, Easton Park and this site, not only in terms of a shared landscape setting but in terms of the interrelationship of use.

It is well documented that Easton Park was a destination over centuries since its inception, the land being gifted in the late C16th by Queen Elizabeth 1st with routes to East Anglian Hunting grounds. The handful of scattered buildings and spaces (designated and undesignated) around the southern area of Easton Park are encompassed by both rural landscape and deliberately designed gardens and features. These attributes of setting are unique in their contribution to the significance of the site.

In this resubmission, an addendum to the former Heritage Assessment has been submitted; it is an oversight of the Heritage Assessment to not have examined the historical significance of this stable range, farm complex and wider environs given the highly significant context which affords an understanding behind the buildings inception and evolution.

Having carried out my assessment, I find the principle of conversion to residential can be accepted if this is demonstrated and soundly tested to be the Optimum Viable Use of the listed building. Residential has the most impact upon fabric and brings with it the greatest intensification as opposed to commercial offices. In any

event, not operating as the building was intended (Livery) will undoubtedly be a level of harm in the loss of the stable use, but a sensitive conversion can be achieved (if the only viable option) in order to ensure the long term conservation of the heritage asset and its setting which includes the paddock at the frontage.

These proposals seek not only to convert the stable range, but to carry out an enlargement of the historic footprint of the courtyard range (U shaped), by way of extending the side wings; this in principle is not supported and having assessed the submission is unjustified. The fact there are haphazard lean-to and ancillary structures within the setting does not provide a robust basis. I find the Heritage Statement misleading where it states 'Overall, there are no changes which will adversely impact upon the setting of the former farmhouse' (p. 5) as there are material changes quite clearly by elongating the U shape closer to the listed building as a minimum. No commentary or conclusion of impact on the alteration of the original floorplan is commented upon in the Heritage Statement.

Conserving floor plans in themselves is important; the established U shape plan form is a deliberate component of the architectural narrative, the modular components therein to create the stalls/stables are also relevant considerations in terms of architectural interest.

The Heritage Assessment is also silent in its assessment of how such proposed alterations to a deliberate and significant plan form will impact upon the setting of the neighbouring listed building.

The open nature of setting and spatial quality for both the application building and the Grade II listed farmhouse would result in a diminution of openness will result in a level of harm.

It is positive the car parking has been located to the rear and the spatial quality of the frontage is being retained; however the cycle stores and bin stores are incongruous additions to the considered farm complex. Conversions must take into account the needs of storage for domestic use and not seek to pepper pot additional structures. If additional structures are demonstrated to be required then the design language should be developed with regard to host the architectural narrative.

The level of subdivision is stated as being informed by the existing interiors and fabric worthy of retention, at my site assessment access was not facilitated but I have given regard to the report entitled 'Strategic Overview to Scope of Work' (SOSW) which sets out a response to the shell and spine walls.

The heritage assessment does not contain a detailed documentation of the stables, schedule of retention or how the analysis of the building and its fabric has informed the design and rationalisation of the floorplan. Nor is there evidence of other options of layout having been tested.

Notwithstanding this omission, I find the subdivision excessive, whilst it is positive that design amendments seek to retain and repair stable doors, and vents etc., there is a lack of detailed information in the LBC submission on this for example by way of schedules, methodology for repairs etc.; commentary stating broad and general assumptions e.g. *'timber joists have acquired rot (as demonstrated in image below) over the years and as such will require replacement or strengthening, which will be to a Structural Engineer's specification. In order to make the roof thermally efficient for occupation, insulation will be required in*

conjunction with ceilings to be installed, to meet current Building Regulations' (SOSW p.3) are considered vague.

This report also refers to 'ceilings' and thermal upgrading in broad terms. Given there are features identified within the applicant's own information which are worthy of retention, this should be documented and translated into the design. This submission is deficient in this regard with drawings lacking annotation both the proposed and the existing.

Given the above comments, I am unconvinced with the placement and justification of the new extensions at the rear over two modules of the building; the rear elevation can be considered as of a lesser significance, but the placement and depth of these spaces is challenging to the host structure and its linear plan form. To offer a Condition of planning for landscape (DAS p. 10) is not accepted given the recognition of landscape setting, boundaries are key to prevent urbanisation of open settings.

Summary:

Going forward, if the principle of development is acceptable in planning terms based on residential being the Optimum Viable Use, design options should be developed informed by the heritage context and the submission furnished with the correct and proportionate level of detail.

It is my professional opinion that the scheme within this application is deficient in key information and detail; the proposals would result in a high level of material harm to the curtilage listed building and the setting of the Grade II listed building, which is avoidable. For the purposes of planning, the level of harm is considered less than substantial. As such the local planning authority should weigh this harm against any public benefits of the proposal including, where appropriate, securing its optimum viable use (Para.196 NPPF 2019).

ECC Place Services (Ecology)

- 9.2 No objections subject to securing biodiversity mitigation, enhancement measures, and submission of a copy of the EPS licence for bats.

Summary

We have reviewed the Preliminary Ecological Appraisal and Bat Survey (EECOS, November 2018), relating to the likely impacts of development on designated sites, protected species and Priority species & habitats.

The Preliminary Ecological Appraisal and Bat Survey advises the stables were assessed as having high potential to support bat roosts, with bat surveys of the stables identifying two summer roosts of Common Pipistrelle bats. A mitigation licence for these European Protected Species will therefore be required from Natural England to lawfully complete the works. An outline bat mitigation strategy has been included in the Preliminary Ecological Appraisal and Bat Survey (EECOS, November 2018). This includes the installation of four external bat boxes on trees at the site in order to provide new roosting opportunities for potential use by bats during the period between obstruction of existing roosts and provision of replacement roosts. These should be retained once the new property has been constructed. By adhering to this mitigation strategy, we agree that it will be possible to maintain the bat species' favourable conservation status. We therefore

consider that there is sufficient certainty of likely impacts on bats from the demolition of outbuildings, conversion and extensions to stables in line with Natural England's licensing Policy 4.

It is recommended that a copy of the bat mitigation licence is secured under a condition of any consent to be provided to the LPA prior to commencement. The Preliminary Ecological Appraisal and Bat Survey advises House Sparrows and Swallows were found to be nesting within the Stables buildings. Therefore, in order to compensate for the loss of nesting sites within the building's interior, nesting habitat has been recommended in the form of specialist nest boxes for both species, installed externally around the roof eaves.

We are therefore 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/habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

The mitigation measures identified in the Preliminary Ecological Appraisal and Bat Survey (EECOS, November 2018), should be secured and implemented in full by a condition of any consent. This is necessary to conserve and enhance protected and Priority Species.

We also recommend a bat sensitive lighting scheme should be secured as a condition of any consent.

As this application is less than 50 or more units, Natural England do not, at this time, consider that is necessary for the LPA to secure a developer contribution towards a package of funded Strategic Access Management Measures (SAMMs) at Hatfield Forest.

We also recommend that biodiversity enhancements should be provided for this development and secured by a condition of any consent via a Biodiversity Enhancement Strategy. This will ensure that measurable net gains are provided for biodiversity. This is necessary to meet the requirements of Paragraph 170d of the National Planning Policy Framework 2019. At a minimum this could include native planting, the provision of insect hotels placed in a sunny position and/or bird boxes facing between north and east, in addition to the compensatory bat and bird (Swallows and House Sparrows) boxes.

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

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. Submission for approval and implementation of the details should be a condition of any planning consent.

ECC Archaeology

- 9.3 *Recommendation:* "No conversion or preliminary groundworks of any kind shall take place until the applicant has secured and implemented a programme of archaeological building recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority".

MAG Stansted Airport

- 9.4 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. This development does have the potential to adversely affect the safety of aircraft using Stansted Airport; therefore, we request safeguarding conditions to be imposed.

Crime Prevention Officer

- 9.5 Comment: UDC Local Plan Policy GEN2 - Design (d) states "It helps reduce the potential for crime".

UDC Environmental Health

- 9.6 Recommendation

No objections subject to the following watching brief condition to deal with any unexpected contamination.

Comments:

This is a full application for the demolition of outbuildings and the conversion and extensions to stables to form 9 new dwellings on the same site. The application site is located in a rural setting, with open fields to the north, south and west, and neighbouring dwellings to the east, which includes a ménage. The application is a revised version of application submitted but subsequently withdrawn prior to determination under UTT/18/3316/FUL.

Noise:

No significant noise sources in the immediate vicinity of the site have been identified, and it is not considered necessary to impose any special requirements in terms of potential noise impacts.

Land Contamination:

The application is supported by a Phase I Land Contamination Assessment which concludes that the site is suitable for the proposed residential end use subject to an asbestos survey and discovery strategy for unexpected contamination. Based on the submitted information I would therefore recommend that the proposal is acceptable subject to a contamination condition on any consent granted for this application.

10. REPRESENTATIONS

- 10.1 None received. Neighbour notification period expires 27 January 2020. Advertisement expires 23 January 2020. Site notice expires 27 January 2020.

20 representations received. "Standard" objection letter objecting to blocking on public right of way. Comments received relating to the principle of change of use.

11. APPRAISAL

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

- A Principle of development having regard to sustainability objectives, housing provision, countryside protection, suitable rural building conversion, heritage protection and flood risk (NPPF, ULP Policies S7, H1, H6, ENV2 and GEN3);
- B Access considerations (ULP Policy GEN1);
- C Design (ULP Policy GEN2);
- D Vehicle Parking Standards (ULP Policy GEN8);
- E Housing mix / Affordable housing requirements (ULP Policies H9 and H10);
- F Impact on protected / priority species (ULP Policy GEN7);

A Principle of development having regard to sustainability objectives, housing provision, countryside protection, suitable rural building conversion, heritage protection and flood risk (NPPF, ULP Policies S7, H1, H6, ENV2, ENV4 and GEN3).

Policy Context

- 11.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that the determination of an application for planning permission must be made in accordance with the development plan unless material considerations indicate otherwise. The relevant part of the Development Plan comprises the Uttlesford Local Plan, adopted in 2005.
- 11.2 The NPPF states at paragraph 11 that plans and decisions should apply a presumption in favour of sustainable development, adding that for decision making purposes this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed, or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.
- 11.3 Paragraph 68 of the NPPF advises that small and medium housing sites can make an important contribution to meeting the housing requirement of an area, whilst paragraph 117 states that LPA's should place a greater emphasis on making more effective use of previously developed land (PDL) and brownfield sites (except where this would conflict with other policies in the framework). In this regard, the proposed development as a nine dwelling stable complex residential conversion scheme would qualify as a small deliverable housing scheme for this previously developed site as a stable yard of previous longstanding. Other NPPF considerations relevant to this stable conversion proposal include reference to rural housing development (paragraph 79), heritage protection (paragraph 196/197), flood risk, ecology and design.
- 11.4 ULP Policy H1 of the Council's adopted Local Plan seeks to allocate new housing for the district for the plan period 2000-2011, to include "Re-use of existing buildings and previously developed land outside of the urban areas for up to 450 dwellings" (where the application site at Brook End Stables constitutes previously developed land (PDL). However, this housing policy is out of date against the provisions of the NPPF given that the Council cannot demonstrate a 5 year housing land supply.

- 11.5 ULP Policy S7 states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there or is appropriate to a rural area, adding that development will only be permitted if its appearance protects or enhances the particular character of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. Policy S7 has been found by independent policy review to be partially consistent with the NPPF, which takes a more positive stance towards house building within the rural areas providing a presumption in favour of sustainable development can be shown. Notwithstanding this, Policy S7 has been found through recent appeal decisions to still carry moderate to significant weight as a saved policy depending on the level of environmental harm which may be caused by a proposal, although this weight is required to be balanced against other material planning considerations, including the provision of housing.
- 11.6 ULP Policy H6 states that the conversion of rural buildings to dwellings will be permitted providing that the criteria contained within the policy is complied with, namely (a) it can be demonstrated that there is no significant demand for business use, small scale retail outlets, tourist accommodation of community uses, (b) they are in sound structural condition, (c) their historic, traditional or vernacular form enhances the character and appearance of the rural area, (d) the conversion works respect and conserve the characteristics of the building and (e) private garden areas can be provided unobtrusively. Policy H6 also states that substantial building reconstructions or extensions will not be permitted and that conversion will not be permitted to residential uses on isolated sites in the open countryside located well away from existing settlements.
- 11.7 ULP Policy ENV2 states that development affecting a listed building should be in keeping with its scale, character and surroundings and that demolition of a listed building or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. Policy ENV2 adds that in cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses that favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting. ULP Policy GEN3 states that development outside flood risk areas must not increase the risk of flooding through surface water run-off and that a flood risk assessment may need to be required to demonstrate this.

Planning Assessment

- 11.8 The site is situated at the end of Park Road leading from Duck Street which is capable of pass and repass by cars. Whilst the site is located beyond Little Easton Church and a small cluster of houses situated around the church, another larger cluster of dwellings centred in front of The Gardens of Easton Lodge lies between the church and the site, whilst three dwellings line the private road to the immediate east of the turning into the site, which itself contains Brook Farmhouse. From this, and as advised in the Council's preliminary enquiry response to the applicant, it is considered that the site is not isolated or defined as such as set out in the "isolation" test case issued by the High Court following a Braintree District Council planning decision.
- 11.9 Notwithstanding this, the site lies outside development limits for Little Easton, which itself has very limited local services and amenities where these are

restricted to a public house and a village hall, with the nearest primary schools being at Great Easton and Great Dunmow. It is accepted that future occupants of the proposed development would be dependent upon the motor car to travel to any destination given the site's location, although there is a daily two hour bus service (313 Saffron Walden to Dunmow) which runs along Duck Street within the village Mondays to Saturdays. It is concluded from this as advised in the Council's preliminary response to the applicant that the site is within a reasonably sustainable location, although not inherently so. It should be noted that the existing stable complex at the site already contains two small units of residential accommodation and that the proposed seven additional units proposed by the current application to include the refurbishment of the existing residential units would augment these. The site lies within a low risk flood zone (Flood risk 1) and therefore the proposed building conversion to residential use would not be vulnerable to any flooding issues and would comply with ULP Policy GEN3.

- 11.10 The development would generate for the period of construction a considerable amount of employment activity for what would represent a substantial stable complex residential conversion scheme, albeit for a time limited period, and the longer term economic benefits of the development would be limited in terms of any economic benefit accruing for the village locally.
- 11.11 The proposal would involve the conversion of the existing stable complex to nine units of residential accommodation with various rear/end additions. The development would have a limited environmental impact on the wider rural amenities of the area whereby the site lies within a sheltered position, whilst the proposed resident parking area would be located within a discreet position to the side of the building complex which is bordered by a track/public right of way and paddocks. The large grassed area to the front of the complex would be retained as a shared private amenity area for residents. As such, the resulting environmental harm would not be significant and the proposal would not conflict with the environmental objective of the NPPF in this regard. The proposal would be contrary to ULP Policy S7 given the site's rural location, although given the limited wider rural amenity harm which would occur through the proposal and other relevant planning considerations which apply, it is considered that only moderate weight can be given to this countryside protection policy.
- 11.12 With regard to ULP Policy H6, the applicant has made a detailed case that the residential conversion of this stable complex is the only viable option financially and has put forward an assessment of potential re-uses report as well as a detailed financial viability statement to demonstrate this whereby alternative uses to residential use have been explored in the report, including B1 Offices, workshops, self-storage and self-catered accommodation where insufficient demand has been shown for these alternative uses, that these options would be financially unviable and would not safeguard the building's future. The applicant's submitted Addendum to the Assessment of Potential Re-Uses of Brook End Stables concludes that the most suitable and viable use of the stables is its conversion to 9 no. residential units in that it is the only means of funding the repairs to the building recommended in the structural report produced by Edward Parsely & Associates Ltd and generating a financially feasible return from the stable conversion. Furthermore, it is argued that residential use would have a far more sustainable impact on Park Road as traffic movements would be lower than these alternative uses.
- 11.13 The submitted structural report has identified that, generally, the walls of the stable complex are very robust due to the frequent interval of cross walls, but that there

are several areas of deterioration throughout the building, including wet rot, that will require remediation to safeguard its future condition. As such, the report suggests amongst other investigation that the roof of the building could be completely stripped both inside and out to enable all other timber to be examined closely and for appropriate repairs to be carried out with subsequent cross-bracing being introduced. The report concludes from this that, subject to the remedial works being carried out, that structurally the building is in an otherwise reasonably sound structural condition to afford its residential conversion and that the proposal would not result in a substantial building re-construction.

- 11.14 The building represents an impressive late 19th/early 20th substantial stable yard complex which stands prominently at the site adjacent to Brook End Farmhouse. Notwithstanding the comments made further below regarding heritage issues, it is considered that the proposed conversion works would respect and conserve the characteristics of the building. Private gardens to all of the residential units would be able to be provided unobtrusively given the U shaped physical arrangement of the building. It is considered that the extensions proposed to four of the units of accommodation (Plots 1, 4, 6 and 9) would be subservient in nature to the dwellings to which they would relate and would not be cumulatively excessive across the building, particularly given and noting the reduction in the extension floorspace which has already occurred from the previously withdrawn applications. It is therefore considered that the development proposal would comply with the qualifying criteria of ULP Policy H6.
- 11.15 Brook End Stables comprises a stable range of circa late 19th/early 20th construction which has an historical association with the adjacent Grade II listed Brook Farmhouse and also the wider Little Easton Estate, although the stables are not specifically mentioned as part of the statutory listing for the farmhouse. It may be argued that the stables form part of the historic curtilage of the farmhouse, although this point is not conclusive. Whilst the stable complex has no remarkable features internally, its greatest significance lies in its physical form and presence, being clearly a substantial stable range which has a strong relevance to the surrounding land and local landscape and its relationship with the farmhouse. It is suggested that the form of the stable building is not unusual locally, although the survival of such forms is considered rarer. As such, they make a positive contribution to the setting of their surroundings.
- 11.16 The proposed scheme would maintain intact the overall main elevations of the building to the front stable yard, with each of the doors and windows retained in the submitted proposal. Thus, the essence and character of the stables would be overall maintained with the style of the regular and numerous openings still in evidence. The original use and purpose of the building would therefore still be unmistakable through the proposal where the proposed front gable end extensions for Plots 1 and 9 would read as an extrusion of the existing building form which would simply elongate the return wing building form. The proposed flat roofed seamed extensions to the rear would have a contemporary feel in contrast to a vernacular style where it is considered that such additions to the fabric of the existing building in the form of shallow outshoots would be subservient in scale to each sub-divided dwelling unit and would respect the existing form and fabric of the building.
- 11.17 It is considered that the proposed conversion/change of use would have a neutral to slight impact on the character and setting of the adjacent Brook End Farmhouse which is considered to constitute less than substantial harm under paragraph 196 of the NPPF (if the building is considered to be curtilage listed) whereby the

proposal would support a viable use for the stable complex for the future. In terms of public benefits, therefore, as balancing factors, the proposal would sustain or enhance the significance of this heritage asset, would reduce or remove risks to its future longevity, would secure the identified optimum viable use of the asset in support of its long term conservation and also remove the rather unsightly paraphernalia of outbuildings and other uses associated with the former livery stables thereby improving the setting of the stables in this important regard.

- 11.18 The detailed analysis by Place Services of the current revised conversion scheme is duly and fully noted. However, the applicant has stated that a further reduction in numbers for this stable conversion scheme from 9 no. dwellings downwards would tilt the scheme into non-viability and this position has to be recognised in consideration of the wider merits of this application proposal. It is therefore considered that the proposal would comply with ULP Policy ENV2.
- 11.19 The site lies within an area zoned as Flood Risk 1 and is therefore at the lowest risk of flooding. Accordingly, no flood risk objections arise under ULP Policy GEN3.
- 11.20 In light of the above planning assessment, it is considered that the proposed development is acceptable in principle.

B Access considerations (ULP Policy GEN1)

- 11.21 Vehicular access to the site is currently via the two entrance drives leading off the end of Park Road to the immediate west of Brook Farmhouse and the access arrangements would remain unchanged for the current proposal. The access arrangements are therefore considered acceptable for the proposed scheme and no highway objections are raised under ULP Policy GEN1.
- 11.22 An issue has arisen with a public right of way which currently leads through the site on its eastern side close by to the eastern edge of the stable complex. The Council has learnt from the applicant that this issue is due to the PROW Definitive Footpath Map not correctly aligning with the actual footpath existing on the ground whereby an outbuilding would need to be removed and the extension for Unit 9 would obstruct this if the definitive map is to be relied upon instead. A footpath diversion order has been submitted to ECC Highways reflecting this anomalous position, which Highways have accepted, even though the actual used footpath through the site would not change as a result of the proposal.

C Design (ULP Policy GEN2)

- 11.23 The design aspects of this stable building to be residentially converted have been more properly addressed above under heritage. However, all of the dwellings as two and three bedroomed units would have rear private amenity areas exceeding the 50sqm and 100sqm minimum garden sizes required respectively whereby the occupants would enjoy a good level of residential amenity, whilst public footpaths exist within the immediate vicinity of the site which residents could also use. The layout of the scheme and generally single storey nature of the development would mean that significant loss of residential amenity between the units would not occur. It is stated that all of the dwellings would be designed to accord with the new Part M requirements for accessible homes, which would be conditioned. No objections are therefore raised under ULP Policy GEN2.

D Vehicle Parking Standards (ULP Policy GEN8)

11.24 The proposed residential units would be either two or three bedroomed and would therefore each require a minimum of 2 no. resident parking spaces under adopted parking standards, whilst visitor parking would be expected on a site development such as this. Resident parking arrangements was originally shown for withdrawn planning application UT/18/3316/FUL for the area immediate in front of the stable courtyard on part of the front paddock/amenity land extending full width between the entrance drives leading into the site. However, this parking arrangement was considered by Place Services in their initial assessment to the proposal to negatively impact upon the frontage setting of the stable complex. In response to these comments, the applicant has for the current revised application relocated the parking area to the western side of the stable building as shown on drawing 2429-P05 dated 18/09/2019 whereby 18 no. resident parking spaces have been provided, which would accord with the parking standard for this nine dwelling development. 3 no. visitor parking bays are shown along the in-out driveway in front of the building itself which would also comply with adopted parking standards ($9 / 0.25 = 2.25$ spaces), whilst additional visitor parking would be available within the main car parking area. No objections are therefore raised under ULP Policy GEN8.

E Housing mix / Affordable housing requirements (ULP Policies H9 and H10)

11.25 The residential accommodation would comprise 7 no. x 2 bed units and 2 no. x 3 bed units where the applicant has introduced the three bedroomed units to vary the housing mix from the previously withdrawn application from what otherwise would have been a “mono” mix of all two bedroomed units. This revised housing mix is considered acceptable for this rural location under ULP Policy H10.

11.26 The proposal is for nine dwellings whereby two of these (Plots 5 and 8) result from existing units of residential accommodation within the building. The site area is 0.49 ha and the number of dwellings proposed (nine) is such that the scheme would not attract an affordable housing contribution under ULP Policy H9, although the location of the site would, it is suggested, make the development unsuitable for affordable housing tenure in any event.

F Impact on protected and priority species (ULP Policy GEN7)

11.27 The submitted Preliminary Ecological Appraisal and Bat Survey (EECOS, November 2018) have shown that the stables have been assessed as having a high potential to support bat roosts, with bat surveys of the stables identifying two summer roosts of Common Pipistrelle bats. A mitigation licence for these European Protected Species would therefore be required from Natural England to lawfully complete the works. An outline bat mitigation strategy has been included in the Preliminary Ecological Appraisal and Bat Survey (EECOS, November 2018) which includes the installation of four external bat boxes on trees at the site in order to provide new roosting opportunities for potential use by bats during the period between obstruction of existing roosts and provision of replacement roosts.

11.28 Place Service have assessed the submitted ecology information and have advised that there is sufficient certainty of likely impacts on bats from the demolition of outbuildings and the conversion and extensions of the stables to be satisfied that the proposal would not have a harmful impact upon protected/priority species subject to the imposition of appropriate mitigation conditions. No objections are therefore raised under ULP Policy GEN7 on this basis.

12. CONCLUSION

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

- A The principle of the residential conversion and extension of this large redundant stable complex at this rural location comprising previously developed land situated beyond development limits is considered acceptable in that it would make an effective and commercially viable re-use of the building as a heritage asset thereby securing its optimum future use where the proposal would cause less than substantial harm to the setting of the adjacent listed farmhouse.
- B Proposed access arrangements are considered acceptable.
- C Design, including layout, is considered acceptable.
- D The development would comply with adopted parking standards.
- E The housing mix as two and three bedroomed units would be acceptable. The proposal does not trigger a requirement for affordable housing.
- F The development would not have a harmful impact on protected or priority species subject to appropriate mitigation conditions.

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 development full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels [
- b) means of enclosure
- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details

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 ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: To ensure that the resulting development can be properly assimilated into its local setting.

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

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policies GEN2, GEN7 and ENV3 of the Uttlesford Local Plan (adopted 2005).

4. No dwelling shall be occupied until the resident car parking spaces to which they relate and also visitor parking spaces as shown on site layout drawing 2429-P05 have been hard surfaced, laid out and made available for first use. Thereafter, these areas shall remain available for the parking of vehicles in connection with the normal residential use of the dwellings to which they relate and shall not be built over or similarly developed, notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification).

REASON: In the interests of highway safety and to ensure an appropriate level of on-site parking provision in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

5. All vehicular parking spaces provided shall be a minimum of 2.9 metres x 5.5 metres.

REASON: To ensure a satisfactory standard of development in the interests of parking layout in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

6. 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 ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the adopted SPD "Accessible Homes and Playspace".

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission) on any part of the site without the prior written permission of the local planning authority.

REASON: To avoid the site becoming overdeveloped and in the interests of the residential amenity of occupiers of the dwellings in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

8. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with 'Model Procedures for the Management of Land Contamination, CLR 11'. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

REASON: To ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

9. No conversion or preliminary groundworks of any kind shall take place until the applicant has secured and implemented a programme of archaeological building recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

REASON: The Historic Environment Record identifies the building proposed for conversion as a Stable Block associated with the listed building of Brook End Farmhouse which was in existence from the medieval period (EHCR 37338). The construction of the current building is recorded on the Second Edition Ordnance Survey Map of 1897 though it is clear from earlier maps, including the First Edition Ordnance Survey Map of 1875, that this building was an adaption of an earlier farm complex. A large number of stable blocks have been lost to demolition or conversion. It is recommended that prior to the change of use of the stable block it is 'preserved by record' through an archaeological recording survey. This will record both the external and internal structure identifying features that relate to its original function as a Stable Block. A basic Heritage Statement has been undertaken. However, this does not provide a comprehensive record of the building. It also fails to address the setting of the building within the estate and parklands and its association with Easton Lodge (EHER9139). Therefore an element of the building record shall consist of a Desk Based Assessment on the building and its context within the associated planned landscape park and Easton Lodge. A recognised professional team of archaeologists shall undertake the recording work. The work will consist of a building record to level three being made of the building proposed for conversion and a rapid assessment of its associated setting in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

10. All ecology mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Bat Survey (EECOS, November 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes bat sensitive lighting, due diligence for nesting birds and replacement nesting habitat in the form of specialist nest boxes for Swallows and

House Sparrows, installed externally around the roof eaves as compensation for loss of nesting sites within the building's interior.

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) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

11. Works for the demolition of outbuildings, conversion and extensions to stables shall not in any circumstances commence unless the local planning authority has been provided with either:

- 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
- 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 in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: In the interests of the protection of biodiversity.

12. Prior to slab level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

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

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

REASON: To 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 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

14. All external lighting must be capped below the horizon.

REASON: To prevent an ocular hazard to pilots and any confusion with landing lights in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

15. No exterior materials shall be used in the development that will cause a reflective glint or glare hazard.

REASON: To prevent an ocular hazard to pilots in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

16. No landscaping shall take place until a design is submitted to the LPA in consultation with the aerodrome safeguarding authority for Stansted Airport.

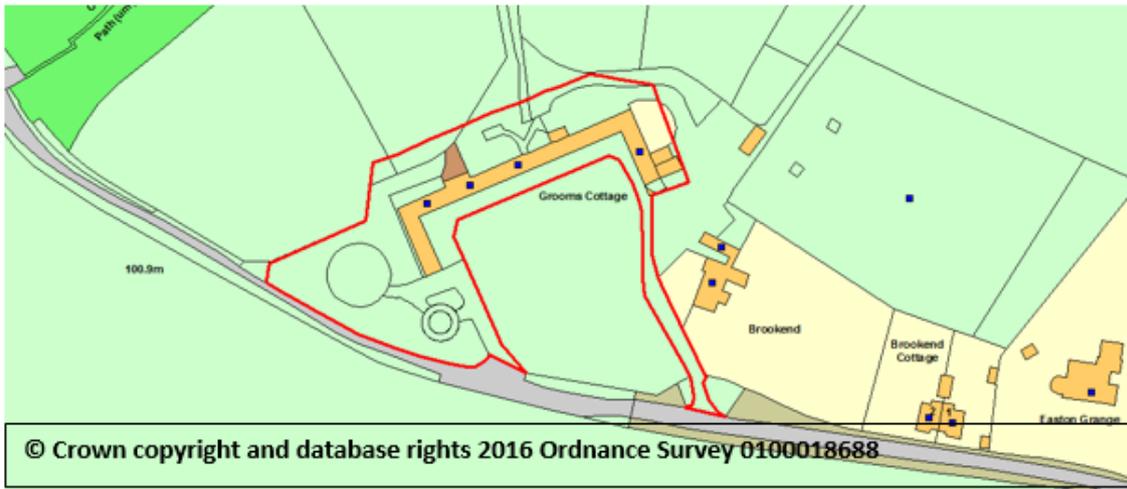
REASON: To prevent any increase of the risk of Birdstrike by restricting bird attractive plant species in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

17. Robust measures shall be put into place to ensure that dust and smoke are suppressed during works including immediately available contingency mitigation, e.g. bowsers.

REASON: Dust and smoke present a visual hazard to pilots and air traffic control; Dust and smoke can cause damage when ingested by aircraft engines in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

18. Ground management: Any areas of open earth shall be quickly compressed to reduce the attractiveness of the ground to birds.

REASON: Birdstrike avoidance in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 03 August 2020