

UTT/ 18/2478/FUL(LITTLE CANFIELD)

PROPOSAL: Demolition of existing residential property and office building and erection of a two storey office building, 2 no. cycle stores and 1.no bin store, with associated hard and soft landscaping.

LOCATION: Bluegates Farm, Stortford Road, Dunmow, CM6 1SN

APPLICANT: Mr M Curran

AGENT: Mr M Lacey

EXPIRY DATE: 19.12.2018

CASE OFFICER: Mrs Madeleine Jones

1.0 NOTATION

1.1 Outside Development limits. Within 2KM of SSSI. Within 6km of Stansted Airport. Within 100m of Local Wildlife site (Flitch Way) Adjacent to Listed Building

2. DESCRIPTION OF SITE

2.1 The application site (0.76 hectares) is situated between the Stortford Road, and the Flitch Way in Little Canfield and is rectangular in shape. There are commercial premises set back from the road on the site and also a residential property to the front of the site.

2.2 To the sites frontage is a low hedge, the southern boundary is open to the Flitch Way which is approximately 100m to the south of the site. To the east and west of the site is agricultural land. The eastern boundary has sporadic trees and low planting. There is a stream that runs along the length of this boundary. The western boundary has mature trees and hedgerow.

2.3 The existing commercial premises have a flat roof and are two storey. The dwelling to the front of the site is two storey clad in weatherboarding.

2.4 The north eastern corner of the site is approximately 400m from the A120.

2.5 On the opposite side of the Stortford Road is a Grade II listed Building and some residential dwellings.

2.6 There is an existing vehicular access into the site to the north eastern corner and a further access (unused) at the north western corner of the site.

2.7 There is hardstanding surrounding the existing office building providing 16 parking spaces.

2.8 A public footpath runs parallel to the western boundary.

2.9 The distance from the north elevation of the existing office building and the front boundary of the site is 34m.

3. PROPOSAL

- 3.1 The proposal is for the demolition of the existing residential property and office building and their replacement with a office building, cycle stores, bin store and associated hard and soft landscaping
- 3.2 The proposed building would be two storeys in height, finished in red brick and weatherboarding, under a pitched slate roof. It would be set back from the road close to the southern boundary.
- 3.3 There would be parking to the front and eastern side of the site providing 77 parking spaces. Of these would be four disabled bays. There would be 34 cycle spaces to the western side of the proposed office building
- 3.4 The existing access would be closed and a new access created further to the east of the existing access.

4. APPLICANT'S CASE

- 4.1 The application is supported by a Design and Access Statement, Flood Risk and SUDs Statement, a Planning Statement, a completed SUDs checklist, a Transport Statement, an Ecological Impact Assessment a completed Biodiversity Checklist, Statement of Community Involvement, Arboricultural Impact Assessment, Landscape and Visual Impact Assessment, Heritage Statement

5. RELEVANT SITE HISTORY

- 5.1 DUN/0263/54 – Alterations to house. Approved.
- 5.13 DUN/0119/50 – New drainage system. Approved.
- 5.3 UTT/0464/08/FUL – Change of use to mixed retail sales, office and storage associated with building business. Refused
- 5.4 UTT/0513/77 – Improved access and provision of car park and construction of replacement barn and garage. Conditional approval.
- 5.5 DUN/0171/56 – Site for three caravans. Refused
- 5.6 DUN/0308/55 - Site for agricultural workers dwelling. Refused
- 5.7 EU/UTT/1026/76 - Established use as market garden and smallholding and use for roadside sales of farm and garden produce produced both on and off the holding
- 5.8 P/A/2/14/70 - storage building. No objections.
- 5.9 UTT/0046/79 – Re-siting farm shop in existing barn. Refused
- 5.10 UTT/14/3775/CLP – Change of use from A1 (shop) to B1 (offices). Refused.
- 5.11 DUN/0119/50 - New drainage system. Approved
- 5.12 UTT/15/2708/FUL – Retrospective application for change of use of former farm shop to B1 offices. Unconditional approval.

Banana Depot:

- 5.13 UTT/1877/10/FUL – Change of use of existing ripening centre to a mixed B8/B1 use and extensions to the south and east elevations. Approved.

Hales Farm:

- 5.14 UTT/0752/96/FUL – Retrospective application for change of use of agricultural buildings to B2 use, B8 (storage and distribution) and motor. Approved.

Adjacent site:

- 5.15 UTT/17/2607/OP – Construction of a new Council Depot and outline proposals for up to 4.2ha of employment land. Refusal.

6. POLICIES

6.1 National Policies

National Planning Policy Framework
Planning Practice Guidance

6.2 Uttlesford Local Plan (2005)

Policy S7 - Countryside
Policy GEN1- Access
Policy GEN2 - Design
Policy GEN3 – Flood Protection
Policy GEN4 – Good Neighbourliness
Policy GEN5 – Light Pollution
Policy GEN6 – Infrastructure Provision to Support Development
Policy GEN7 – Natural Conservation
Policy GEN8 – Vehicle Parking Standards
Policy E3 – Access to workplaces
Policy ENV2 – Listed Buildings
Policy ENV3 – Open Spaces and Trees
Policy ENV5 – Protection of Agricultural Land.
Policy T3 – Car parking associated with development at Stansted Airport.

Supplementary Planning Documents/Guidance

- 6.3 Essex County Council Parking Standards. (2009)
Great Dunmow Neighbourhood Plan (2015-2032)
Essex Design Guide

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 This is a substantial development, totally out of keeping with the local character and of little benefit to local. Our concerns about the 'Statement of Community Involvement' document and the apparent timely public availability of information, are primarily:
- 7.2 1. The Parish Council was sent an e-mail about the Consultation meeting by Real8 Group, constructed in such a way that it went straight to spam file. There was no paper copy posted, nor any other attempt to communicate the information to the Clerk, despite contact details being available on the Parish Council website. We find

this performance very strange, and are unsure whether it was just poor process or by design. Whatever the cause, we believe it has negated the Consultation process. The spam message was not discovered until the Planning application documents were read after being mailed by UDC to the Clerk.

2. Real8 Group claims that all local residents were hand delivered appropriate details of the Consultation meeting. We have since discovered that for at least two close resident/homeowners, this comment is incorrect. One received no such letter and the other received the letter the day before the meeting. He could not attend due to previous business commitments that he was unable to change at such late notice. This resident contacted Real8 Group but has still received no acknowledgement. This whole process was conducted during the period where many people are away on family vacation, so would have been unaware of the consultation meeting even if such letters had been delivered with a reasonable notice period. The Parish Council itself holds no meeting in August because of holiday expectations, as we would be unlikely to reach a quorum. We cannot see a company such as Real8 being unaware of such potential.

3. Of the two 'local residents' that did attend and reportedly 'supported the application', I see no reference to any due diligence process on behalf of Real8 Group to ensure the validity of the comments provided, either due to self-interest in the development or other restrictions. If only the close residents were provided with details of the meeting, there may be such an issue, as we understand that some local tenants have rental agreements that include a commitment not to object to any development proposals at Blue gates farm or the Strood Hall area lands.

Further, it appears there are a number of other inconsistencies and evidence of rushed submission, as some submitted drawings indicate that the development is within Takeley with no reference to Little Canfield. We trust that the Developer's will be asked to correct their documents before they are considered within the Planning process.

- 7.3 The scale of the Building is over 5 times that of the existing one it's replacing and dwarves the Grade 2 Listed Strood Hall which it sits opposite.
- 7.4 The proposed development is grossly out of proportion to the predominantly Rural status of the surrounding land. land. The area is > 95% Rural.
- 7.5 The type and scale of the buildings themselves are not in keeping with the residential and Historical Rural setting, these buildings being approximately 28 feet high and will become the dominant imposing character of this rural area. This will have an effect on the character of the neighbourhood.
- 7.6 This development is adjacent to listed buildings and three by association
- i. Strood Hall Grade II Listing NGR: TL5969921445
 - i. By association 1,2,3 Strood Court.
Affecting the outlook to the following
 - iii. Live & Let Live cottages (2 cottages at site) Grade II Listing NGR: TL6012621441
 - iv. Old Station House Grade II Listing NGR: TL6032221320
 - v. Green Crofts Grade II Listing NGR: TL6035221361
- 7.7 Will effect the outlook of several other properties
Historical setting, The Old Station house was a halt out in so that King Edward VII could visit his mistress at Easter Lodge, the cottages 1,2 and 3 Stortford Road were moved from that site and relocated to their current position to make way for it.

Putting an Industrial Sized building in the middle of this area surrounded by 5 Listed premises will have a negative impact to the rural nature of the setting of these buildings. Little Canfield is a parish with a rich heritage consisting of 33 Grade 2 Listed Buildings of which 2 are grade II * for which the setting must be retained.

- 7.8 A planning proposal in the adjacent field was turned down for the reasons laid out below and the same reasons are applicable to this site.
Re Land To The South Of B1256 Little Canfield Ref. No: UTT/17/2607/OP
The Site was refused planning approval at the meeting of the 6th June 2018
But it had been added to the Local Plan 6 days prior which shows a fundamental difference between the planning department and the planning committee and made the process of fighting this a waste of everyone's time and taxpayers money as it will be fought a second time. So the application is Not Sound based on the fact that this area of the Great Easton Park has already been refused planning permission.
RESOLVED to refuse the application for the following reasons:
1) The proposed development by reason of its nature and siting within the Countryside is unacceptable to the detriment of its rural natural, the amenity of the surrounding locality, contrary to Policy S7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.
2) The proposed development by reason of relationship with adjacent neighbouring Listed Buildings would have an unacceptable impact upon their setting which is not outweighed by public benefit contrary to Policy ENV2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.
3) The proposed development by reason of its insufficient buffer to the Flitch Way would result in unacceptable impact upon wildlife and users of the Flitch Way contrary to Policies GEN2, GEN4 and GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.
4) The development hereby permitted would increase the pressure on the local infrastructure within the district, as listed within the schedule of Heads of Terms of the report presented to the 6th June 2018 Planning Committee (page 60). In the absence of any legal agreement to address this, the application fails to fully mitigate the impacts of the development contrary to Policy GEN6 of the Uttlesford Local Plan 2005.
- 7.9 Planning application UTT/14/2306/OP
Was refused and one of the reasons given also applies to this location
"The proposals would introduce significant new built form within the rural area which would result in significant harm to the character of the area the rural setting of Hope End Green, Takeley Park, Takeley and Priors Green. The rural characteristics of Great Canfield Road would be adversely eroded and this would be detrimental to the character of the lane. The harm would be exacerbated by coalescence of these settlements and cause the loss of local distinctiveness. Furthermore, the development does not constitute sustainable development, as set out in the NPPF. As such the proposals are contrary to Uttlesford Local Plan Policies S7 and ENV3 and the NPPF."
- 7.10 Planning application UTT/12/5809/FUL
Was refused and one of the reasons given also applies to this location
"By reason of its nature, form and appearance, the proposal would have a detrimental impact on the open rural character of the area and detract from the appearance of the countryside, contrary to Policy S7 of the Uttlesford Local Plan (2005)."
- 7.11 Planning application UTT/16/1997/FUL
Was refused and three of the reasons given also applies to this location

“The location and design of the proposed access in addition with the traffic generated by the development would adversely harm the living conditions of the neighbouring properties in close proximity to the proposed access contrary to ULP Policy GEN2 of the adopted Local Plan (2005).

The location and design of the proposed access with its proximity at the junction of Farmadine Grove and South Road would adversely harm other road users, road safety and those mobility is impaired contrary to ULP Policy GEN1 of the adopted Local Plan (2005).

The proposed development would not preserve or enhance the setting or character of the heritage asset by reason of the form, scale, massing, orientation Page 96 and materials proposed and therefore contrary to paragraphs 128 and 134 of the

National Planning Policy Framework (NPPF) and ULP Policy ENV1 of the adopted Local Plan (2005).”

- 7.12 These reasons for refusal have consistently been applied by Uttlesford Planning Committee through the above examples (years 2012,2014 and 2016)
So, I would suggest that the proposal would introduce significant new built form within the rural area which would result in significant harm to the character of the area the rural setting of Little Canfield. The rural characteristics of this section of Stortford Rd would be adversely eroded and this would be detrimental to the character of the road and surrounding lanes. Furthermore, the development does not constitute sustainable development, as there is insufficient transport, local shops, infrastructure as set out in the NPPF. As such the proposals are contrary to Uttlesford Local Plan (2005) Policies S7 and ENV3 and the NPPF.
The location and design of the proposed access in addition with the traffic generated by the development would adversely harm the living conditions of the neighbouring properties in close proximity to the proposed access contrary to ULP Policy GEN2 of the adopted Local Plan (2005)
The proposed development would not preserve or enhance the setting or character of the heritage asset by reason of the form, scale, orientation and materials proposed and therefore contrary to paragraphs 128 and 134 of the National Planning Policy Framework (NPPF) and ULP Policy ENV1 of the adopted Local Plan (2005).
- 7.13 This Proposal is also outside the development boundaries laid out within the Adopted Uttlesford Local Plan (2005) which is still in force and the withdrawn Draft Local plan (2014) and the current Draft New Local Plan.
- 7.14 With the planned additional developments we need to be careful that coalescence does not happen between Little Canfield and Dunmow and the infilling or the rural nature will be in danger of achieving this.
- 7.15 This site is also unsustainable as there are no local shops you would have to travel approximately 1.7 miles to get to Tesco's and 2 miles to get to the Priors green shops.
With 72 car parking spaces we will be looking at 4 movements a day per car (arrive, leave for lunch, arrive from lunch, leave for home) which would result in 288 movements a day on and off of an already busy road.
The proposal appears to make provision for additional widening of the road to accommodate a central reservation, have highways been contacted about this?
If there is no road widening the existing no overtaking hashes are only 3 .5 foot wide and will not constitute a wide enough width for the traffic turning into the site to sit safely between oncoming traffic steams.

- 7.16 There is also a question as to the requirement of this expansion for the existing businesses vs the commercial nature of a 210ft long by 60ft and 33ft tall sized building as currently there is very little traffic in and out of the site with the gate across its entrance hardly ever opened. This is a development that is piggybacking on the outline planning permission to replace the existing building with an office complex that is several times the existing buildings size. For domestic developments there is a ratio of floor area that a replacement dwelling can be larger than the existing one, does that not have to apply here especially as a domestic dwelling will be demolished in order to make way for this one.
- 7.17 In Summary this development will open the thin end of the wedge to the Industrialisation of a Historic village which is in a purely rural setting and the country side should be maintained for its own sake according to Government and local Guidelines. This development is not to the size and scale of the existing buildings or local area.

8. CONSULTATIONS

Lead Local Flood Authority

- 8.1 Having reviewed the documents which accompanied the planning application, acting on behalf of ECC we would note the following in relation to the application:
The development site is 0.76ha in plan area.
The development does not involve an increase in building footprint of more than 1000m²
The development does not feature 10 dwellings or more
We would therefore have no further comments in relation to this application as it is not considered a major development.

Essex County Council Highways

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

Aerodrome Safeguarding

- 8.3 No objections.

Thames Water

- 8.4 No objections

Natural England

- 8.5 No comments.

UK Power Networks

- 8.6 Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact UK Power Networks to obtain a copy of the primary route drawings and associated cross sections.

Cadent Gas

- 8.7 Your proposal as currently specified is in proximity to Cadent and/or National Grid

apparatus, which may impact, and possibly prevent, your proposed activities for safety and/or legal reasons. Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

Essex County Council Ecology

- 8.8 No objection subject to securing biodiversity mitigation and enhancement measures. Summary :

I have reviewed the Ecological Impact Assessment (Hybrid Ecology Ltd, June 2018) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, particularly nesting birds and bats, and identification of proportionate mitigation.

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

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

The mitigation measures identified in the Ecological Impact Assessment (Hybrid Ecology Ltd, June 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species particularly nesting birds and bats.

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

Submission for approval and implementation of the details below should be a condition of any planning consent:

- 8.9 Recommended conditions

All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Hybrid Ecology Ltd, June 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes covering trenches overnight, undertake nesting bird check, install bat box, and enhance the site with native planting.

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

NATS Safeguarding

- 8.10 No safeguarding objection to the proposal.

London Stansted Airport Aerodrome Safeguarding

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

Environment Agency

- 8.12 No objections

Natural England

8.13 No comments

Economic Developer Officer

8.14 From an economic growth perspective we are fully in support of this application:

1. We have a known shortage of commercial accommodation across the district and particularly in the south of the district this development will help towards alleviating this issue.

2. The forecast uplift in the number of FTE's from 20 to 60 supports the delivery of the forecast employment growth required in the district

3. This supports the corporate economic development strategy 2018-21 who's aims include supporting growth in the rural economy and supporting the growth of start up or early stage businesses

This is a good location and likely to have strong demand from start up and early stage businesses.

9. REPRESENTATIONS

9.1 This application has been advertised and the occupants of 15 neighbouring properties notified. Expiry date: 31st October 2018
Four representations have been received (two in support). A summary of the concerns/issues raised are:

9.2 I support the development in this proposal. It will provide commercial opportunities to the local economy, will leverage lesser used brown belt land, and looks to have been designed to aesthetically compliment the buildings in the area. The location also considers the locality of the A120 junction which should promote primary access via that route and not through Little Canfield/Takeley. A well considered proposal as a whole.

9.3 I think this site is much better suited than the current site.

9.4 This proposed development appears to assume there will be further development along this stretch of land. The plans are confusing as the address on some states It canfield, some states Bluegates Farm Takeley. Whilst I appreciate it looks better than what is there at the moment this is a rural village with very little amenities to lend to development. The B1256 is not suitable for this development on the edge of the village. This land provides countryside adjacent to the Flitch Way which accommodates lots of wildlife. The surrounding area is countryside and I do not think we need a huge Industrial sized office building in little canfield. Only this week a pole cat was run over on the road, these are nearly extinct but a few have been spotted in this area. More development will reduce our our chances of seeing such things. No more development is needed.

Little canfield is almost unrecognisable enough is enough. This will not necessarily provide jobs for local people - it will definitely increase traffic from people driving in

to work which will put more pressure on the roads.

- 9.5 Whilst this new proposal for Blue Gates Farm looks better than the ramshackle building that is there at the moment, I feel that agreeing to this development will set a precedent with regards to the other proposed developments near by. We have the controversial Bin refuse department and large industrial development proposed in the adjoining field which had already been dismissed by councilors only to be slipped in by the back door on the local plan. I also understand that there are plans drawn up to surround Stroud Hall opposite with industrial units. If this sadly all goes ahead this will make this end of Little Canfield nothing more than the big industrial park outside of Great Dunmow.

9.6 **COMMENTS ON REPRESENTATIONS:**

Please see below.

10. APPRAISAL

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

- A) The principle of development (ULP policy S7)
- B) Design and impact on neighbours amenity and character and setting of adjacent Listed Buildings (ULP policies GEN2, GEN5, E3, ENV2 and GEN4).
- C) Vehicle parking standards, Public Right of Way, and Highway Safety (ULP policies GEN1 and GEN8)
- D) Ecology (ULP Policy GEN7)
- E) Flood Risk (ULP policy GEN3, NPPF)
- F) Other material considerations

A The principle of development (ULP policy S7)

- 10.1 The site is located outside the development limits for Little Canfield and is therefore located with the Countryside where Uttlesford Local Plan policy S7 applies. Policy S7 specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. Any development will need to comply with this policy.

- 10.2 In terms of whether the Local Plan Policies are compliant with the NPPF a compatibility Assessment has been undertaken, in July 2012 by Ann Skippers. This was adopted by Cabinet for Development Management purposes in September 2012. This stated that Local Plan Policy is partly compliant with the NPPF in that “ the protection and enhancement of natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach , rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business

and enterprise in rural areas”

- 10.3 Since then the NPPF has been updated and now states in paragraph 83, under the section “Supporting a prosperous rural economy”, that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings. Paragraph 84 states that Planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not make an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport) The use of previously developed land and sites that are physically well- related to existing settlement, should be encouraged where suitable opportunities exist.
- 10.4 Paragraphs 7- 10 of the NPPF promote a presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways, economic, environmental and social.
- 10.5 Economic: An economic objective- to help build a strong, responsive and competitive economy, ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.
- 10.6 The proposal has the potential to create 50 more jobs in the local area. From an economic growth perspective the Council are fully in support of this application: The Council has a known shortage of commercial accommodation across the district and particularly in the south of the district this development will help towards alleviating this issue. The proposal supports the Councils corporate economic development strategy 2018-21 who’s aims include supporting growth in the rural economy and supporting the growth of start up or early stage businesses. In economic terms the proposal would also have short term benefits to the local economy as a result of construction activity and additionally it would also support existing local services, as such there would be some positive long and short term economic benefit.
- 10.7 Environmental: An environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 10.8 One of the core planning principles of the NPPF is to encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value. Paragraph 117 states that Planning decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously – developed or brownfield land.
- 10.9 Most of the proposed built form would be located on brownfield land, however, the area to the east where the car parking is to be located is agricultural land. The site is in a fairly isolated location, which is rural in nature. Views from the Flich Way are

restricted in that there is a substantial landscaping to the northern boundary of the Fritch Way immediately south of the application site. The site however is visible from the west, north and east of the site.

- 10.10 In terms of environment there would be impact resulting from the scheme both in terms of amenity on neighbouring residential occupiers, visual impact and increased vehicle impact with associated pollution (air and noise) and upon ecology.
- 10.11 In respect of climate change the proposal includes a cycle store and there are bus stops nearby. The site is also close to the A120. The impact on biodiversity is discussed later in my report.
- 10.12 The existing office building is of a poor construction and is not visually attractive. A Landscape and Visual Impact Assessment has been submitted with the application. The proposal would have an impact on the character of the area, the design and scale are discussed later in my report. The scheme incorporates a landscape management plan to help minimise the visual harm to the countryside.
- 10.13 There are listed buildings near to the site and these are also discussed later in the report.
- 10.14 The Parish Council has stated that this development may result in coalescence between Little Canfield and Great Dunmow. there is however, a defensive boundary between Little Canfield and Great Dunmow in the form of the A120.
- 10.15 Social: While the site is slightly isolated and not considered fully sustainable in terms of the level of transport provision and there would be a greater reliance upon private vehicles The site is strategically located in terms of road network. There are also bus stops nearby along the Stortford Road. The proposal would create local jobs.
- 10.16 The Parish Council have cited several other planning applications which have been refused with reasons that they feel would also apply to this application, however, each application should be dealt with on its own merits and additionally a material change since those decisions is that national policy has been updated in the form of the updated NPPF. The applications are not considered to be comparable to this application.
UTT/17/2607/OP: Not a brownfield site.
UTT/14/2306/OP: Application is for housing and not a brownfield site.
UTT/12/5809/FUL: Application is not of a similar nature and not a brownfield site.
UTT/16/1997/FUL: Not brownfield site. Partly in Conservation Area.
- 10.17 As such, in view that most of the existing site is brownfield, and that the Council has a shortage of commercial accommodation, the harm caused to the countryside setting and limited harm to the setting of the nearby Listed Buildings, on balance, the benefits are considered to outweigh the harm and therefore the principle of the development of this site for office use purposes is acceptable subject to the proposal complying with all other relevant Development Plan policies.

B Design and impact on neighbours amenity and character and setting of adjacent Listed Buildings (ULP policies GEN2, GEN5, E3, ENV2 and GEN4).

- 10.18 Policy GEN2 states that development will not be permitted unless its design is compatible with the scale, form, layout, appearance and materials of surrounding buildings.

- 10.19 The application has been the subject of pre- application advice, where it was suggested that any replacement buildings width should be no more than the existing building plus up to half the existing width and that the height should be kept to a minimum required for a two storey building. It was also considered that the built form should not extend further west of the exiting building and that the land opposite Stood Hall should be void of built form.
- 10.20 The proposal broadly is consistent with that advice. The existing height of the office building is 5.5m and has a flat roof. The proposed building is however 9.2m high and would therefore be more visually prominent in the rural landscape. The character of Dunmow Road will be partly maintained by retaining and reinforcing the existing mature hedgerow growing along the north side of the site or by substantially replacing this hedgerow with a new hedgerow planted with native species.
- 10.21 In view of the separation distances from neighbouring properties the proposal would not result in any material detrimental overlooking, overshadowing or overbearing impact to neighbours amenity. Conditions are required to control the opening/closing times of the building to minimise the impact of the development on the neighbours amenity. Although there will be approximately a further 50 employees using the access, the use of the site remains the same, it is considered that the proposal would not result in any material detrimental impact on neighbours amenity over and above than that that already exists to such an extent to warrant refusal of the scheme
- 10.22 Policy ENV2 states: that development will not be permitted if it would adversely affect the setting of a listed building. A Heritage Statement has been submitted with the application. The proposal has been designed so as to keep the land opposite the Listed Building “ Strood Hall” free from the additional built form as far as possible. This ensures that the proposed development maintains a semi- rural character opposite the Listed Building. The Parish Council has mentioned other listed buildings, however, they are some distance away from the site and it is not considered that the proposal would impact on the character or setting of those Listed Buildings to such an extent to warrant refusal of the application.
- 10.23 Policy GEN4 states that development and uses will not be permitted where noise and light would cause material disturbance or nuisance to occupiers of surrounding properties. Policy GEN5 states that development that includes a lighting scheme will not be permitted unless: The level of lighting and its period of use is the minimum necessary to achieve its purposes and glare and light spillage from the site is minimised. It is not considered that the proposal would result in extra noise over and above that that already exists, however the proposed building has substantially more glazing that would result in light pollution to the rural area. As such if approved this should be controlled by a suitably worded condition to restrict the level of illuminance and timings of any lighting within and around the building.
- 10.24 Policy E3 requires that development that would result in the provision of jobs will be required to include the highest standards of accessibility and inclusion for all people regardless of disability, age or gender. The building includes lift and level access to the principle floors and disabled bays adjacent to the side of the southern side of the building.
- 10.25 The site is also located in close proximity to Stansted Airport and therefore the proposal has the potential to result in safeguarding issues in respect of airport safety. The amount of glazing and roofing materials may have an impact in this respect. Airport safeguarding team have therefore been consulted and they have no

objections to the proposal

C Vehicle parking standards, Public Right of Way, and Highway Safety (ULP policies GEN1, T3 and GEN8)

- 10.26 ULP policy GEN8 specifies that development will not be permitted if the number, design, and layout of vehicle parking places proposed are not appropriate for the location. There are public rights of way to the west and south of the site. The Fritch Way runs parallel to the southern boundary and is approx. 70m away from the sites southern boundary. Any new parking and access should comply with the ULP policies GEN1, GEN8 and supplementary parking standards document..
- 10.27 The parking provision requirement for B1 use within the adopted parking standards are: A maximum of 1 spaces per 30sqm. Disabled bays minimum 200 vehicle bays or less = 2 bays or 5% of total capacity, whichever is greater, over 200 bays = 6 bays plus 2% of total capacity. Cycle provision minimum of 1 space per 100 sqm for staff plus 1 space per 200 sqm for visitors. Each bay size should be 5.5m x 2.9m, (the width should be increased by 1m if the parking space is adjacent to a solid surface) Disabled parking bays should 6.5m x 3.9m when parallel to the access and 6.5m x 3.9m when perpendicular to the access 6.5m x 3.9m.
- 10.28 At the existing time, there are 16 parking spaces serving the office buildings and further parking for the residential property to the front of the site. There is a large area of hardstanding around the current office building.
- 10.29 The proposed new office building is 2322 sqm. As such the parking standards require a maximum of 77 parking spaces of which four should be disabled spaces. The proposal includes 73 parking spaces and 4 disability spaces and will also provide 34 cycle spaces.
- 10.30 All of the parking bays (apart from the disabled parking bays) are 2.9 x 5.5m which are the required bay size to comply with the adopted parking standards.
- 10.31 Policy GEN1 states that development will only be permitted if it meets all of the following criteria:
- a) Access to the main road network must be capable of carrying the traffic generated by the development safely
 - b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network
 - c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
 - d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access
 - e) The development encourages movement by means other than driving a car
- 10.32 Paragraph 102 of the NPPF states that applications should ensure that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users; and
 - c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.33 Paragraph 111 of the NPPF states that all developments that generate significant

amounts of movement should be supported by a Transport Statement or Transport Assessment. Accordingly a Transport Statement accompanies the application. The Transport Statement states that new bus stops are proposed to be introduced in both directions on the B1256, with direct footway connections provided to both of them. There is an existing bus stop to the West of the Site (approximately 790m). The statement has been considered by Essex County Council Highway Officers and they have no objections subject to conditions requiring a travel plan to be submitted, a Construction Management Plan, cycle parking facilities, appropriate footways and turning heads, and the securing of a payment of £5000 for monitoring a Travel plan. This can be secured by a S106 agreement.

- 10.34 In view of the sites proximity to Stansted Airport there is the potential for airport parking which would be contrary to policy T3. This can be controlled by an appropriate condition.
- 10.35 The application is considered to comply with Uttlesford Local Plan Policies GEN1, GEN8

E Ecology (ULP Policy GEN7)

- 10.36 Policy GEN7 of the Local plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and /or compensate for the potential impacts of development must be secured. As the proposal would involve the demolition of a building, there is the potential for the development to have an impact on protected species
- 10.37 The applicants have completed a biodiversity questionnaire and submitted an Ecological Assessment report. The northern boundary hedgerow will be removed and replaced to accommodate a new access point. The replacement boundary hedgerow will be longer and more diverse to result in both a net gain of priority habitat and improved resources for nesting birds post development.
- 10.38 The proposal includes the demolition of the existing office building and also the residential property to the sites frontage.
- 10.39 The Assessment states that a dead badger was found on the north western corner of the larger plot, indicating badger commute across/forage on the site. Despite this, neither setts, nor any mammal tracks attributable to badger were seen. As a precautionary measure, trenches to be used during construction should be covered overnight to avoid entrapment. This can be secured by a suitably worded condition.
- 10.40 As mentioned earlier, the site is close to the Flitch Way which is a Local Wildlife Site. Potential indirect impacts to the Flitch Way Local Wildlife Site will be mitigated by retaining a considerable buffer zone from development and adopting pollution control measures during construction.
- 10.42 The scheme whilst limited in scale has committed considerable areas to copse planting, hedgerow planting and a pond; linking the site to the Flitch Way via the retained wet ditch. These measures will result in ecological net-gain post development in accordance with Paragraph 109 of the National Planning Policy Framework. The assessment concluded that subject to basic mitigation/precautionary measures there are no overriding reasons to refuse an application on ecological grounds. The scheme complies fully with relevant wildlife

legislation and local and national planning policy. Essex County Council Ecology officers have viewed the submitted report and they raise no objections should the application be approved to the proposals.

- 10.43 Subject to a condition requiring that all ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Hybrid Ecology Ltd, June 2018) as already submitted the proposal would comply with ULP policy GEN7.

F Flood Risk (ULP policy GEN3, NPPF)

- 10.44 Policy GEN3 states that development outside flood risk areas must not increase the risk of flooding through surface water run-off. This is also reflected in paragraph 155 of the NPPF

- 10.45 The application site is located in Flood Zone 1, therefore having a low risk of flooding and is deemed to be suitable for development, as defined by the NPPF. . Essex County Council Suds team have been consulted, however in view of the scale of the application they have no comments to make.
A Flood Risk and Suds Statement accompanies the application and concluded that the redevelopment and its occupants would not be at an increased risk of flooding the redevelopment scheme would not increase the risk of flooding elsewhere and a sustainable drainage scheme could be implemented. The proposal is considered to comply with ULP policy GEN3.

11. CONCLUSION

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

- A** The site is predominantly brownfield land. The principle of the development is therefore acceptable
- B** The proposals have been designed in order to mitigate their impacts on neighbours and character of the area.
- C** The proposed access is considered to be acceptable and capable of accommodating the additional vehicular movements associated with the proposals. Sufficient car parking would be provided to meet the additional demand. The proposal subject to conditions would comply with policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005)
- D** It is not considered that the proposal would have any material detrimental impact in respect of protected species, (subject to appropriate conditions) and complies with policy GEN7.
- F** The site is located within Flood Zone 1 and therefore has a low risk of flooding. Subject to conditions the proposal complies with GEN3 of the Uttlesford Local Plan (adopted 2005)

RECOMMENDATION – APPROVAL WITH CONDITIONS – SUBJECT TO S106 LEGAL AGREEMENT.

- (i) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 17th January 2019 the freehold owner enters into a binding obligation to cover the matters set out below

under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Head of Legal Finance, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Travel Plan monitoring Fee £5,000
 - (ii) Pay monitoring costs
 - (iii) Pay Councils reasonable costs
- (II) In the event of such an obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below:
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:
- (i) Lack of Travel Plan monitoring Fee £5,000

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. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Hybrid Ecology Ltd, June 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This includes covering trenches overnight, undertake nesting bird check, install bat box, and enhance the site with native planting.

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 and in accordance with ULP (adopted 2005) policy GEN 7.

Justification: The site lies adjacent to a Local wildlife Site and once commenced, protected and priority species could be harmed without the appropriate mitigation taking place.

3. Prior to occupation of the development, the provision of an access formed at right angles to Stortford Road, as shown in principle on DWG no. 181820-002 Rev C (dated 04/05/2018), with 2 two metre wide footways, a ghost island to current design standards and clear to ground visibility splays with dimensions of 2.4 metres by 177 metres to the east and 2.4 metres by 158 metres to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway, in the interests of highway safety

in accordance with ULP (adopted 2005) Policy GEN1

- 4 Prior to occupation of the development, improvements to the passenger transport infrastructure at the bus stops located adjacent the proposal site on both sides of Stortford Road shall be provided, to include raised kerbs, hardstanding, flags, and any other related infrastructure as deemed necessary by the Highway Authority. Details to be agreed with the Highway Authority, and shall be implemented prior to occupation.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in the interest of accessibility in accordance with ULP policy (adopted 2005) GEN1

- 5 Prior to occupation of the development, 2 metre wide footways shall be provided from the site access to the proposed bus stops to the east and west of the site with a suitable pedestrian crossing facility of Stortford Road. Details to be agreed with the Highway Authority, and shall be implemented prior to occupation.

Reason: In the interests of pedestrian safety and accessibility in accordance with ULP policy (adopted 2005) GEN1

- 6 Prior to occupation of the proposed development, the Developer shall provide for written approval a Travel Plan. The approved Travel Plan to be implemented on first occupation of the development.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with ULP policy (adopted 2005) GEN1

- 7 The cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times. The facility shall be secure and covered.

Reason: To ensure appropriate bicycle parking is provided in accordance with ULP policy (adopted 2005) GEN8

- 8 No vehicles associated with passengers using Stansted Airport shall be parked on the site for more than 24 hours in any period of 14 days.

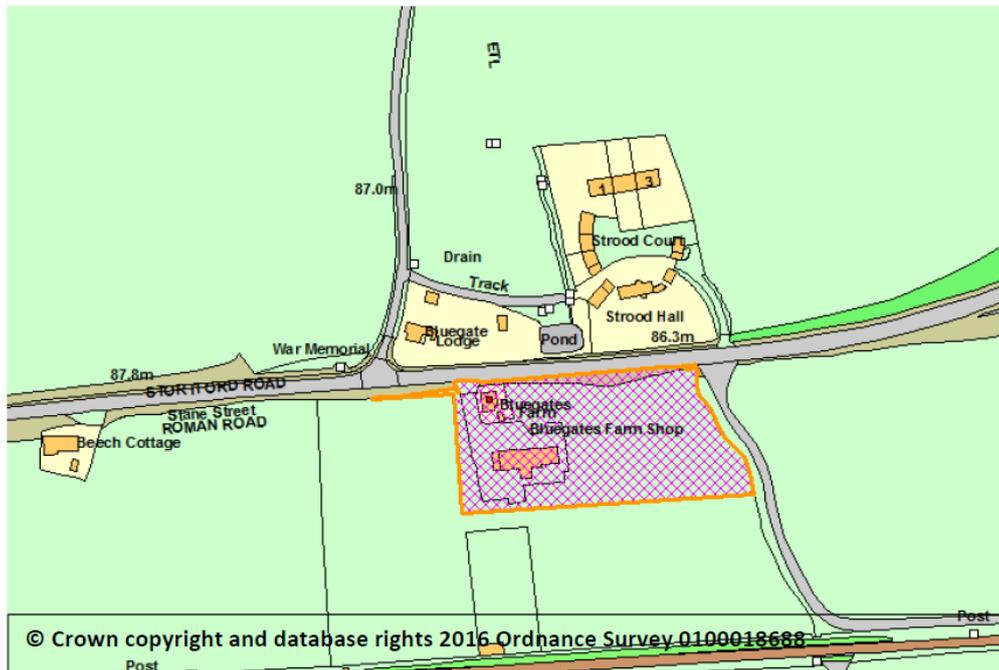
Reason: To ensure car parking spaces are provided solely to serve the office use on the site. furthermore, it is the policy of the Council that all parking required for Stansted Airport should be accommodated within the airport boundary, in order to protect the appearance of the countryside in accordance with ULP policy (adopted 2005) T3

9. No lights within the building hereby permitted shall be illuminated between the hours of 21.00 hrs and 06.00hrs.

Reason: Reason: In order to protect the amenity of adjacent neighbours in accordance with ULP policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 10 The office building hereby permitted shall not operate before 06.00 am or after 21.00

Reason: In order to protect the amenity of adjacent neighbours in accordance with ULP policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)



Organisation: Uttlesford District Council

Department: Planning

Date: 28 November 2018