

Uttlesford District Council

Chief Executive: Dawn French

Planning

Date: Wednesday, 29 June 2016
Time: 14:00
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors R Chambers, J Davey, P Fairhurst, R Freeman, E Hicks, J Lodge, J Loughlin, A Mills, V Ranger (Chairman), H Ryles.

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest**
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the meeting held on 1 June 2016** 5 - 8
To consider the minutes of the previous meeting
- 3 Matters arising**
To consider matters arising from the minutes
- 4 Planning Applications**
 - 4.1 UTT/16/0287/OP Felsted** 9 - 30
To consider application UTT/16/0287/OP Felsted
 - 4.2 UTT/15/3824/DFO Newport** 31 - 48
To consider application UTT/15/3824/DFO Newport

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5	Notification of works to a tree - Saffron Walden To consider works to a tree	163 - 166
6	Any other items which the Chairman considers to be urgent To consider any items which the Chairman considers to be urgent	

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**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2pm on 1 JUNE 2016**

Present: Councillor V Ranger (Chairman)
Councillors R Chambers, J Davey, P Fairhurst, R Freeman, E
Hicks, J Lodge, J Loughlin, A Mills, V Ranger and H Ryles.

Officers in attendance: N Brown (Development Manager), K Denmark
(Development Management Team Leader), C Oliva (Solicitor), A
Rees (Democratic and Electoral Services Officer), S Stephenson
(Planning Officer) and C Theobald (Planning Officer).

PC1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

There were no apologies for absence.

Councillors Fairhurst and R Freeman both declared a non-pecuniary interest as members of Saffron Walden Town Council.

PC2 MINUTES OF THE MEETING HELD ON 4 MAY 2016

The minutes were received and signed by the Chairman as a correct record.

*The Chairman said that applications UTT/16/0287/OP Felsted and
UTT/16/0270/FUL Little Canfield had been withdrawn from the agenda.*

PC3 PLANNING APPLICATIONS

(a) Approvals

RESOLVED that the following applications be approved subject to the conditions set out in the report

UTT/16/0735/FUL Great Hallingbury – Erection of four buildings to provide offices with café, gym and function room together with the provision of new hard surfaced parking - Thremhall Park, Start Hill, Great Hallingbury for Jackson Management Ltd

UTT/16/0736/LB Great Hallingbury – Construction of building attached to existing garden wall including the removal of 4.no panels of the wall – Thremhall Park, Start Hill, Great Hallingbury for Jackson Management Ltd

(b) Refusals

RESOLVED that the following applications be refused for the reasons stated in the officer's

UTT/16/0075/OP Stansted – Outline application with all matters reserved except for access and scale for the erection of 12 No. dwellings - Former gasworks site, land west of Water Lane, Stansted for Mr D Smith

Ruth Clifford spoke against the application. Ian Riley spoke in support of the application.

REASON: The proposed development by reason of the number of dwellings indicated on the submitted illustrative drawings would represent an unacceptable housing scheme for this physically constrained site as it would lead to a cramped form of development and would as a consequence of the level of residential accommodation to be provided at the site lead to an inadequate level of private amenity space and parking provision for the development to the detriment of the amenity of future residential occupiers of the dwellings contrary to ULP Policies GEN2 and GEN8 of the Uttlesford Local Plan (adopted 2005) and contrary to advice contained within the adopted document "ECC Parking Standards – Design and Good Practice, September 2009

UTT/16/0467/HHF Manuden – Erection of 1 no. dwelling - Land adj Limal, Pinchpools Road, Manuden for Mr M Bonney

REASON: The FRA submitted with this application does not comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted FRA does not therefore; provide a suitable basis for assessment to be made of the flood risks arising from the proposed development contrary to ULP Policy GEN3 of the Uttlesford Local Plan 2005.

PC4

PLANNING OBLIGATIONS

In response to questions by Councillor Freeman about UTT/15/3768/FUL, the Development Manager said that the playing fields related to a separate application on the same site. The trigger point for this element of the Section 106 now appeared to be met so he would be chasing the developer to ensure the land was transferred and was at Sport England standards.

The Development Manager then spoke in response to questions by Councillor Loughlin about application UTT/15/3145/FUL. He said that an application had been made to secure a deed of variation to the conditions, which brought one of the trigger points in line with the development on the opposite side of road. This was no longer required as the other development had now progressed to a point where the varied condition was not needed. There had also been an application to secure a deed of variation to change the tenure mix on the site. Both of these had been approved by the Committee. These had resulted in delays to the development.

Councillors Mills asked for an update on the Bloor Homes development at Fritch Green. Part of the Section 106 Obligation required the provision of a play area. The equipment had been installed, but had since been removed by the supplier

of the play equipment. This meant that the developer was not currently meeting the obligation. In response, the Development Manager said that this was a matter for the Enforcement team.

The meeting ended at 3.50pm.

UTT/16/0287/OP (Felsted)

(MAJOR)

PROPOSAL: Outline application for the erection of up to 55 dwellings, means of access and associated works, with all other matters (relating to appearance, landscaping, layout and scale) reserved.

LOCATION: Land to the South of Braintree Road, Felsted

APPLICANT: Catesby Estates Limited

AGENT: Framptons Town Planning

EXPIRY DATE: 1 July 2016

CASE OFFICER: Lindsay Trevillian

1. NOTATION

1.1 Outside development limits, abuts onto a conservation area.

2. DESCRIPTION OF SITE

2.1 The application site as outlined in red on the submitted location plan is located on the southern side of Braintree Road on the eastern edge of the village of Felsted. The site itself is irregular in shape, relatively level and comprises of approximately 2.67 hectares.

2.2 The site is vacant of any built form and remains as open grassland used for agriculture. Extensive vegetation in the form of hedgerows consisting of a mixture of shrubs and bushes along with a variety of tree species are located along the boundaries of the site. Three distinctive oak trees are located centrally within the northern half of the site.

2.3 The site currently has a single gated vehicle access point off Braintree Road that is used to provide access for farm vehicles. In addition, two public rights of way intersect the site that provides pedestrian access linking Jollyboys Lane to the west to the open countryside to the east.

2.4 Residential dwelling units that consist of a variety of different building forms, sizes and scales are located to the north of the site that front onto Braintree Road and also along the north western boundary of the site. Playing fields consisting of sports pitches and a playground are located to the south west of the site. Large fields used for agriculture are located to the south and east of the site.

3. PROPOSAL

3.1 Outline consent is sought for the erection of up to 55 dwellings with all matters reserved apart from access.

3.2 The site would have a new vehicle access onto Braintree Road approximately 30m west of the existing access which is proposed to be blocked up.

- 3.3 The application is accompanied by illustrative master plan (ref: AR/001D) which illustrates the general layout of the residential scheme that includes the principle of the road network within the site and the layout and siting of the proposed dwellings. In addition, the layout includes a local open space areas within the site and areas for an attenuation basin to contain surface water runoff set within the north eastern corner of the site.
- 3.4 Although design and appearance is reserved for latter assessment if outline permission is granted, the applicant suggests within their planning statement that the dwelling units will be in the form of family homes ranging from 2 to 5 bedroom dwellings. Furthermore, the applicant is prepared to enter into an agreement by way of a S106 that 40% of the dwellings on site will be affordable housing with a further 5% being low cost starter homes.

4. APPLICANT'S CASE

- 4.1 Extensive pre-application meetings with the Local Planning Authority were held in which general advice was taken into consideration regarding the final design and layout of the application.
- 4.2 The applicant has provided a Design and Access Statement and a Planning Statement of Conformity in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. In addition further information in relation to technical issues such as drainage and refuse strategies, heritage and contamination assessments, ecology data as well a transport and flood risk assessment to name just a few have also been submitted in support of the proposal.
- 4.3 The applicant considers that the proposed residential scheme would provide much needed family homes in a highly sustainable location that would not result in significant harm to the setting of the wider countryside. It is concluded that the proposal accords with policies contained within the Uttlesford District Council's Local Plan as well as the National Planning Policy Framework.

5. RELEVANT SITE HISTORY

- 5.1 There is no relevant recorded planning history for the subject site.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

Policy S7 – The Countryside

Policy GEN1 – Access

Policy GEN2 – Design

Policy GEN3 – Flood Protection

Policy GEN4 – Good Neighbourliness

Policy GEN6 – Infrastructure Provision to Support Development

Policy GEN7 – Nature Conservation

Policy GEN8 – Vehicle Parking Standards

Policy ENV2 – Development effecting listed buildings

Policy ENV3 – Open Spaces & Trees
Policy ENV5 – Protection of Agricultural Land
Policy ENV8 – Other Landscape Elements of Importance for Nature Conversation
Policy H1 – Housing development
Policy H9 – Affordable Housing
Policy H10 – Housing Mix

6.3 **Supplementary Planning Policy**

SPD Accessible Homes & Play Space
SPD Renewable Energy
SPD Parking Standards Design & Good Practice September 2009
SPD Essex Design Guide
SPD Developer Contributions Guidance

7. **PARISH COUNCIL COMMENTS**

7.1 Felsted Parish Council objects to the proposed development for the following reasons:

- The proposed development is outside the defined boundary limits and thereby is set within the countryside. As such it is contrary to policy S7 of the adopted local plan.
- There is not a need for further exceptional (affordable) housing or market within the village.
- The land is of high quality agricultural land that is worthy of protection and thereby the development is contrary to local policy ENV5.
- The proposed development would result in significant pressures upon local amenities such as schools and doctors surgery.
- The proposed development by way of increase vehicles would result in traffic congestion on surrounding highways and increase air pollution.

8. **CONSULTATIONS**

ECC Flood and Water Management:

8.1 No objection – Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we consider that a surface water drainage scheme has been proposed which demonstrates that surface water management is achievable in principle, without causing flooding on site or elsewhere.

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) outlined in the Flood Risk Assessment, dated December 2015, RPSGroup (on behalf of Catesby Estates Limited) submitted with this application are implemented and secured by way of a planning condition on any planning permission.

ECC Highways:

8.2 No objection – Consideration was given in relation to access and safety; capacity; the opportunities for sustainable transport; and mitigation measures. From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the imposing conditions.

ECC Education:

- 8.3 No objection – Essex County Council request that any permission for this development be granted subject to a S106 agreement to mitigate its impact on education. Should the final development result in the suggested unit mix, the following contribution would be payable;

The primary education contribution would be £200,838.

The secondary school transportation contribution would be £44,935.

Total sum of £245,773

ECC Historic Environment officer:

- 8.4 No objection - subject to conditions in relation that an Archaeological Programme of Trial Trenching followed by Open Area Excavation is undertaken prior to any works commencing on site.

ECC Ecology Advice:

- 8.5 No objection - subject to the imposition of a condition requiring an Ecological Design Strategy.

Anglian Water:

- 8.8 No objection - The sewerage system at present has available capacity for these flows. From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

NHS England:

- 8.9 No objection – A developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £18,920. Payment should be made before the development commences.
- 8.10 NHS England therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

UDC Conservation officer

- 8.11 Concerns raised – Although the modest properties within this location would provide certain level of screening between the proposed development and the edges of the conservation area, glimpses between the cottages towards the wider open countryside can at present be enjoyed especially in the winter time. The suggested tightly knit development would provide an urban back drop, robbing the views out of the Conservation Area of its present interest and sense of bucolic character. In addition, the views into the conservation area from the wide agricultural land

and especially from public right away would also be obscured from some vantage points. Consequently, although the development would not cause a substantial harm, it would not enhance or better reveal the significance of the conservation area.

Natural England:

No objection – Natural England have no comment to make on this application.

9. REPRESENTATIONS

9.1 The application was publicised by sending 259 letters to adjoining occupiers, displaying of site notices and advertising it within the local newspaper. 205 letters of objection have been received at the time of writing this appraisal. The following concerns are as below:

- The proposal due to the increase number of vehicles would result in additional traffic congestion on surrounding highways that would be detrimental to highway safety.
- There is a lack of vehicle parking in the village centre. The proposal would add to this problem.
- The computer modelling identified within the submitted transport statement does not replicate on site conditions and provides inaccurate and misleading information.
- It would consist of a poor access especially at school pick up and drop off times.
- Access to this site is on a bend where many cars already exceed the speed limit. There's an increased risk of accidents with additional traffic and a turning to this site.
- The proposal would result in a loss of green space.
- The proposed development would be visually intrusive.
- The development would be out of character in context to the village.
- The unique character of Felsted as a rural village will be spoilt.
- The proposal would be detrimental to the character and openness of the countryside.
- The proposed development would result in significant increased pressures upon local amenities such as schools and the doctor's surgery.
- The proposed development would result in increased pressure upon the local sewage and water network.
- Other housing developments within the surrounding locality have not been taken into consideration in terms of the cumulative effect on local pressures.
- The land is rated as good to very good agricultural land and thereby should be protected and free of development.
- The proposed development would result in increased noise and light pollution during and after construction.
- The proposal would have a detrimental impact to local wildlife, biodiversity and ecology.
- The proposal would result in a harmful impact to the amenities of adjoining occupiers in relation to loss of privacy.

10. APPRAISAL

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

- A The principle of development of this site for residential development (ULP Policies S7, GEN2 and NPPF)**
- B Loss of Agricultural Land (ULP Policy ENV5 and the NPPF).**
- C Visual Impact and Impact upon the Countryside. (ULP Policy S7 & GEN2, and NPPF)**
- D Impact upon the setting of the conservation area (NPPF and Listed Building and Conservation Area Act 1990)**
- E Access to the site and highway issues (ULP Policies GEN1, GEN8 and NPPF)**
- F Mix of Housing and Affordable Housing (ULP Policies H9, H10 and NPPF)**
- G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 ENV7, ENV8 and NPPF)**
- H Drainage and Flood Risk (ULP Policies GEN3, GEN6 and NPPF)**
- I Residential Amenity (ULP Policy GEN2 and NPPF)**
- J Infrastructure provision to support the development (ULP Policy GEN6 and the NPPF)**

- A The principle of development of this site for residential development (ULP Policies S7, GEN2 and NPPF)**

- 10.1 The application site consists of a modest area of land approximately 2.7 hectares in size located within the open countryside on the edge of Felsted. The site is outside the development limits of Felsted as defined by the Proposals Map and is therefore located within the countryside where ULP Policy S7 applies. This 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.
- 10.2 The Council has carried out a review of the adopted policies and their compatibility with the NPPF. The Review found Policy S7 to be partly consistent with the NPPF in that the protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development but that the NPPF takes a positive approach, rather than a protective one. As a consequence, whilst Policy S7 is still relevant to the consideration of this application, there remains a presumption in favour of sustainable development as set out in Paragraph 14 of the NPPF.
- 10.3 Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 10.4 The most recent housing trajectory was presented to the Planning Policy Working group on 8 June 2015 with an updated statement presented to the Group on 26 November 2015. The Council is required to identify annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The Council considered that it is a '5% authority' and this has been supported by the Local Plan Inspector and at a number of appeals.
- 10.5 The Statement explains that until the Council has determined its objectively assessed need it considers its housing requirement is between 568 to 580 dwellings

a year. The Council estimates that 3530 dwellings will be delivered over the next 5 years which provides the District with between 5.1 – 5.3 years of supply, depending on the housing target, but including a 5% buffer.

- 10.6 The Council can demonstrate a deliverable 5 year supply of housing land. Notwithstanding this applications have to be considered against the guidance set out in Paragraphs 6 - 15 of the NPPF. The Council needs to continue to consider, and where appropriate, approve development which is sustainable and meets its housing objectives.
- 10.7 Although the Council can demonstrate in excess of a 5 year supply of housing land, the NPPF still requires local planning authorities to continue to consider, and where appropriate, approve development which is sustainable. Paragraphs 7 and 14 of the NPPF set out that there is a presumption in favour of sustainable development whilst the policies in paragraphs 18 to 219, taken as a whole, constitute what the Government's view of what sustainable development in England means in practice for the planning system.
- 10.8 Paragraph 7 of the NPPF sets out the three dimensions of sustainable development as being economic, social and environmental and a key consideration therefore is whether the proposed application satisfies these three roles. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.9 Economic Role: The NPPF requires that development should contribute to building a strong, responsive and competitive economy by ensuring, amongst other things, that sufficient land of the right type is available in the right places and at the right time to support growth and innovation.
- 10.10 The application site is located beyond the defined boundaries of the village settlement and is not currently identified for development. The proposal put forward for assessment represents a very significant scale of residential development in relation to the existing settlement as a whole. Any new development of this type should function as part of the settlement of Felsted and the area as a whole where most facilities, services and employment will be found.
- 10.11 The village of Felsted has a reasonable amount of local amenities and services to facilitate the needs of its local residents that includes schools, public houses, shops, a church, doctors surgery, a community building and a restaurant to name just few.
- 10.12 As such it is regarded that the application site would not be significantly divorced or isolated and that it would be capable of accommodating the development proposed in that it could be planned in a comprehensive and inclusive manner in relation to the settlement of Felsted.
- 10.13 The proposal itself would bring economic benefits to the settlement of Felsted supporting local services and amenities such as the local public houses, shops and restaurants as a result of the future occupiers of the development. In addition the proposal would provide some positive economic contribution during the construction process of the development.
- 10.14 Although it is noted that there are limited opportunities for employment within the village, it is regarded that the application site has reasonable connectivity to larger

nearby towns by way of public transport such as Braintree, Great Dunmow, and Chelmsford further beyond. As such the proposal would also help contribute in providing economic support to the wider surrounding area.

- 10.15 As a result, the development provides a positive economic approach that satisfies the economic dimension of sustainability in the NPPF.
- 10.16 Social Role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 10.17 The proposal would include the erection of up to 55 dwellings with ancillary infrastructure. It would be capable of providing some of the day to day needs for future occupiers and there is no reason in why the built environment should not be high quality as required by the Framework, but this would be subject to later consideration under a reserved matters application.
- 10.18 The application site is approximately 600m from the village centre in where most of the local amenities and facilities are. With the proposed extension of the existing footpath to the sites entrance along the southern side of Braintree Road along with access to nearby bus stops, it is considered that although the application site is on the edge of the village, it would form an inclusive development that would provide convenient access to the local services within Felsted and to the wider surrounding area.
- 10.19 Future occupiers could rely on the village to provide most of their day to day needs such as health, social and cultural well-being as well as shopping ensuring and promoting the village as an appropriate mixed and well balanced community.
- 10.20 It is considered that the proposed development has been designed to ensure access gives priority to sustainable transport options such as walking, cycling and public transport which thereby reduces the need and reliance on private cars.
- 10.21 The proposal would make a contribution towards the delivery of the housing needed for the district, including provision of affordable housing, and housing designed to be accessible as per Part M of the Building Regulations.
- 10.22 As a result, the development provides a positive approach that satisfies the social dimension of sustainability in the NPPF.
- 10.23 Environmental Role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste.
- 10.24 The application site is a modest size plot of open land in the countryside in which part of it backs onto a conservation area. It is recognised that the proposal would have some limited impacts as it would result in the encroachment of built form into the open countryside. The applicant recognises this and as part of the proposal, the development is to incorporate measures to safeguard and mitigate were possible to enhance the environment in and around the site. Some of these measures include enhancing biodiversity, safeguarding existing trees and hedges and providing reinforce planting along the boundaries, provide sustainable drainage systems, and the dwelling units themselves would be energy efficient and low carbon new homes.
- 10.25 The scheme would help to fulfil the three principles of sustainable development. As

such the proposals would comply with the positive stance towards sustainable development in this respect as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise. I attach significant weight to this and consider that the more recent national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan.

- 10.26 In consideration of the above the development is sustainable development and the principle of the proposal is acceptable in this context.

B. Loss of Agricultural Land (ULP Policy ENV5 and the NPPF).

- 10.27 Paragraph 112 of The Framework states that *“local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”*.
- 10.28 Annex 2 of The Framework defines *“best and most versatile agricultural land”* as *“land in grades 1, 2, and 3a of the Agricultural Land Classification”*.
- 10.29 Policy ENV5 states that where agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.
- 10.30 Most of the agricultural land within Uttlesford District is classified as best and most versatile land. Indeed, most of the sites that are being identified for development within the emerging Local Plan are on such land. The Council accepts that it is inevitable that future development will probably have to use such land as the supply of brownfield land within the district is very restricted. Virtually all the agricultural land within the district is classified as Grade 2 or 3 with some small areas of Grade 1.
- 10.31 An Agricultural Land Consideration Survey was submitted in support of the application in which the report sets out the results of the survey to determine the quality of the existing agricultural land of the site.
- 10.32 The report concludes that soil testing of the site, carried out in September 2015, has confirmed that approximately 68% of the land is Grade 2 (very good) and approximately 32% is Grade 3a (good). The site is therefore regarded as “best and most versatile” (BMV) land.
- 10.33 There are no define thresholds for assess the effects of non-agricultural development on agricultural land however one measure that could be considered as a threshold is that local authorities should consult Natural England where proposed developments would lead to the loss of 20 hectares or more of BMV agricultural land.
- 10.34 It could therefore be logical to conclude that BMV land which is less than 20 hectares is unlikely to be considered “significant development of agricultural land as in context with the guidance set out in paragraph 12 of The Framework.
- 10.35 As the site for development is approximately 2.7 hectares in size and although it is defined as “best and most versatile” agricultural land, it is considered that the proposed development would not result in disproportionate loss of BMV land. It is considered therefore that the development is in accordance to ULP Policy ENV5,

and the NPPF.

C. Visual Impact and Impact upon the Countryside. (ULP Policy S7 & GEN2, and NPPF)

- 10.36 Policy GEN2 seeks to ensure that development will be of an appropriate design and mitigates any potential harm. The Core Principles of the NPPF confirm that planning should recognise '*the intrinsic character and beauty of the countryside*' and the impact of development on the countryside is an accepted and material consideration.
- 10.37 A landscape and visual appraisal was submitted in support of the application. The assessment indicates that the application site is generally well contained although views are obtained from a number of properties, PROWs and roads in the immediate vicinity and from more distant areas occupying elevated topography to the east.
- 10.38 The assessment confirms that the proposed development has been shaped, in part, by the findings of the Landscape and Visual Assessment and this has informed the proposed layout of the residential areas as well as the extent and arrangement of open space.
- 10.39 The assessment sets out a number of strategic objectives for the landscape treatment of the application site, including the retention of existing landscape features and reinforcing elements where required to help provide additional natural screening. Furthermore it is stated that the proposal would enhance opportunities for recreation and habitat connectivity throughout the application site as well as providing a network of green infrastructure.
- 10.40 Although the application is for outline consent with matters of layout, scale, appearance and landscaping to be considered at the reserved matters stage, the illustrative masterplan demonstrates how the site could be developed.
- 10.41 The master plan indicates that the general highway layout of the site would consist of a singular vehicle access point of Braintree Road with the single adopted highway running in a north south direction with individual cul-de-sacs flowing off it. The residential units would front onto the internal highways and onto Braintree Road itself with overall density of the site expected to be approximately 20.4 dwellings per hectare.
- 10.42 It is acknowledge that the proposed would erode into the open countryside however given the location of the site on the edge of settlement boundary backing onto existing residential gardens and the nature and character of the proposal, the site itself and its wider setting, it is considered that the proposal would only result in limited harm in terms of the visual impact as a whole on the character and appearance of this part of the countryside.
- 10.43 Weight has also been given in relation to the proposed mitigation measures in which the applicant suggests that in addition to other benefits, reinforced landscaping would help mitigate the impact of the development upon the wider countryside. However it is noted that even with the retention of the existing vegetation and the proposed reinforced measures, the proposal would still be largely seen from a number of public vantage points. Nevertheless, it is considered that views towards the development would be predominantly seen in context of with the settlement itself rather than resulting in significant visual and landscape impacts to the wider

countryside.

- 10.44 It is acknowledged that the proposal would alter the character of the site from agriculture land on the settlement edge of Felsted to urban as a result of the proposed development. However, it is considered that on balance, although the proposal would extend into the open countryside the benefits of the development particular that of supplying much needed housing within the district and maintaining a rolling 5 year housing supply amongst other things within a sustainable location would outweigh the limited harm it would have upon the open countryside.

D. Impact upon the setting of the conservation area (NPPF and Listed Building and Conservation Area Act 1990)

- 10.45 The main issue to address is whether the proposed development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework.
- 10.46 Paragraph 133 of the Framework states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.
- 10.47 Furthermore, paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.
- 10.48 The application was consulted to Councils conservation officer who stated that there would be small glimpses between cottages fronting onto Jollyboys Lane into the wider countryside. Furthermore, there would be views into the conservation area from the site itself and especially from public rights of ways. As such the proposal would not enhance the significance of the conservation area.
- 10.49 Although the proposal may not enhance the setting of the conservation area which would be desirable, it does not fail to preserve or sustain the significance and setting of the conservation area. In any event, matters of whether the scheme could enhance the conservation area would be further considered at reserved matters stage.
- 10.50 Consequently, officers consider that the proposal would cause less than substantial harm to the setting of the conservation area and would provide sufficient public benefits such as providing additional housing. The development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework.

E. Access to the site and highway issues (ULP Policies GEN1, GEN8 and NPPF)

- 10.51 The application includes details of the proposed access to the site for approval at this stage. This single vehicle access point off Braintree Road allows a primary movement corridor through the site.
- 10.52 The application was accompanied by a Transport Assessment which concluded that the development would not adversely affect highway safety of the free flow of traffic on the local road network. Consequently the proposal would not have an

unacceptable transport impact on the highway network.

- 10.53 The application was consulted to Essex County Council Highways who made the following comments:
- 10.54 *The Highway Authority has assessed the comprehensive Transport Statement (TS) that accompanied this planning application; part of this process was to visit the site in the peak period. The TS provides a robust forecast of the impact of traffic expected to be generated by the development. The assessment of the TS was undertaken with reference to the National Planning Policy Framework and in particular paragraph 32, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.*
- 10.55 *The congestion that can occur during school and pick up and drop off time was acknowledged in the TS and scheme of works was put forward to mitigate the impact of additional traffic in this situation. This scheme has been considered and advice has been taken from the North Essex Parking Partnership (NEPP) and representatives from UDC who are on part of the NEPP. Not all the works within the scheme were considered appropriate and therefore it is not all being recommended for implementation but instead a sum of money is suggested to implement certain aspects of the scheme (or a similar schemes approved by the HA and NEPP) and/or enforcement which will reduce the congestion experienced at peak times and is exacerbated by inappropriate parking.*
- 10.56 The following financial contributions are sought from Essex County Council by way of a S106 Agreement to help mitigate highway issues:
- £1,000 to contribute towards the upgrade cycle parking in the village centre;
 - £11,500 to fund elements of the scheme in principle of drawing number 17227-4 or enforcement as approved by the Highways Authority and NEPP to provide benefit in terms of safety and congestion relief in the village.
- 10.57 Given that County have raised no objection and subsequent to the above financial contributions being sought as well as imposing relevant planning conditions, it is considered that the amount of traffic generated from the development could be accommodated and that there would be little impact upon the traffic flow on the surrounding highway network and particularly that along Braintree Road.
- 10.58 In terms of the new access itself, it is regarded that there would not be a detrimental impact upon highway safety.
- 10.59 As part of the proposed development, the existing footpath along the southern side of Braintree Road would be extended to link up to the sites entrance and slightly beyond with the intention of providing a safe convenient pedestrian access into the village centre of Felsted and to the nearby bus stop on the junction of Jollyboys Lane. This would help encourage movement by other means than a car from the site and be beneficial in that it would help ensure and take into account the needs of cyclists, pedestrians or people who are mobility impaired to gain access into the village of Felsted and beyond.
- 10.60 There are two Public Rights of Way (PROW) within the site (shown on drawing number LC/009). PROW 48 and 110 intersect the site in a west east direction that link Jollyboys Lane to the west and the open countryside to the east.
- 10.61 As submitted, the application is not clear how these Public Rights of Way will be

accommodated, utilised, enhanced or linked to within the proposed layout of the development and access roads. Whilst it is acknowledged that outline application is not required to provide full details of the effect of the application on the rights of way network, the applicant states that the PROW are to be retained and not be obstructed by any built form.

- 10.62 The proposed vehicle access is deemed acceptable and that the proposed development would cause no harm to matters of highway safety. The development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

F Dwelling mix and Affordable Housing provisions (NPPF, Local Polies H9 & H10)

- 10.63 In accordance with Policy H9 of the Local Plan, the Council has adopted a housing strategy which sets out Councils approach to housing provisions. The Council commissioned a Strategic Housing Market Assessment (SHMA) which identified the need for affordable housing market type and tenure across the District. Paragraph 50 of the Framework requires that developments deliver a wide choice of high quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 10.64 The applicant has confirmed that the development would provide 40% affordable housing which, based upon the maximum level of development of 55 houses, would equate to 22 units. In addition, the provisions of 5% low cost starter homes are to be provided which amounts to 3 units.
- 10.65 ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom market dwellings. However, since the policy was adopted, the Strategic Housing Market Assessment (SHMA) has identified that the market housing need is generally for dwellings with three or more bedrooms. The Council's stance is that this should equate to approximately 50% of the dwellings.
- 10.66 This is a material consideration because the SHMA constitutes supporting evidence for the Local Plan, which itself requires the housing mix requirements in the SHMA to be met in order to achieve compliance with Policy H2. It is considered that the proposal is capable of providing an acceptable mix of one, two, three, four and five bedroom market dwellings across the development is appropriate.
- 10.67 It is not known whether there is any provision for elderly person bungalows on the site however it is mindful that at least 5% of the dwelling units should be bungalows.
- 10.68 The final design and size of units would be determined at the reserved matters stage and it is considered that the application proposes an acceptable level of affordable housing on the site and is capable of providing an acceptable mix of dwellings. As such the application complies with Policies H9 and H10 of the Local Plan and the requirements of the NPPF.

G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)

- 10.69 Existing ecology and natural habitats found on the site must be safeguarded and enhanced and new opportunities for increasing the biodiversity should be explored.

Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

- 10.70 Paragraph 98 of Circular 06/05 states *'that presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would likely to result in harm to the species or its habitat'*. Furthermore, the NPPF states that *'the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible'*.
- 10.71 The application site itself is not subject of any statutory nature conservation designation being largely an open field with mature trees and hedgerows scattered throughout.
- 10.72 The application is supported by an Ecological Appraisal dated December 2015 which included further species specific surveys and Phase 1 Desktop Study.
- 10.73 The reptile survey identified three common lizards and a single juvenile grass snake along the sites northern boundary. Essex County Council's ecology officer stated that appropriate measures have been included in Section 6.4.10 of the Ecological Appraisal to protect this low population.
- 10.74 Furthermore, a number of birds were identified using the site and a barn owl was identified off site. Essex County Council's ecology officer stated that it is understood that the site only provides foraging opportunities for this species, and they should be unaffected by the proposals, although it should be appreciated that the loss of arable land will reduce their prey availability on a site (very local) scale.
- 10.75 Six oak trees on site were identified as having potential to support roosting bats and site boundaries were also identified as providing suitable conditions for foraging and commuting. All trees identified as having bat potential are to be retained in the Illustrative master plan and hedgerows will be unaffected (and managed) into the long term. As such the ecology officer raised no concerns in terms of the proposal having a detrimental impact on the bat habitats.
- 10.76 Great crested newt and badger surveys returned negative results, indicating likely absence. No further surveys are required.
- 10.77 Essex County Council's ecology officer concluded that although no further surveys are necessary, the Ecological Appraisal sets out a number of precautionary measures to protect species during works and thereafter and that these should all be adhered to.
- 10.78 The Ecological Appraisal identifies a number of enhancement measures including SUDs, hedgerow management and improvements for protected and notable species. These measures are welcomed and should be tied together in an Ecological Design Strategy, if permission is granted.
- 10.79 It is considered therefore that the application is acceptable on ecology grounds and that subject to the imposition of appropriately worded conditions, the proposal would be consistent with the policies contained within the Uttlesford District Local Plan as Adopted (2005) and the National Planning Policy Framework.

H Drainage and flooding (ULP Policies GEN3 and GEN6)

- 10.80 The NPPF states that inappropriate development in areas of high risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.
- 10.81 The development site lies within Flood Zone 1 (low probability of flooding) as defined by the Environmental Agency. The Framework indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exemption testing.
- 10.82 The planning submission was accompanied by a Flood Risk Assessment (FRA) which provides strategic and technical guidance in relation to surface and foul water runoff, flood risk mitigations measures and Sustainable Urban Drainage Systems (SUDS). The report concludes that the proposed scheme incorporates suitable flood resilient/resistant measures on a site that is within a low probability of flooding. The report states that the proposed development could be constructed and operated safely in flood risk terms and is therefore an appropriate development in accordance with the NPPF.
- 10.83 The application was referred to Essex County Council's SUDs department who are the Lead Local Flood Authority. They stated that after reviewing the Flood Risk Assessment and the associated documents which accompanied the planning application, we support the granting of planning permission subject to imposing planning conditions.
- 10.84 It is considered that the proposed application would not give rise to increase flood risk on the site or elsewhere subject to appropriate mitigation measures.

I Whether the proposal would cause harm to the amenities of adjoining property occupiers (NPPF and ULP Policies GEN2 & GEN4).

- 10.85 Policy GEN2 requires that developments are designed appropriately and that they provide provides an environment which meets the reasonable needs of all potential uses and minimises the environmental impact on neighbouring properties by appropriate mitigating measures. The NPPF also requires that planning should seek to secure high quality design and a good standard of amenity for all existing and further occupants of land and buildings.
- 10.87 The site is generally divorced from existing residential properties with the exception of those dwelling houses located along the north western boundary of the site that front onto Jollyboys Lane and Braintree Road. Other residential properties in the area are located on the opposite side of Braintree Road that front onto the application site.
- 10.88 The relative separation distance between adjoining dwellings and the proposed area of housing as illustrated on the master plan within the site and the orientation are such that it is considered that no significant adverse harm would be cause to the amenities of adjoining property occupiers particular in relation to loss of light, privacy and visual blight.
- 10.89 In terms of future residents, the illustrative Masterplan shows the general disposition of the site and the Design and Access Statement shows examples of built form character illustrating how the development would be designed at the detailed level.

The site is large enough to ensure that appropriate levels of amenity can be designed in at the detailed stage.

- 10.90 The applicants have submitted EIA reports on Air Quality and Noise and Vibration which demonstrate that there would be no adverse impacts on the amenities of the future residents. The reports identify potential impacts at the construction stage but it is considered that these could be addressed by appropriate conditions and also by a Construction Management Plan.
- 10.91 It is considered therefore that the development could be accommodated without significant adverse impact upon the amenity of existing and future residents in accordance with Policy GEN2 and the policies of the NPPF.

J Infrastructure provision to support the development (ULP Policy GEN6 and the NPPF)

- 10.92 Local Plan Policy GEN6 requires that development makes provision at the appropriate time for infrastructure that is made necessary for the development. The NPPF also requires such facilities to be provided to enhance the sustainability of communities and residential environments.
- 10.93 The application was consulted to Essex County Council' infrastructure planning officer who has requested that any permission for this development be granted subject to a S106 agreement to mitigate its impact on education. Should the final development result in the suggested unit mix, a total sum of £245,773 is summered for education mitigation.
- 10.94 The application was consulted to NHS England who has requested that a developer contribution will be required to mitigate the impacts of this proposal. NHS England calculates the level of contribution required, in this instance to be £18,920. Payment should be made before the development commences.
- 10.95 It is considered that the proposal would be capable of meeting the needs of future residents and would not place undue pressure on existing facilities within Felsted and the locality subject to these provisions, and the completion of a satisfactory S106 Agreement.
- 10.96 In view of the above, it is considered that the necessary infrastructure could be provided to meet the needs of the development and could be in accordance with Policy GEN6 of the Local Plan and the NPPF.

11. CONCLUSION

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

- A The principle of the development is deemed to be appropriate in that it would be of a sustainable development in accordance with the National Planning Policy Framework.
- B The proposed development would not result in disproportionate loss of best and most versatile land. It is considered therefore that the development is in accordance to ULP Policy ENV5, and the NPPF.
- C It is acknowledged that the proposal would alter the character of the site from agriculture land on the settlement edge of Felsted to urban as a result of the

proposed development. However, it is considered that on balance, although the proposal would extend into the open countryside the benefits of the development particular that of supplying much needed housing within the district and maintaining a rolling 5 year housing supply amongst other things within a sustainable location would outweigh the limited harm it would have upon the open countryside.

- D The proposed development would not result in substantial harm upon the setting of the conservation area.
- E It is concluded that the proposed development would cause no harm to matters of highway safety or result in unwanted traffic congestion.
- F The final design and size of the units would be determined at the reserved matters stage however it is considered that the application proposes an acceptable level of affordable housing on the site and is capable of providing an acceptable mix of dwellings.
- G It is concluded that the with appropriate mitigation measure by way of planning conditions, the proposal would not result in a significant harm to the ecology and biodiversity of the surrounding area.
- H There are no objections from either the local flooding or water authorities and as such it is considered that the proposed development would not give rise to increase flood risk on the site or elsewhere subject to appropriate mitigation measures.
- I It is considered that the development could be accommodated without significant adverse impacts upon the amenities of existing and future residents.
- J It is considered that the necessary infrastructure could be provided to meet the needs of the development and could be in accordance with Policy GEN6 of the Local Plan and the NPPF.

RECOMMENDATION – Approval subject to the conditions and Section 106 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 1st July 2016 the freehold owner enters into a binding agreement 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 Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:**
 - (i) Provision of 40% affordable housing**
 - (ii) Provision of 5% low cost starter homes**
 - (iii) Provision of education financial contribution**
 - (iv) Provision of highways financial contribution**
 - (v) Provision of NHS financial contribution**
 - (vi) Provision and ongoing maintenance of open space**
 - (vii) Ensure adequate ongoing maintenance of SUDS system.**
 - (viii) Pay the Council’s reasonable costs**
 - (ix) Pay Council’s reasonable monitoring costs**
- (II) In the event of such a variation to the extant obligation being made, the Director Public Services shall be authorised to grant permission subject**

to the conditions set out below:

(III) If the freehold owner shall fail to enter into such a variation of the extant obligation, the Director Public Services shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:

- (i) Provision of 40% affordable housing**
- (ii) Provision of 5% low cost starter homes**
- (iii) Provision of education financial contribution**
- (iv) Provision of highways financial contribution**
- (v) Provision of NHS financial contribution**
- (vi) Provision and ongoing maintenance of open space.**
- (vii) Ensure adequate ongoing maintenance of SUDS system.**

Conditions:

1. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

(B)The development hereby permitted shall be begun no later than the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

3. No development shall take place until an Ecological Design Strategy (EDS) addressing ecological mitigation, compensation and enhancement has been submitted to and approved in writing by the local planning authority.

The EDS shall pull together the conclusions and recommendations of the EA (Aspect Ecology, December 2015)include shall the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.

- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter. It shall include details of the legal and funding mechanism(s) by which long-term implementation will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the EDS are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development hereby permitted shall be implemented in accordance with the approved EDS.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Justification: The proposed development site lies in a potential sensitive area and therefore it is essential that these details are submitted for approval in advance of the works being undertaken to ensure that any archaeological deposits present on the site are appropriately investigated prior to development.

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

Reason: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Justification: The proposed development site lies in a highly sensitive area of historic environment assets and therefore it is essential that these details are submitted for approval in advance of the works being undertaken to ensure that any archaeological deposits present on the site are appropriately investigated prior to development.

5. Prior to commencement of the development, provision of an access to include a 5.5 metre carriageway, two 2 metre footways; the road junction at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 101 metres to the north-east and 2.4 metres by 91 metres to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times. As shown in principle in drawing 17227-02 rev E.

Reason: To provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

6. Provision of a footway of minimum width 1.5m, as shown in principle in drawing 17227-02 rev E, on the southern side of Braintree Road between the site access and bus stop to the north east of the site before first occupation of the development

Reason: To make adequate provision within the highway for the additional pedestrian traffic generated within the highway as a result of the proposed development in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. Improvement through provision of a suitable, all weather surface and appropriate way marking and signage to public footpath 48 (Felsted) and a suitable unbound surface and appropriate signage and way marking of the section of footpath 110 (Felsted) from the boundary of the site to the surfaced area of Jolly Boy's Lane before first occupation of the development.

Reason: To make adequate provision for the additional pedestrian traffic generated as a result of the proposed development in accordance with policy DM9 and DM11 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

8. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation. In particular the Detailed Design should provide for the following mitigation measures outlined in the Flood Risk Assessment:

1. Control all the surface water run-off generated within the development for all events up to and including the 1 in 100 year event inclusive of climate change. Please note following the newly published climate change allowance, we expect a 40% uplift on rainfall intensity to be applied during the Detailed Design Stage.
2. A detailed hydraulic model showing the results of all the SuDS features (swales, attenuation basin etc) cascaded together and showing their combined effect in meeting both the water quality and water quantity criteria.
3. Run-off management within the site must prioritise the use of SuDS both as a means of water conveyance and to provide source control, water quality treatment and bio-diversity enhancement.
4. Provide evidence of water quality treatment from the development using the risk based approach as outlined in the CIRIA SuDS manual C753.
5. Provide a plan showing the final exceedance flow paths, these should be away from any buildings.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SUDS features over the lifetime of the development. In addition to reduce the risk of flooding from overloading the surface water pipe network and to mitigate environmental damage caused by runoff during a rainfall event in accordance with local policies GEN2 and GEN6 of the Uttlesford District Local Plan as Adopted 2005 and the National

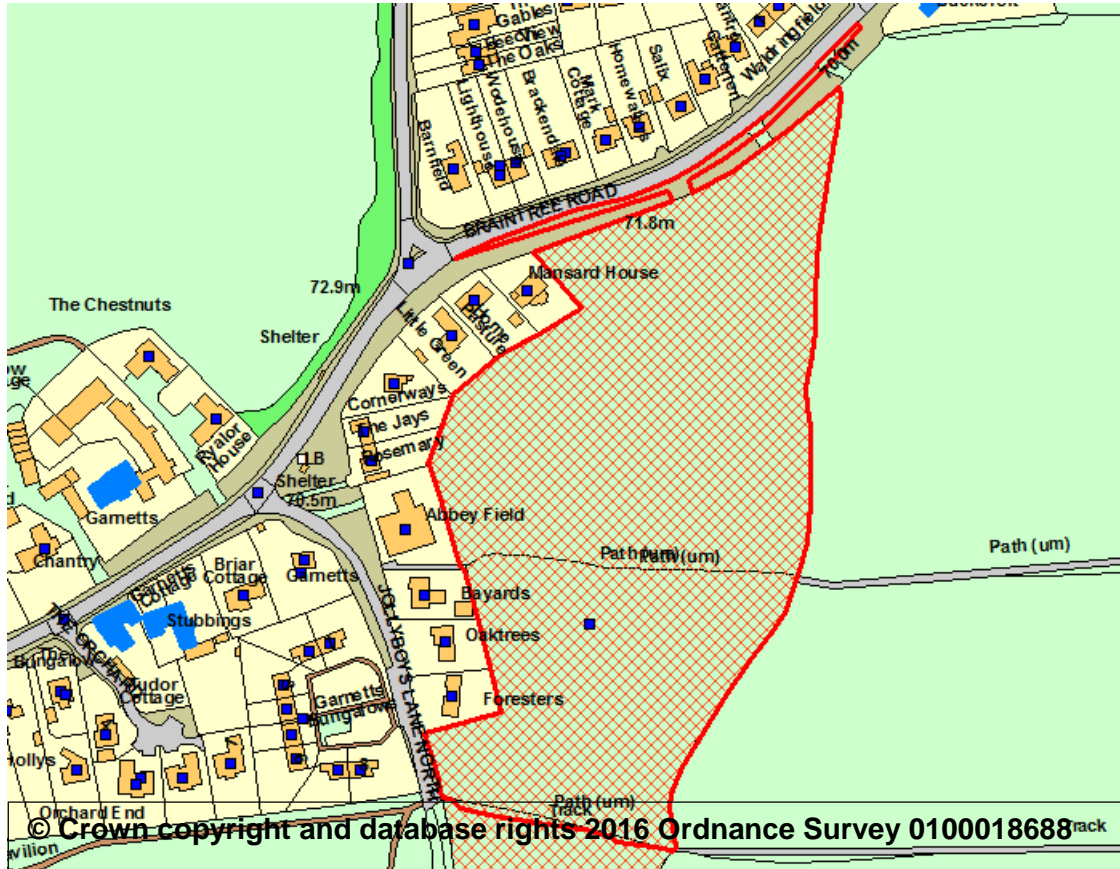
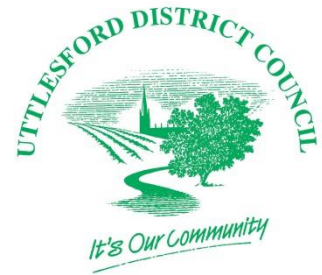
Planning Policy Framework.

9. 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

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

Application number: UTT/16/0287/OP

Address: Land to the South of Braintree Road, Felsted



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

UTT/15/3824/DFO (NEWPORT)

(Major)

PROPOSAL: Details following outline application UTT/14/3266/OP for 15 dwellings – Details of appearance, landscaping and layout

LOCATION: Land South of Wyndhams Croft Whiteditch Lane Newport

APPLICANT: Ford Wells

AGENT: Landmark Planning

EXPIRY DATE: 8 April 2016 - Extension of Time 14/6/2016

CASE OFFICER: Maria Shoesmith

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The application site is located to the east of Whiteditch Lane. There are a number of large and some modest dwellings along the lane. The application site has a site area of 1.6 hectares. The site is an open area of field which forms part of Wyndham Croft, which is located to the north. To the east of the site is Newport Free Grammar School, to the north large dwellings, which site on large plots, to the south are more residential properties. Also to the west opposite the site are a handful of dwellings and the redundant Cucumber Nursery green houses.

2.2 Heavy landscaping screens the site from Whiteditch Lane also along part of the north, and the east of the boundary. There is a slight decline in ground levels within the site going from north to southwest.

3. PROPOSAL

3.1 The application is for the reserved matters relating to the erection of 15 residential dwellings with associated roads, parking and landscaping. This follows the granting of outline planning permission whereby all matters were reserved apart from access and scale which was granted consent 18th December 2015 (UTT/14/3266/OP). This application now seeks approval for the remaining reserved matters appearance, landscaping and layout.

3.2 The proposed dwellings would be formed around a semi-circle shape with dwellings proposed both sides to the east and west. The approved access would be taken from the north and a separate vehicular access is also proposed to the south of the site. Four of the six proposed affordable housing units would be accessed from a separate access that is proposed to the south. A footpath would link these dwellings to the core site.

3.3 Other footpaths which are proposed within the site is a pedestrian path which would run along the western boundary of the site linking the northern vehicular access to the north to the one at the south. This has been incorporated into the design

following Members concerns at the outline stage. Another pedestrian footpath is proposed to connect the site with Public Footpath 41.

3.4 Existing landscaping is fundamentally proposed to be retained and managed around the perimeters of the site.

3.5 The application is stated to provide 2 x 2 bedrooms, 4 x 3 bedroom, 6 x 4 bedroom, 3 x 5 bedroom dwellings. However, a number of the dwellings have playrooms and studies, which are capable of being used additional bedrooms. These result in the accommodation breaking down to the following;

3.6

Plot Number	House Type	Tenure	Number of Bedrooms	Number of Parking Spaces	Garden Amenity Size m2
1	A	Affordable (R)	3	2	51
2	B	Affordable (R)	2	2	46.25
3	B	Affordable (R)	2	2	104.5
4	A	Affordable (R)	3	2	126
5	D	Market	5/6	4	1198.5
6	E	Market	5/6	4	987.25
7	C	Market	5	4	618.88
8	C	Market	5	4	515.5
9	A	Affordable (SO)	3	2	97.4
10	A	Affordable (SO)	3	2	177
11	F	Market	5/6	4	458.25
12	C	Market	5	4	711.4
13	D	Market	5/6	4	900.75
14	F	Market	5/6	4	374.5
15	F	Market	5/6	4	370
		6 Affordable houses 40%	Visitors parking spaces	5	

3.7 The proposed dwellings would be 2 storey and would vary in height from 8.8m to 10m.

3.8 The visitor's car parking bays are proposed along the southern boundaries of the site. However, each of the larger dwellings would provide an extra parking space for visitors which are 4th parking spaces. As part of the application three passing bays along Whiteditch Lane are also proposed as indicated within the Outline application.

3.9 Public open space is provided between Plots 4 and 11.

3.10 Access into and within each dwelling will be in accordance with the requirements of Part M of the relevant Building Regulations and Lifetime Homes design Criteria.

3.11 A Discharge of Condition has been submitted under reference UTT/16/0590/DOC which highlights the use of slate, Camborne Buff brick and Hastings Red brick. It is unclear from the submission which dwellings the materials relate to. The plans

submitted as part of the reserved matters appears to indicate some render and possible weatherboarding however, these details have not been provided neither has details of windows, and doors. Nonetheless, this matter will be dealt with separately as part of the discharge of conditions whether further information would be sought.

4. APPLICANT'S CASE

4.1 As part of the application submission the following supporting statements have been submitted:

- Revised Surface Water Drainage Strategy
- Tree Survey
- Updated Phase1 Habitat Survey
- Transport Statement
- Biodiversity Questionnaire
- Sustainable Drainage Checklist
- Revised Design and Access Statement (rev C)

4.2 The Design and Access Statement states the following;

4.3 Across the road to the west, a large and dense residential development has recently been approved on the former greenhouses site. To the east is a public footpath and then Newport Free Grammar School with its playing fields. Small groups of houses exist to the immediate north and south along Whiteditch Lane in a linear manner, generally characterised by very large detached houses on very large 'plots' set back from the road.

4.4 The houses around the application site vary in -styles and materials used, but all are typical of an Essex location. These are characterised by large detached and semi-detached homes, on large plots, all with two or three -storeys, and traditional construction features such as gable ends, dormers and high pitched roofs varying between 30-50 degrees. Spacious frontages are also a commonality. In terms of materials, handmade brick, render and timber clad houses are common, with natural slate or plain clay led roofs.

4.5 The scheme put forward for the application site includes a development for a mix of 15 dwellings, made up of detached, semi-detached and terraced houses that are characterised by the existing properties found along Whiteditch Lane. The scheme aims to protect the character of the local area and street scene by including traditional two storey design form and embracing local and traditional building materials which reflect the shape, style, detailing and materials of traditional buildings in the locality such as brick, render and timber cladding to walls and natural slate roofs. The site has good trees and hedge enclosure and yet a comprehensive landscape enhancement scheme will ensure further assimilation of the scheme into the surrounding countryside.

4.6 External Materials to be used will blend with traditional buildings in the locality as far as external appearance is concerned, mainly handmade brick or painted render and some softwood painted timber cladding to walls and natural slate and/or plain clay tiles to the roofs. Traditional painted wooden joinery to windows and doors. The applicant wishes to build the dwellings in a thoroughly sustainable way with renewable British softwood timber. High levels of insulation will be embodied into the scheme for energy conservation. Considerations will be given to grey water and rainwater recycling, low energy lighting. Code 4 level of energy efficiency is sought

for these dwellings to ensure very low running costs for the occupiers.

- 4.7 The private amenity space to each dwelling will screen residential paraphernalia by use of fences and softening hedges and the proposed dwellings will enjoy over private amenity space over the Essex Design Guide minimums of 50sqm for the small dwellings, 100sqm for the medium dwellings and 250-600sqm (and upwards) for the larger dwelling as shown, all in a sunny aspect.

5. RELEVANT SITE HISTORY

- 5.1 UTT/13/1817/OP - Hillside And Land To The Rear Bury Water Lane - Outline application for redevelopment with a mix of a residential care facility (for illustrative purposes, for 120 persons), separate assisted living units for people over 65 years of age (40 units); associated medical and recreation facilities in a Care Support Facilities block (including mobile medical treatment, hairdresser, etc); the construction of 5 no. respite care bungalows; and 5 no. detached dwellings (open market housing separate to the care facility) fronting Burywater Lane. Vehicular access to the site would be secured from Burywater Lane following the demolition of the dwellings known as No. 1 & 2 Hillside, Burywater Lane, Newport, Essex CB11 3UA - Granted 30 October 2013
- 5.2 UTT/13/1769/OP - Land At Bury Water Lane - Outline application for the erection of up to 84 houses of which 40% will be affordable, together with the provision of associated open space, a local area equipped for play (LEAP) and allotments and incorporating alterations to the width and alignment of Bury Water Lane, the provision of a new footway to the north of the Lane and alterations to the junction of the Lane with Whiteditch Lane and the provision of two passing places and a footway to School Lane - Granted 29 November 2013
- 5.3 UTT/13/2973/FUL - Land Adj Branksome Whiteditch Lane - 1 no. Dwelling and cartlodge - Granted 13 March 2014
- 5.4 UTT/13/2553/FUL - Land Adj Holmwood Whiteditch Lane - Proposed new dwelling - Granted 26 November 2013
- 5.5 UTT/14/1708/FUL - Land North Of Hope Cottage Whiteditch Lane - Proposed two storey five bedroom house with detached garage/carport and associated access - Granted 25 July 2014
- 5.6 UTT/14/2136/FUL - Tudhope Farm Whiteditch Lane - Proposed dwelling and garage – Approved September 2014
- 5.7 UTT/13/1533/FUL - Land Adj Bury Grove Whiteditch Lane - Construction of a new dwelling with garage and associated landscaping - Granted 14 August 2013
- 5.8 UTT/13/2553/FUL - Land Adj Holmwood Whiteditch Lane - Proposed new dwelling - Granted 26 November 2013
- 5.9 UTT/13/3234/FUL - Land Adj Holmwood Whiteditch Lane - Proposed new dwelling (plot 2) - Granted 17 February 2014
- 5.10 UTT/14/1639/FUL - Land Adj Holmwood Whiteditch Lane - Proposed new dwelling (plot 2). Revised – Approved August 2014
- 5.11 UTT/14/1794OP - Land Opposite Branksome, Whiteditch Lane - Outline application

with all matters reserved for 15 residential units (incorporating alteration to access road and garage position previously approved under UTT/13/2973/FUL) – Allowed on appeal – RESERVED MATTERS UTT/16/0786/DFO - Details following outline application UTT/14/1794/OP (for the erection of 15 no. dwellings and alteration of access), details of layout, access, scale, landscaping and appearance – Under consideration

- 5.12 UTT/14/1543/OP - Land South Of Wyndhams Croft Whiteditch Lane - Outline application for the erection of 14 no. dwellings with all matters reserved except access and scale – Refused August 2014
- 5.13 UTT/14/2136/FUL - Tudhope Farm Whiteditch Lane - Proposed dwelling and garage – September 2014
- 5.14 UTT/14/3265/OP – Redbank Bury Water Lane - Outline application for the erection of 10 no. dwellings with all matters reserved except access – Refused March 2015
- 5.15 UTT/14/3266/OP - Land South Of Wyndhams Croft Whiteditch Lane - Outline application for the erection of 15 no. dwellings with all matters reserved except access and scale – Approved December 2015
- 5.16 UTT/14/3815/FUL - Land Adj Holmwood Whiteditch Lane - Erection of 1 no. detached dwelling with detached garage (alternative scheme to that approved under planning permission – March 2015
- 5.17 UTT/15/0879/OP - Land At Holmwood Whiteditch Lane - Outline application for the erection of 12 no. dwellings with all matters reserved except access – Refused July 2015 (at APPEAL)
- 5.18 UTT/15/1664/FUL - Land Rear Of Branksome Whiteditch Lane - Removal of existing structures and erection of 2 no. detached dwellings and garages – Approved September 2015
- 5.19 UTT/15/1942/FUL - Land Adj Bury Grove Whiteditch Lane - Erection of a pair of detached dwellings and garages – Approved August 2015
- 5.20 UTT/15/2364/FUL - Land West Of Cambridge Road - Construction of 34 affordable rural dwellings with roads, parking and open space – Approved March 2016
- 5.21 UTT/15/2460/OP - Redbank Bury Water Lane – Outline application with all matters reserved except access for the demolition of the existing dwelling and erection of 7 no. dwellings - Refused November 2015
- 5.22 UTT/15/2574/FUL – UTT/15/2578/FUL - Hillside And Land To The Rear Of Bury Water Lane - Erection of 1 no. detached dwelling - Plot 1 – 5 - Under consideration
- 5.23 UTT/15/2740/OP - Rear Of Bury Grove Whiteditch Lane - Outline application, with all matters reserved except for access, for erection of three detached dwellings and garages – Refused November 2015 – Resubmitted under UTT/16/0738/OP - Rear Of Bury Grove Whiteditch Lane - Outline application with all matters reserved for 3 no. detached dwellings - Under consideration
- 5.24 UTT/15/3666/FUL - Holmwood Whiteditch Lane - Proposed new dwelling and garage (Revision to planning permission granted under UTT/14/1639/FUL). - Under consideration

- 5.25 UTT/16/0280/FUL - Branksome Whiteditch Lane - Part demolition and extension of existing dwelling and erection of 1 no. new dwelling together with cartlodges and access – Approved May 2016
- 5.26 UTT/16/0459/OP - Land At Bury Water Lane Bury Water Lane - Outline planning application for the redevelopment of land to the rear of Bury Water Lane with some matters reserved. The detailed element to consist of engineering works to create a new means of vehicular access to the site involving the demolition of the property known as Ersanmine, Bury Water Lane; works within the front gardens of numbers 1 and 2 Hillside for visibility splay improvement; and associated upgrade works at the junction with Bury Water Lane. The outline element to consist of the development of a residential care home facility (up to 50 beds) together with an extra care development (up to 90 units comprising of apartments and cottages) all within Use Class C2; associated communal facilities; provision of vehicular and cycle parking together with all necessary internal roads and footpaths; provision of open space and associated landscape works; and ancillary works and structures. - Under consideration – RESUBMISSION OF UTT/13/1817/OP Under consideration.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

Policy ENV3 - Open Spaces and Trees
 Policy GEN1 – Access
 Policy GEN2 – Design
 Policy GEN3 – Flood Protection
 Policy GEN4 - Good Neighbourliness
 Policy GEN 5 – Light Pollution
 Policy GEN8 - Vehicle Parking
 Policy H3 - New Houses within Development Limits
 Policy H9 - Affordable Housing
 Policy H10 – Housing Mix
 Policy S7 - Countryside

7. PARISH COUNCIL COMMENTS

- 7.1 The proposed dwellings would be outside development limits;
- 7.2 No new houses should be built until the road infrastructure is improved. Newport Parish Council's policy on any new applications, which involve School Lane and Bury Water Lane, has always been that no new houses should be built until the road infrastructure is improved.
- 7.3 The proposal includes a 5.5M road within the site which would come out on to White Ditch Lane which is 4M wide and then into Bury Water Lane and School Lane, two further narrow roads unfit for purpose. Additional housing will increase demands on the lane and lead to congestion.
- 7.4 There is no footpath or pavement in the lane currently, or any planned with this proposal, the doubling of traffic caused to the lane by this application would be

extremely dangerous for pedestrians.

- 7.5 The distance to the Primary School and other village amenities is considered unreasonable.
- 7.6 Each development is being considered separately rather than looking at the total; no upper limit has been placed on the number of houses that can be built on White Ditch Lane or Bury Water Lane.
- 7.7 A proper foul water sewage system needs to be installed before any further development takes place.
- 7.8 There is a significant flood risk; flooding has occurred on numerous occasions in the past and no doubt this will happen more frequently due to our changing climate. Earlier this year the junction of Bury Water Lane/School Lane was totally impassable.
- 7.9 Emergency vehicles would have problems accessing the lane.
- 7.10 UDC plan for 50 “windfall” houses per year. Newport seems to have had a very large share of these.
- 7.11 The County Council’s comments under reference CO/EGD/SD/CMJ/17069 dated 11.11.14 appear to require two accesses of 5.5 metres width. The road within the site does not appear to be 5.5metres wide throughout its length. This does not seem to meet the County Council’s requirements.
- 7.12 There is now an adequate supply of land and developments approved within Uttlesford to meet the five year needs of the Local Development Plan. Since this land lies outside the proposals within the Local Development Plan, as well as the village development limits, combined with other problems associated with this site, it should be rejected.
- 7.13 Seven of the proposed buildings are two and three bedroom houses, eight are four and five, Development Management Policies intended that three quarters of all new build houses in Uttlesford should be three bedroomed or less. While this policy appears to have been lost in the consultation process, it should not be lost sight of. Accordingly, this development should contain no more than four houses with four bedrooms or more.
- 7.14 We have serious concerns about the surface water drainage (this is being raised at a meeting with the Case Officer, Maria Shoemith, on Thursday, 18th February.)
- 7.15 We believe there is a proposal to install a private sewage treatment plant. Albeit this comes under building regulations, we are concerned as to where the treated effluent will be discharged.
- 7.16 The footpath shown on the west boundary serves no useful purpose because it peters out at the boundary with Fairfield.

8. CONSULTATIONS

Natural England

- 8.1 No Objection

Comments Received 16.02.2016

No objection to amendments

Anglia Water

8.2 No comment

ECC SUDS

8.3 Objection -

The Drainage Strategy submitted with this application does not comply with the requirements set out Essex County Council's Detailed Drainage Checklist. Therefore the submitted drainage strategy does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted FRA fails to:

- Sufficiently show that there is enough treatment on site in line with CIRIA guidance. It should be shown that the trapped gullies and attenuation system will provide the necessary treatment for the estate road in line with table 26.2 and 26.3 of the CIRIA SuDS Manual C753. CIRIA guidance also recommends some treatment for roof water and therefore it must be demonstrated that the attenuation system proposed to discharge directly into provides the necessary treatment. If it cannot be demonstrated with clear evidence that there is enough treatment for the roofs and estate road, additional treatment should be added.
- Show sufficiently that the ditch proposed to discharge has sufficient capacity to take run-off from the site

It is suggested in this report that it is unknown whether the site currently discharges into the ditch alongside Whiteditch Lane which is proposed to discharge into. It is therefore unclear whether the ditch has capacity to take flow from the site. A hydrological assessment should be conducted of the ditch to see how the ditch connects with the wider drainage network and see if this network could take such flows. This is particularly the case given that increase in flows for the 1 in 1 storm has been proposed.

It must be noted more evidence should be provided as to why discharging at the 1 in 1 greenfield is not viable. There are now devices that can discharge at 1l/s and therefore all effort should be to restrict to the 1 in 1 greenfield rate. If the rate has been increased due to lack of space on site, more evidence should be provided as to why increased attenuation storage on site would make the site unviable.

- Provide a suitable drainage strategy for all surfaced areas of the site

It is suggested in point 5.9 that patios and access paths will be permeably surfaced to allow surface water to percolate into the ground beneath yet it suggested that infiltration is not feasible on site. If surface water is allowed to infiltrate in these areas, this may lead to sub-surface ponding as water cannot efficiently drain away.

- Sufficiently show that the site is safe from groundwater flooding

It is suggested in 3.4 that groundwater is high in some areas yet no mitigation measures against this high groundwater have been suggested. Therefore more detail should be provided on this. Groundwater testing results should also be included as an appendix.

We also have the following advisory comments:

- Infiltration testing results should be included as an appendix to confirm findings.
- At a later stage details of the maintenance company who responsible for

maintaining the drainage system should be submitted.

- At a later stage details of how flood risk during construction will be mitigated against

Comments Received 29.04.2016 (further to revised additional information)

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission. The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the FRA and other documents submitted with this application are implemented as stated.

ECC Highways

8.4 Comments Received 20.01.2016

I have looked at the various drawings submitted for the above planning application and have the following issues to raise:

- 3 passing bays are to be provided within the application site but only 2 are shown. The 3rd is proposed outside the application site to the south of the adjacent dwelling Fairfield and this is unacceptable.
- The drawing entitled Access Strategy Plan shows a new 1.2m wide footpath along Whiteditch Lane. Condition 18 of the outline consent requires the footpath to be provided within the application site and a footpath width of 1.2 metres would not be considered wide enough by the highway authority. A desirable width would be 1.8m – 2m.
- The parking arrangements for Plots 1-4 affordable are not acceptable. Vehicular access to spaces P2 and P4 is only 2.4 metres wide which is insufficient to allow access to these spaces. The aisle width should be 6 metres for safe manoeuvring and to comply with the current parking standards. The 3 visitor spaces to the south of plot 1 are in excess of the parking requirement and although on a private drive, as Plots 1-4 are for to be rented I assume the landlord will be maintaining the communal areas and this would therefore be acceptable.

Comments Received 4.02.2016

The Highway Authority made a number of comments on the original layout that was submitted which have now been addressed in the revised plans. From a highway and transportation perspective the impact of the proposal as shown in principle on Drawing No. Feas.018/15/PL1002 Rev A is acceptable to the Highway Authority subject to conditions.

ECC Ecology

8.5 Comments Received 26.01.2016

I notice that planning consent was granted for this scheme despite the ecology report recommending reptile surveys. I have therefore asked the ecologist if he has prepared any sort of method statement for site clearance to ensure any risk of harm to reptiles is removed.

Comments Received 27.01.2016

Thank you for consulting us. I have no further comments at this stage. I look forward to the results of the reptile surveys and any associated mitigation at the DOC stage.

Aerodrome Safeguarding

8.6 Further time required to assess information.

UDC Housing Enabling

8.7 The delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units; 20% on schemes 11-14 units and a commuted sum of £25,000 per unit on schemes of 5-10 units.

The affordable housing provision on this site will attract the 40% policy requirement as the site is for 15 (net) units. This amounts to 6 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

The mix is given below:-

Affordable Rent
2x2 bed house
2x3 bed house

Shared Ownership
2x3 bed house

I confirm the mix and location of the affordable housing units meets the Council's policy.

UDC Landscaping Officer

8.8 No objection to landscaping scheme.

9. REPRESENTATIONS

9.1 Neighbouring occupiers have been consulted of the application and site and press notices have been advertised. As a result 4 objections have been received raising the following points:

- Increase traffic;
- Poor access;
- Highway and pedestrian safety;
- Wrong location;
- Overdevelopment;
- Misinformation within application regarding visibility of scheme;
- Site is visible;
- Flooding;
- Contradiction as to whether Whiteditch Lane is a Public highway;
- Destroying character of area;
- Water management not dealt with;
- Is the outline consent legitimate;

- Contrary to policy and NPPF;
- No full flood risk assessment submitted;
- No street lighting should be allowed for ecology purposes;
- Passing bays;
- Traffic management;
- Safety during construction;

10. APPRAISAL

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

A Design

B Mix of Housing and Affordable Housing

C Road Design and Car parking

D Landscape Impact and Biodiversity

E Flood Risk and Drainage

A Design

- 10.1 The principle of the development and issues surrounding highway and pedestrian safety, traffic volume, infrastructure, flooding and ecology, which have been raised by third parties above in Section 9, have been addressed and approved at outline stage subject to conditions. Further information has been provided as the design stage has evolved regarding drainage and ecology which will be discussed below.
- 10.2 With regards to the proposed design of the scheme the NPPF; also Local Plan Policy GEN2 seeks for quality design, ensuring that development is compatible in scale, form, layout, appearance and materials. The policies aim to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole seeking high quality design.
- 10.3 As to whether the scheme would be compatible with the character of the settlement area and countryside, the scheme would see the development of countryside, an open area of field, which has been principally agreed. An informal, loose, low density development is being proposed with generous amounts of plot space and garden sizes being proposed to be integrated through the scheme. The density of the proposed development would be well below of that reflected in national policy and the Essex Design Guide at 9.4 dph.
- 10.4 The proposed dwellings would be 2 storey and would vary in height from 8.8m to 10m. The spacing between and around the proposed dwellings, also the size of the dwellings are generous and large. This is reflective of the size, scale and appearance of the dwellings are representative of the dwellings along Whiteditch Lane even though these would be set within the site. The affordable housing units, Plots 1 to 4 and 9 & 10, are designed modestly particularly as you first enter into Whiteditch Lane. However, it should be noted that planning permission has been granted for various dwellings of size and scale along Whiteditch Lane, as outlined in Section 4 above. Planning permission has also been granted for new dwellings immediately opposite the site. As a result the design is considered to be sensitively

inconsideration of its surroundings.

- 10.5 The proposed choices of materials have been submitted as separately as a discharge of condition. These are stated to be a mixture of slate, Red Hastings brick, Camborne Buff which are not uncommon, acceptable and would be in keeping with the wider surrounding area.
- 10.6 There would be no overlooking as the dwellings have been sited respecting the required back to back distances. This is taking into account other dwellings which have been orientated away and/or have the benefit of heavy screening from landscaping.
- 10.7 The Essex Design Guide (2005) recommends 50 square metres for up to 2 bedroom units and 100 square metres of garden space for 3 plus bedroom dwellings. All the dwellings meet or exceed this in accordance with EDG, with the exception of Plots 2 and 9 which are marginally below guidance by approximately 3sqm.
- 10.8 Access into and within each dwelling will be in accordance with the requirements of Part M of the relevant Building Regulations and Lifetime Homes design Criteria. No bungalows have been provided as part of the design of the scheme, whilst 5% is required by SPD guidance. This equates to 0.75 of a dwelling, which is rounded up to one unit. Whilst this has not been provided this is not considered sufficient to refuse the reserved matters application.
- 10.9 The design of the scheme has provided a footpath connection to Public Footpath to the east of the site. In accordance with the outline consent a public footpath link has been provided within the inner boundary of the site to the west, which covers the length of the site from north to south allowing for safe pedestrian movement through and past the site.
- 10.10 The application is broadly in accordance with Local Policy GEN1, GEN2 and the NPPF.

B Mix of Housing and Affordable Housing

- 10.11 Local Plan Policy H10 seeks that residential schemes provide a mixture of house sizes. The application is stated to provide 2 x 2 bedroom, 4 x 3 bedroom, 6 x 4 bedroom, 3 x 5 bedroom dwellings. However, a number of the dwellings have playrooms and studies which are capable of being used additional bedrooms. A breakdown of the proposed accommodation is highlighted in the table in section 3.6 above. This translates to a mixture of 2 x 2 bedrooms, 4 x 3 bedrooms, 3 x 5 bedrooms and 6 x 5/6 bedroom houses. Whilst there is a slight imbalance regarding the housing mix there is a variety of mix which is still proposed. Even though this is top heavy in terms of the size of the properties, i.e. the number of 5/6 bedroom dwelling provision this fits in with the surrounding dwellings and the recent Council housing needs survey. The scheme is therefore considered to be in accordance with Local Plan Policy H10.
- 10.12 Policy H9 requires that 40% affordable housing is provided on sites having regard to market and site conditions. A total of 6 affordable dwellings are proposed meeting the 40% requirement in accordance with Council policy and the terms of the S106 Agreement.
- 10.13 The clustering affordable housing would be limited to no more than 10 units, by

virtue of the proposed affordable dwellings and the layout. The affordable housing mix of 2, and 3 bedrooms complies with the needs identified by the Council, and provides a 70-30% split between rented and shared ownership. No objections have been raised by the UDC Housing Enabling Officer. As such the application complies with Policies H9 and H10 of the Local Plan and the requirements of the NPPF.

C Road Design and Car parking

- 10.14 Local plan policy GEN1 states “*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 expects to have access.*
 - e) The development encourages movement by means other than driving a car.”*
- 10.15 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework. Whilst a number of the third parties have raised highway safety issues, as previously stated the principle of the development has already been approved.
- 10.16 This reserved matters application includes details of the internal road layout and its connectivity. As discussed above, the details of the public footpaths/cycle paths through the site in connection with the surrounding area is acceptable and provide a good form of alternative means for traveling to and from the site, encouraging walking and cycling, in accordance with Local Plan Policies GEN1 and GEN2, also in accordance with the principles of sustainability engrained within the NPPF.
- 10.17 Three passing bays have been provided outside of the application site as agreed in principle and as part of the outline application. This together with the internal public footpaths which are proposed is considered to be a benefit to the wider area. ECC Highways are now satisfied with the layout of the scheme and no objections are raised subject to conditions.
- 10.18 In terms of car parking standards the Essex Parking Standards (2009) seeks for 1 car parking space for up to 2 bedroom units, 2 car parking spaces for 3 bedroom units and the Uttlesford Local Parking Standards (March 2013) seeks 3 car parking spaces for 4 plus bedroom dwellings, with a visitors parking provision of 0.25 spaces per dwelling. A breakdown of the proposed parking provision is highlighted in the table in section 3.6 above. This demonstrates that the scheme meets and exceeds the parking standards (minimum) requirement in accordance with standards and Local Plan Policy.
- 10.19 The car parking spaces and the proposed garages appear to generally comply with the Standard’s sizes, however the plots sizes and design of the scheme is capable of meeting the standards by way of condition should the reserved matters be granted. This is acceptable and in accordance with the adopted Parking Standards above, also Policy GEN2 and GEN8 of the Uttlesford Local Plan.

D Landscape Impact and Biodiversity

- 10.20 The visual impact of the proposed development has been considered as part of the outline planning application. As part of the reserved matters the details of the landscaping scheme need to be considered as to whether it is acceptable.
- 10.21 The principle of the landscaping scheme is considered acceptable. The layout now reflects the proposed layout. A large amount of landscaping is proposed to remain on site particularly to the north, east and southern boundaries. The western boundary which provides a dense landscaping barrier Whiteditch Lane would be reduced and managed to provide an improved landscaping scheme and buffer, with native planting. No objections have been raised by the Landscape Officer. Whilst no details has been provided regarding internal boundary treatments between each of the dwellings and also in relation to the proposed footpath to the west of the site, this can be conditioned should planning permission be granted.
- 10.22 In this respect the scheme accords with Local Plan Policy GEN2, S7, GEN7 and ENV8.
- 10.23 In terms of airport safeguarding no comments have been received back from the statutory consultees.
- 10.24 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.
- 10.25 In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. Case law has established that local planning authorities have a requirement to consider whether the development proposals would be likely to offend Article 12(1), by say causing the disturbance of a species with which that Article is concerned, it must consider the likelihood of a licence being granted.
- 10.26 The tests for granting a licence are required to apply the 3 tests set out in Regulation 53 of the Habitats Regulations 2010. These tests are:
- The consented operation must be for "preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment"; and
 - There must be "no satisfactory alternative"; and
 - The action authorised "will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range".

10.27 The ecological survey has been undertaken, submitted and assessed as part of the outline planning application. A number of recommendations have been made in order to mitigate and enhance biodiversity of which these have been conditioned as part of the outline application which would still need to be adhered to. As a result no objections have been raised by ECC Ecology on this basis. No objections have been raised by Natural England. The scheme therefore is considered to accord with Local Plan Policy GEN7, and NPPF.

E Flood Risk and Drainage

10.28 The application site is located in Flood Risk Zone 1 and has a low probability of the risk of flooding. Local Plan Policy GEN3 states that development would only be allowed if it does not increase the risk of flooding. A Flood Risk Assessment has been submitted as part of the outline application.

10.29 A drainage scheme has been submitted as part of this application of which ECC SUDs had raised an objection on the lack of information regarding trapped gullies and attenuation system, information that the ditch proposed to discharge has sufficient capacity to take run-off from the site, suitable drainage strategy for all surfaced areas of the site, details regarding infiltration and groundwater flooding, also details regarding groundwater testing and mitigation measures around ground water flooding.

10.30 Further information has since been submitted to address ECC SUDs concerns by providing the additional information. ECC SUDs are now satisfied with the additional information and now raise no objection subject to the measures as detailed in the FRA and the (above mentioned) documents submitted with this application are implemented and secured by way of a planning condition on any planning permission. This accords with Local Plan Policy GEN3 and the NPPF.

11. CONCLUSION

11.1 The proposed design, layout, size, scale, appearance and landscaping of the scheme is acceptable. No unacceptable impact is considered upon residential (both existing and proposed) or surrounding local amenity as a result of the design. All Statutory consultees, namely ECC Highways, ECC SUDs and UDC Landscaping Officer, have been satisfied subject to conditions. The reserved matter details are in accordance with Local Plan Policies S7, GEN1, GEN2, GEN3, H9, H10, GEN7, GEN8, ENV1, ENV2, ENV4 and ENV8, Essex Parking Standards, Uttlesford Local Parking Standards, Essex Design Guide, National Planning Framework, and the Planning Practice Guidance.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. The development permitted by this planning permission shall be carried out in accordance with the approved Drainage Strategy referenced 1651 - DS Rev D April 2016.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. In accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

2. Both bellmouth accesses on to Whiteditch Lane should have minimum junction radii of 6 metres.

Reason: In the interests of highway safety and in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Each vehicular parking space shall have minimum dimensions of 2.9 metres x 5.5 metres and each garage shall be 7.0m x 3.0m for single garage and 7.0m x 6.0m for a double garage (internal dimensions).

Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety, and in accordance with Policy GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Prior to the commencement of development details of boundary treatments between dwellings and the proposed footpath to the west of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with approved details.

Reason: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, and ENV3 of the Uttlesford Local Plan (adopted 2005).

Justification: The details of boundary treatment would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

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

Reason: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

6. (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

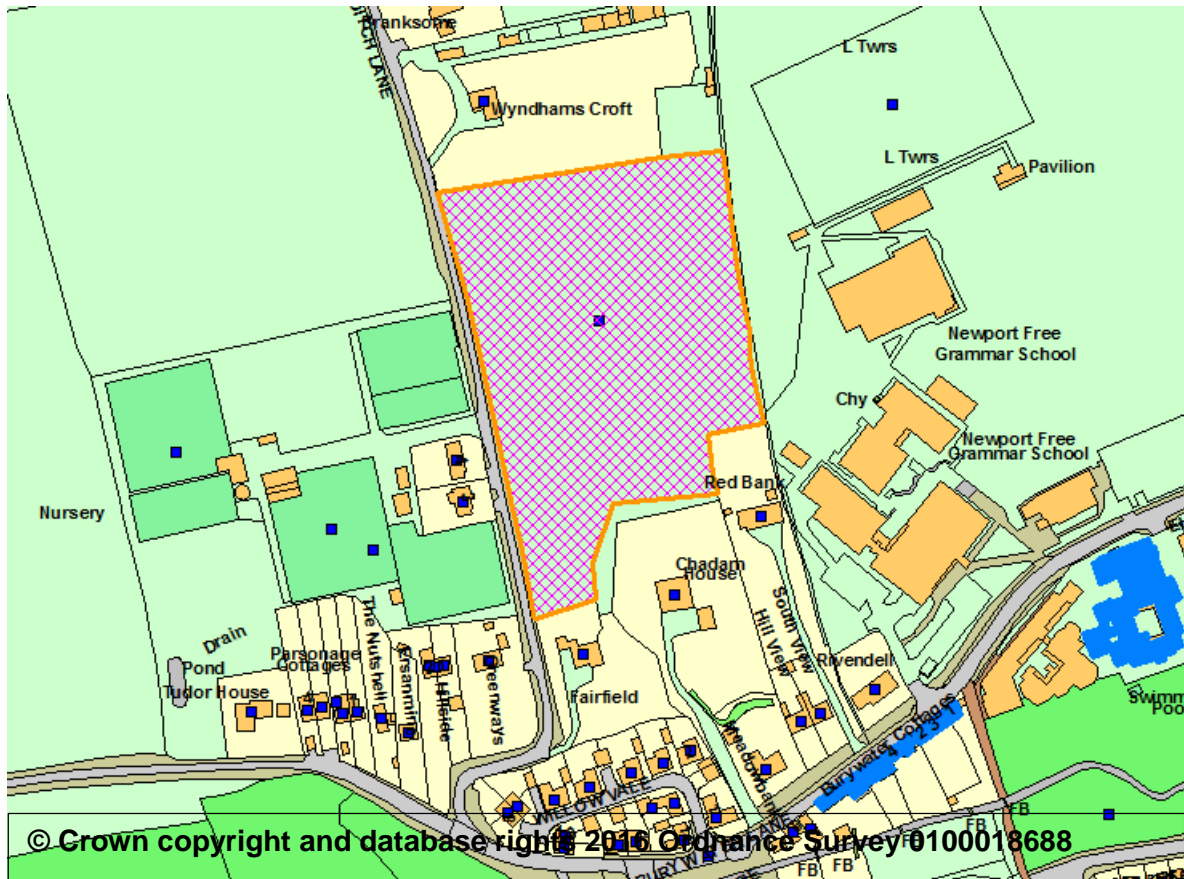
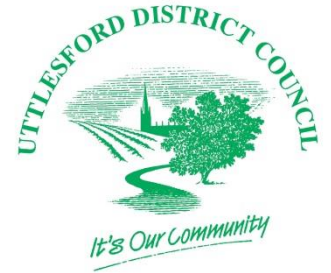
(c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be

altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition 'retained tree or shrub' means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

Reason: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity, in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/15/3824/DFO
Address: Land South Of Wyndhams Croft, Whiteditch Lane
Newport



Organisation:	Utlesford District Council
Department:	Planning
Date:	<u>15.06.2016</u>

UTT/16/0171/FUL (Thaxted)

(MAJOR)

PROPOSAL: Demolition of all structures on site (except designated Listed Buildings), demolition of 1.5m of the Listed brick wall. Redevelopment for 22 new dwellings and the conversion of the Listed Buildings to 7 dwellings with associated public open space, roads, access alterations and landscaping. Erection of new boundary wall

LOCATION: Molecular Products Ltd, Mill End, Thaxted

APPLICANT: Molecular Properties

AGENT: Strutt and Parker LLP

EXPIRY DATE: 1 July 2016

CASE OFFICER: Lindsay Trevillian

1. NOTATION

1.1 Within development limits, Thaxted conservation area, Listed buildings.

2. DESCRIPTION OF SITE

2.1 The application site as outlined in red on the submitted location plan is located on the western side of Mill End on the southern edge of the town perimeter of Thaxted. The site itself is mainly rectangular in shape, relatively level and is approximately 0.9 of a hectare in size.

2.2 The site was previously used by the Molecular Products Group for commercial activities until it became recently vacant in August 2013.

2.3 The site consists of a number of industrial like structures of a modern appearance that varying in size, scale and materials. Most noticeable is the main factory along with the distribution warehouse. In addition a tall tank approximately 14m in height is centrally positioned within the site and is highly noticeable within the wider surrounding area.

2.4 In addition to these buildings, a row of three buildings, double storey in height and externally finished from facing brickwork and render are located along the eastern boundary of the site fronting onto Mill End. These buildings are grade two listed and were once used as ancillary office accommodation in connection within the commercial use of the site.

2.5 Vehicle access to the site is off Mill End to the south of the junction with Bardfield Road. The site is dominated by hard standing with very little soft landscaping. Mature vegetation is located along the boundaries of the site however it is more dense along the southern boundary. Four trees in and around the site are subject to tree preservation orders.

2.6 The site is located within a well-established built up area compressing of a mixture

of development. A petrol station abuts the northern boundary of the site whilst the western boundary is almost entirely occupied by two residential plots known as 'Westways' and 'West Lodge'. A public foot path abuts the southern boundary extending the entire length of the site. Further beyond this path is a local community centre along with further residential housing. The local Thaxted tennis club is located to the south east of the site and the local primary school is located to the north east fronting onto Barfield Road. The site is located approximately 170m from the town centre which can be easily reached by the existing public foot path.

3. PROPOSAL

- 3.1 Planning permission is sought for the demolition of all structures on the site except for designated listed buildings, the demolition of a 1.5m section of brick wall along the sites frontage, and the redevelopment of the site for the construction of 22 new dwellings and the conversion of the listed buildings to 7 dwellings with associated infrastructure and landscaping.
- 3.2 The proposal incorporates a range of housing types including one and two bedroom flats, and one, two, three, and four bedroom houses. The proposed residential mix is set out below.
- 2 x 1 bed units
 - 2 x 2 bed units
 - 11 x 2 bed units
 - 13 x 3 bed units
 - 1 x 4 bed unit.
- 3.3 The new dwellings would be limited to two stories in height. Building styles within the development would range from terrace style buildings, semi-detached and detached buildings that contain different sizes and scale and have an assorted use of externally finishing materials and detailing. Each of these dwellings within the development including the converted listed buildings has been provided with off street parking spaces and its own private or communal amenity space.
- 3.4 The proposed scheme would consist of 100% open market housing. No on site affordable housing or contribution is proposed as part of this scheme.

4. APPLICANT'S CASE

- 4.1 Extensive pre-application meetings with the Local Planning Authority were held in which general advice was taken into consideration regarding the final design and layout of the application.
- 4.2 The applicant has provided a Design and Access Statement and a Planning Statement of Conformity in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. In addition further information in relation to technical issues such as drainage and refuse strategies, heritage and contamination assessments, ecology data as well a flood risk assessment to name just a few have also been submitted in support of the proposal.
- 4.3 The applicant considers that the proposed residential scheme accords with policies contained within the Uttlesford District Council's Local Plan as well as the National Planning Policy Framework.

5. RELEVANT SITE HISTORY

5.1 DUN/0152/51 – Extensions (approved)

DUN/0122/52 - Additions to the drainage system (approved)

DUN/0159/52 - Erection of building to house bottle washing machine on the north side (approved)

DUN/101/53 - Erection of bus shelter (approved)

DUN/0311/55 - Sugar Dissolving Plant (approved)

DUN/0178/63 - Site for residential development (approved)

UTT/0212/77/CA - Demolition of existing sub-standard (approved)

UTT/0256/77/CA - Renovation of structure fix new windows where existing have been sealed off and replace the demolished gable wall (approved)

UTT/0016/78/CA - Erection of building for housing and operation of mobile feed mill units (approved)

UTT/0379/78/LB/CA - Proposed building for machinery cover (approved)

UTT/0826/81/LB/CA - Proposed bulk lime silo (approved)

UTT/1439/87 - New silo to be installed through existing factory roof (approved)

UTT/1484/87 - New industrial storage building (approved)

UTT/1457/88 - Retention of use of porta cabin currently used as two offices (approved)

UTT/0362/89 - Proposed office accommodation (refused)

UTT/073/89 - Proposed bulk lime silo (approved)

UTT/0930/89 - Proposed temporary office (approved)

UTT/0050/90 - Retention of portacabin for use as two offices (approved)

UTT/1360/90 - Erection of a replacement extension (approved)

UTT/1325/95/FUL - Erection of two storey rear extension (approved)

UTT/0625/96/LB - Extension to north west of main building (approved)

UTT/0626/96/FUL - Extension to north west of main building (approved)

UTT/0992/96/LB - Alterations to front and side elevations and internal alterations (approved)

UTT/0685/99/FUL - Side extension to warehouse (approved)

UTT/15/1250/FUL - Demolition of structures (except Listed Building), demotion of 1.5m of Listed Brick wall and the redevelopment of the site for 22 new dwellings and the conversion of the existing Listed Buildings into 7 dwellings with associated public open space, roads, access alterations and landscaping (withdrawn)

UTT/15/1251/LB - Demolition of 1930s factory building (curtilage listed) and 1.5m brick wall, external and internal alterations and additions to 3 no. Listed Buildings and associated works (withdrawn)

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

Policy S3 – Settlement boundaries for Main Urban Areas

Policy GEN1 – Access

Policy GEN2 – Design

Policy GEN3 – Flood Protection

Policy GEN4 – Good Neighbourliness

Policy GEN6 – Infrastructure Provision to Support Development

Policy GEN7 – Nature Conservation

Policy GEN8 – Vehicle Parking Standards

Policy E2 – Safeguarding Employment Land

Policy ENV1 – Design of development within Conservation Areas

Policy ENV2 – Development effecting listed buildings

Policy ENV3 – Open Spaces & Trees

Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance

Policy ENV8 – Other Landscape Elements of Importance for Nature Conversation

Policy ENV14 – Contaminated Land

Policy H1 – Housing development

Policy H9 – Affordable Housing

Policy H10 – Housing Mix

Thaxted Local Policy 3 – Safeguarding of Employment Land

6.3 Supplementary Planning Policy

SPD Accessible Homes & Play Space

SPD Renewable Energy

SPD Parking Standards Design & Good Practice September 2009

SPD Essex Design Guide

SPD Developer Contributions Guidance

7. PARISH COUNCIL COMMENTS

7.1 Thaxted Parish Council supports the application and have made the following comments:

- The Council supports development on this site;
- The Council supports the notion of one and two bedroom open market housing;
- The Council would welcome the opportunity for improvements to the highway at Mill End including bollards to restrict pavement parking in front of

- and to either side of the redundant bus shelter;
- The Council would welcome the opportunity to discuss the future of the redundant bus shelter as part of the scheme;
- There is a lack of play facilities in the south of the town;
- All SuDS and drainage issues should be satisfactorily resolved.

8. CONSULTATIONS

ECC Flood and Water Management:

- 8.1 No objection - Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we support the granting of planning permission.

ECC Highways:

- 8.2 No objection - From a highway and transportation perspective the impact of the proposal as shown in principle on Drawing No. 1296/100 Rev L is acceptable to the Highway Authority subject to conditions.

ECC Education:

- 8.3 No objection – Essex County Council request that any permission for this development be granted subject to a S106 agreement to mitigate its impact on education. Should the final development result in the suggested unit mix, the following contribution would be payable;

The primary education contribution would be £89,464.00.

The secondary school transportation contribution would be £20,16.50.

Total sum of £109,480.50

ECC Historic Environment officer:

- 8.4 No objection subject to conditions in relation that An Archaeological Programme of Trial Trenching followed by Open Area Excavation is undertaken prior to any works commencing on site.

ECC Ecology Advice:

- 8.5 No objection subject to conditions.

ECC Minerals and Waste

- 8.6 No objection - The Mineral Planning Authority has no comments to make against this application

Historic England:

- 8.7 Objection – Historic England does not object to the principle of demolition of the factory buildings and the redevelopment of this site, but we recommend that the site layout be received to provide a clearer, more coherent layout incorporating a public realm of real quality. This may require a slight reduction on the overall number of

units to be provided by this development.

Anglian Water:

- 8.8 No objection - The sewerage system at present has available capacity for these flows. The foul drainage from this development is in the catchment of Gt Easton Water Recycling Centre that will have available capacity for these flows.

UDC Environmental Health officer:

- 8.9 No objection subject to conditions.

The site is contaminated as a result of historic and recent industrial use and is adjacent to a petrol station which is a potential source of contamination. The risks to receptors including residents, construction workers, services and the water environment have been considered by the applicant and presented in a Phase I preliminary site assessment and Phase II intrusive investigation. The findings of both reports are accepted, and the next stage would be to carry out an appraisal of remediation options based on the findings of the reports and develop a remediation strategy to address the contamination to ensure the land is suitable for the proposed use.

UDC Conservation officer:

- 8.10 No objection - I can conclude that subject to the use of excellent materials, and good craftsmanship, this scheme despite some minor shortcomings, is likely to be successful subject to conditions.

UDC Internal Housing

- 8.11 No comments received

UDC Landscaping:

- 8.12 No comments received

9. REPRESENTATIONS

- 9.1 The application was publicised by sending 155 letters to adjoining occupiers, displaying of site notices and advertising it within the local newspaper. 4 letters of objection have been received at the time of writing this appraisal. The following concerns are as below:

- The existing surface water drainage is unable to cope. Further residential dwellings would make the situation worse.
- The addition of 29 residential units would add further pressure to the local sewerage system.
- The close proximity of some of the houses would lead to overlooking and an invasion of privacy.
- The root protection zone for T008 must be taken into account and access will be required for future maintenance and monitoring.
- Noise and disturbance would occur during construction if permission is allowed.
- The Chase is an incredibly narrow private road. It seems inconceivable that

construction vehicles will be able to access the site from the Chase. The Chase will be unable to sustain the stress of heavy construction and commercial vehicles.

- The proposal is an overdevelopment of the site.
- The proposal would increase the pressure on local services such as health and education.
- The proposal would not conserve or enhance the natural environment.
- The proposal does not make the best use of public transport.

In addition to the above, 1 letter of support was received which outlined:

- I would like to give my support to this development which is an excellent use of a brown field site. The developers are to be congratulated for preserving the listed buildings and for the design of houses which fit in with the character of Thaxted.

10. APPRAISAL

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

- A Whether the proposal is acceptable in principle (NPPF, Local Policies S3, H1, E2 and Thaxted Local Policy 3)**
 - B Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2 & ENV1)**
 - C Dwelling mix and Affordable Housing provisions (NPPF, Local Policies H9 & H10)**
 - D Access to the site and highway issues (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)**
 - E Landscaping and open space (NPPF, Local policy GEN2)**
 - F Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)**
 - G Drainage and flooding (ULP Policies GEN3 and GEN6)**
 - H Whether the proposal would cause harm to the amenities of adjoining property occupiers (NPPF and ULP Policies GEN2 & GEN4).**
-
- A Whether the proposal is acceptable in principle (NPPF, Local Policies S3, H1, E2 and Thaxted Local Policy 3)**

10.1 The town of Thaxted is identified within the local plan as a key rural settlement that is located on main transport link between the towns of Great Dunmow and Saffron Walden. In planning policy terms, the site lies within the established development limits as defined by the Uttlesford Local Plan and as such the principle of the development is regarded to be acceptable so long as it is compatible with the settlements character.

10.2 The National Planning Policy Framework requires local planning authorities to consider, and where appropriate, approve development which is suitable to paragraphs 7 and 14 of the NPPF which set out that there is a presumption in favour of sustainable development. The core principles of the NPPF set out the three strands of sustainable development. These are the economic role, social role and environmental role. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three

principles.

- 10.3 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure.
- 10.4 The site itself has been abandoned for over two years and whilst it has been actively promoted for alternative commercial uses whilst it remains vacant, no one has come forward to use the site for employment. The proposed development would result in the loss of an established employment site within the town centre of Thaxted which would result in a loss to the local economy.
- 10.5 However to overcome this, the proposal would have short term benefits to the local economy as a result of construction activity. In addition existing amenities such as local shops and services would benefit as a result of the increase activity by the future occupiers thereby result in long term economic benefits to the local community. Although the proposal would result in the loss of an employment site, on balance the proposal would be acceptable as it would bring other economic benefits to the wider community.
- 10.6 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being.
- 10.7 The location of the site is such that it is within a reasonable distance to the town centre to allow the future residents to interact and mix within the wider community. The site is not isolated with residents in close proximity to local amenities such as schools, shops, health and employment to meet their desired needs. Furthermore a regular bus service would provide residents with a reliable and easily assessable public transport link to other amenities and employment opportunities further beyond the town.
- 10.8 It is therefore considered, that the proposal adequately meets the needs of present and future generations and would satisfy the social dimension of sustainability.
- 10.9 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. From an environmental aspect, the proposal would protect the historical environment by making efficient use of redundant listed buildings. In addition, it would enhance the visual appearance of appearance of the site as a whole by removing what is now a derelict former commercial yard within the town centre. The proposal would have the potential to enhance and improve ecology and biodiversity by removing a considerable amount of hard standing and replacing it with soft landscaping. Furthermore it is considered that there would not be a heavy reliance for the use of motor vehicles due to the close proximity to local amenities.
- 10.10 The proposals would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise.
- 10.11 Local policies E2 and Thaxted Local Policy 3 identifies that the application site is safeguarded as employment land however local polices allow alternative uses to be

permitted if the employment use has been abandoned or the present use harms the character of amenities of the surrounding area.

- 10.12 In addition paragraph 22 of the NPPF states that applications for alternative uses of land or buildings should be treated on their own merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 10.13 As already identified within this appraisal, the site has been abandoned since August 2013. Although it is not a requirement for the applicant to demonstrate evidence of marketing the site for alternative commercial uses, the applicant has supplied information within their planning statement the level of the marketing exercise that has foregone to promote the site for future commercial employment.
- 10.14 The marketing exercise was unsuccessful which provides some justification that the marketing signals for the site in this instance to be used for employment purposes in no longer viable or in demand.
- 10.15 Given the significant demand for local housing and the lack of interest for employment within the site, it is regarded that the alternative use for residential housing is appropriate.
- 10.16 Furthermore, in light of the application site located within a conservation area and contains listed buildings, it could be argued that the present lawful use of the site harms the character and amenity of the surrounding area particular given its poor derelict conditions of the existing building. The re-development of the site for residential housing would be beneficial in accordance with local policy E2 as a well-designed development would help enhance and improve the visual amenity of the surrounding locality.
- 10.17 Based on the above it is considered that the proposed development is appropriate in principle.

B Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2, & ENV1)

- 10.18 The guidance set out in Paragraph 58 of 'The Framework' stipulates that the proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and is visually attractive as a result of good architecture.
- 10.19 Local Plan Policy GEN2 seeks to promote good design requiring that development should meet with the criteria set out in that policy. Regard should be had to the scale form, layout and appearance of the development and to safeguarding important environmental features in it's setting to reduce the visual impact of the new buildings where appropriate. Furthermore, development should not have a materially adverse effect on the reasonable occupation and enjoyment of residential properties as a result of loss of privacy, loss of daylight, overbearing or overshadowing.
- 10.20 The design and access statement provides details of the rationale behind the proposed development. This follows an assessment of the constraints and opportunities of the site, the design and appearance of the residential units, landscape objectives, heritage assessment mitigation measures and surface water drainage strategies.

- 10.21 The guidance contained within the Essex Design Guide and the general character of the built form and siting of within the Thaxted has been considered in the overall design of the proposed development. The design of the buildings generally reflects the local vernacular of the surrounding built form.
- 10.22 The mixture of individual housing types, the addition of different ridge heights and the use of different materials would all contribute to a development that would break up any repetitiveness and avoid any strict symmetry that would be visually unpleasant within the street scene.
- 10.23 The proposed house type would be representing a pleasing blend of traditional steeply pitched roof forms and relatively narrow floor spans and more contemporary elevational details. The suggested geometry and design of the fenestration would result in proportions of void to solid compatible with many historic buildings in Thaxted. Furthermore, the proposed mixture of finishing material of hand made plain clay tiles, natural slate, smooth render of hand made good quality brickwork would be in keeping with local vernacular pallet.
- 10.24 The scale of the dwellings has been proposed with regard to the character of the surrounding locality which predominantly contains two story dwellings but combined, detached, semi-detached and terrace units with linked carports. They would be well proportioned, articulated and reflect the patterns of characteristics of surrounding built form.
- 10.25 The site plans shows the existing access to be retained creating a single route into the site. This route then splits into two distinct directions as vehicles entre into the site offering access to either the northern residential cluster of housing pass the central green area within the site or carrying on towards the southern cluster of housing.
- 10.26 The street layout generally encourages walking and cycling in that internal paths are well connected allowing pedestrians and cyclists a choice of direct routes and to move freely between all parts of the layout and to wider destinations.
- 10.27 The frontage of the buildings largely follows existing development in the vicinity in that they have been sited at the back edge of the public footpaths and arranged to follow the curve of the internal highways within the site and Mill End itself to allow for a more harmonious street scene appearance. In addition this also allows for the majority of vehicle parking to be sited between houses or within carports reducing the visual impact of on-site parked cars and allows as much private rear gardens as possible to the rear of the dwellings.
- 10.28 Although the majority of residential units would have on plot parking, it is however noted that there is a large parking court located centrally within the site. This is to provide vehicle parking for the dwellings units 1 to 7. It is acceptable that parking courts are not generally considered to be appropriate for the rural nature of Uttlesford and "on plot" parking should be the normal approach however in this case, officers have taken a balance approached. The layout of the parking court has been agreed by officers in order to protect the historical significance of the listed buildings in which the vehicle spaces are to serve. It is deemed that the separation distance of the parking court set away from the listed buildings would result in less harm than if parking was individually provided behind each listed building. As such the design and layout of the parking court is considered to be acceptable.

- 10.29 Policy GEN2 requires that developments are designed appropriately and that they provide provides an environment which meets the reasonable needs of all potential uses and minimises the environmental impact on neighbouring properties by appropriate mitigating measures. The NPPF also requires that planning should seek to secure high quality design and a good standard of amenity for all existing and further occupants of land and buildings.
- 10.30 As a minimum every effort should be made to avoid overlooking of rear-facing living room windows. Where the rear facades of dwellings back onto one another the Essex Design Guidance stipulates that a distance of 25 metres between the backs of houses or the use of other possible design mitigation measures may be appropriate to minimise and reduce the risk of potential impact upon neighbouring amenities. Where the backs of houses are at more than 30 degrees to one another this separation may be reduced to 15 metres from the nearest corner. In addition, where new development backs on to the rear of existing housing, the rear of new houses may not encroach any closer than 15 metres to an existing rear boundary.
- 10.31 Apart from units 20 and 22 which have a back to back separation distance of 24m between them, the remaining units within the scheme comply with the above guidance. However given that the distance it is only a shortfall and it only affects two units within the scheme, officers considered this to be this short fall to be appropriate.
- 10.32 In accordance with local policy GEN2, the Council will require developers to provide new homes, which are designed to lifetime homes standards. These standards will apply to all new housing, including flats. If permission is granted a planning condition would be imposed to ensure that all dwellings within the scheme comply with Part M of the Building Regulations, which secures the process to enable the delivery of lifetime wheelchair adaptable homes.
- 10.33 The development has also taken into account the general principles regarding 'Secure by Design' in terms of its layout. Public spaces, such as parking areas, streets, lanes play grounds and cycle areas have been design to be overlooked to provide natural security to the public realm.
- 10.34 For a two bedroom dwelling unit, the provision of 50sqm of amenity area and 100sqm for a three bedroom or more dwelling unit has been found to be acceptable and a workable minimum size that accommodates most household activities in accordance with the Essex Design Guide. For two or more bedroom flat communal gardens must be provided on a basis of a minimum area of 25sqm per flat. In addition to the minimum size guidance, the amenity space should also be totally private, not be overlooked, provide and outdoor sitting area and should be located to the rear rather than the side.
- 10.35 Each residential unit within the scheme has been provided with at least the minimum private or communal garden sizes as stipulated above to meet the recreational needs of future occupiers.
- 10.36 A key issue to address is whether the proposed development would be in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and the relevant policies contained within Uttlesford District Council's Adopted Local Plan given that the proposal falls within a conservation area and proposes the conversion of listed buildings. The issues regarding the conversion of the listed building have been assessed under the Listed Building application ref: UTT/16/0172/LB and as such this appraisal focuses on the

issues surrounding the potential harm to the conservation area.

- 10.37 It is noted that Historical England have raised some concerns regarding the layout of the site in that recommend that they would have prefer to see a clearer, more coherent layout incorporating a public realm of real quality. The views of the Historic England have been acknowledged however officers including conservation officers considered that the proposed layout, design and appearance would not be detrimental to the historical significance of the conservation area.

C Dwelling mix and Affordable Housing provisions (NPPF, Local Polies H9 & H10)

- 10.38 Paragraph 50 of the Framework requires that developments deliver a wide choice of high quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 10.39 Since the submission of this application, there has been a very recent Court of Appeal judgement dated 11 May 2016 which effectively reinstates the government Written Ministerial Statement of 28 November 2014 that affordable housing contribution for schemes of 10 units or less should not be sought and allow for 'vacant building credit'.
- 10.40 Vacant building credit is designed as an incentive for the reuse of vacant buildings and to encourage residential development on brownfield sites such as the subject site. This effectively means that that the existing floor space of the vacant buildings on the site can be off-set against the floor space of any affordable housing in line with Planning Policy Guidance. The reintroduction of this policy is a significant material consideration in the decision making of this application as it is the latest statement on Governments policy towards affordable housing.
- 10.41 The guidance states that *'Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floor space of relevant vacant buildings when the Local Authority calculates any affordable housing contribution which will be sought'*.
- 10.42 It then goes on to say *'Where there is an overall increase in floor space in the proposed development, the local authority should calculate the amount of affordable housing contribution required by the development as set out in their local plan'*.

The constraints of the application site amounts to:

Existing floor space = 2,973sqm

Proposed floor space = 2,777sqm

- 10.43 The difference in floor space amounts to approximately -7%. As such this equates that no affordable housing provision is required for the site.
- 10.44 ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom market dwellings. However, since the policy was adopted, the Strategic Housing Market Assessment (SHMA) has identified that the market housing need is generally for dwellings with three or more bedrooms. The Council's stance is that this should equate to approximately 50% of the dwellings

- 10.45 This is a material consideration because the SHMA constitutes supporting evidence for the Local Plan, which itself requires the housing mix requirements in the SHMA to be met in order to achieve compliance with Policy H2. 14 of the 29 dwellings proposed comprise of 3 bedrooms or more which equates to 48%. Although the percentage of market dwellings consisting of three bedrooms or more is a little low, and it would a better mix to provide a few additional 3 or more bedroom dwelling units, on balance it is considered that the mix of one, two, three, and four bedroom market dwellings across the development is appropriate.
- 10.46 It would normally be expected that the provision of two bungalows would be provided as part of the development which amounts to 5% of the total units when rounded up. However it is noted that the proposal does not provide any provision for bungalows within the site. Officers considered that on balance the lack of any bungalow provision within the site is considered to be appropriate as the bungalows themselves would out of keeping and odds to the rest of the development and thereby result in detrimental harm to the design and character of the scheme as a whole.

D Access to the site and highway issues (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)

- 10.47 Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must not compromise road safety and to take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than the car.
- 10.48 The application includes details of the proposed single vehicle access which although slightly modified would be located in its current position along Mill End. This single vehicle access point off Mill End allows for the primary movement corridor in and out of the site for future occupiers and visitors.
- 10.49 The application was accompanied by a Transport Assessment which concluded that the development would not adversely affect highway safety of the free flow of traffic on the local road network. Consequently the proposal would not have an unacceptable transport impact on the highway network.
- 10.50 The application was consulted to Essex County Council Highways who confirmed that they had no objection to the proposal subject to conditions being imposed on any granted permission. In relation to the amount of traffic generated from the development, the Highway Authority has not made an objection in terms of the potential impact on the surrounding road network. As a result, it is considered that the amount of traffic generated from the development could be accommodated and that there would be no impact upon the traffic flow on the surrounding road network particularly along Mill End
- 10.51 The proposal also incorporates a pedestrian access located within the north eastern corner of the site onto Mill End in which future occupiers or visitors can utilise. This would encourage movement by other means than a car to seek local nearby amenities.
- 10.52 Access to and from the site is deemed acceptable in that it would cause no harm to matters of highway safety, would suitable for all uses and it encourages movement

by other means that a car. The development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 10.53 Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning Guidance 'Vehicle Parking Standards.
- 10.54 The Adopted Council Parking Standards recommends that a minimum of one vehicle space be provided for a one-bedroom unit, two spaces for a two or three bedroom dwelling, and three spaces for a four-bedroom dwelling house along with additional visitor parking spaces. In addition each dwelling should also be provided with at least 1 secure cycle covered space.
- 10.55 The proposal makes provisions for at least 1 car parking space for each one-bedroom unit and at least 2 car parking spaces for dwelling consisting of two bedrooms or more. A total of 56 off street parking spaces are provided which is excessive of the requirements stipulated within the Adopted Council Parking Standards. These would be accommodated within a range of options including car ports and on and on and off street parking bays. There is also the allowance for 10 additional visitor parking spaces which is more the required amount for the size of this development. In addition secure cycling would be provided for each residential unit within the site.
- 10.56 All appropriate size vehicles including emergency and refuse vehicles would be able to access the site. All refuse storage points would be located within 25m carry distance.
- 10.57 It is concluded that the proposed development would cause no harm to matters of highway safety.

E Landscaping and open space (NPPF, Local policy GEN2)

- 10.58 All larger development should be designed around a landscape structure. The landscape structure should encompass the public open space system but should also provide visual contrast to the built environment and constitute a legible network based, where appropriate, on existing trees and hedgerows.
- 10.59 The general landscape layout particularly that of the on plot landscaping is although minimalistic, it has been designed to enhance the overall character and appearance of the development and creates a pleasant environment to live in. The landscaping is appropriate in that it will help soften the built form of the development and reflect its wider setting.
- 10.60 It is noted that a small cluster of vegetation is proposed to be removed close to the south eastern corner of the site to allow for unit numbers 12-14 to front onto the Mill End. The removal of this vegetation is considered to be appropriate in that firstly it is considered that the vegetation is not of any significance that is worthwhile of preserving and secondly it would ensure that the dwelling units provide an appropriate relationship with the street scene that is in harmony with the existing listed buildings and the surrounding locality.
- 10.61 There are four significant trees that are covered by tree preservation orders that fall just outside of the site however their crowns overhang the site. These trees are not

proposed to be removed or trimmed and appropriate tree protection measures would be imposed by way of planning conditions if planning permission is granted to protect their significance.

10.62 Open space areas should be suitably located and have appropriate proportions to their use and setting. Narrow or peripheral areas, which are difficult to access or maintain will not be considered appropriate. Open space provisions should form an integral part of the design and layout and meet the need generated by the development.

10.63 The main open space area is positioned centrally within the site either side of the parking court that consists of approximately 740sqm. Although a little undersize to that of which would be expected for the size of the proposed development, it is considered that on balance the space is appropriate in that it would be in a safe location that is overlooked to allow for informal play activities and is assessable for everyone concerned.

F Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)

10.64 Paragraph 98 of Circular 06/05 states '*that presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would likely to result in harm to the species or its habitat*'. Furthermore, the NPPF states that '*the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible*'.

10.65 The application site itself is not the subject of any statutory nature conservation designation being largely a hard standing area with disused buildings with some mature vegetation located along its boundaries.

10.66 The applicant has submitted a Nocturnal Bat Roost Survey (September 2014), in support of the application.

10.67 The application was consulted to ECC ecology officer however no comments were received at the time of writing this appraisal.

10.68 It is concluded that the proposal would not result in a significant harm to the ecology and biodiversity of the surrounding area. The proposal is in accordance with local policy GEN7 and the NPPF.

G Drainage and flooding (ULP Policies GEN3 and GEN6)

10.69 The NPPF states that inappropriate development in areas of high risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

10.70 The development site lies within Flood Zone 1 (low probability of flooding) as defined by the Environmental Agency. The Framework indicates that all types of development are appropriate in this zone and hence there is no requirement for sequential or exemption testing.

10.71 The planning submission was accompanied by a Flood Risk Assessment (FRA) which provides strategic and technical guidance in relation to surface and foul water

runoff, flood risk mitigations measures and Sustainable Urban Drainage Systems (SUDS). The report concludes that the proposed scheme incorporates suitable flood resilient/resistant measures on a site that is within a low probability of flooding. The report states that the proposed development could be constructed and operated safely in flood risk terms and is therefore an appropriate development in accordance with the NPPF.

10.72 The application was referred to Essex County Council's SUDs department who are the Lead Local Flood Authority. They stated that after reviewing the Flood Risk Assessment and the associated documents which accompanied the planning application, we support the granting of planning permission subject to imposing planning conditions.

10.73 It is considered that the proposed application would not give rise to increase flood risk on the site or elsewhere subject to appropriate mitigation measures.

H Whether the proposal would cause harm to the amenities of adjoining property occupiers (NPPF and ULP Policies GEN2 & GEN4).

10.74 Due consideration has been given in relation to the potential harm cause to the amenities enjoyed by adjoining residential property occupiers.

10.75 The relative separation distance between adjoining dwellings and the proposed area of housing as illustrated on the master plan within the site and the orientation are such that it is considered that no significant adverse harm would be cause to the amenities of adjoining property occupier's particular in relation to loss of light, privacy and visual blight.

10.76 It is considered therefore that the development could be accommodated without significant adverse impact upon the amenity of existing and future residents in accordance with Policy GEN2 and the policies of the NPPF.

I Infrastructure provision to support the development (ULP Policy GEN6 and the NPPF)

10.77 Local Plan Policy GEN6 requires that development makes provision at the appropriate time for infrastructure that is made necessary for the development. The NPPF also requires such facilities to be provided to enhance the sustainability of communities and residential environments.

10.78 There was no requirement to formally consult NHS England as the number of dwellings proposed was under the threshold. Therefore a financial contribution to provide capital funding towards healthcare as a result of the proposal is not sought from the applicant.

10.79 The application was consulted to Essex County Council' infrastructure planning officer who has requested that any permission for this development be granted subject to a S106 agreement to mitigate its impact on education. Should the final development result in the suggested unit mix, a total sum of £109,480.50 is summered for education mitigation.

10.80 It is considered that the proposal would be capable of meeting the needs of future residents and would not place undue pressure on existing facilities within Thaxted and the locality subject to these provisions, and the completion of a satisfactory S106 Agreement.

10.81 In view of the above, it is considered that the necessary infrastructure could be provided to meet the needs of the development and could be in accordance with Policy GEN6 of the Local Plan and the NPPF.

11. CONCLUSION

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

The principle of the development on this redundant brownfield site is considered to a sustainable form of development within the village and the alternative use of the site for housing rather than employment is deemed to be acceptable.

The layout, size and scale of the proposal is considered to be appropriate to reflect the character and appearance of the characteristics of the site and its wider context. It would integrate well with the surrounding built form and the natural environment whilst at the same time create provide a sense of well-being for future occupiers.

The proposed mix of one, two, three, and four bedroom dwellings across the development is appropriate. There is no need for affordable housing provision as a result to a change to recent planning guidance.

It is concluded that the proposed development would cause no harm to matters of highway safety. In addition, appropriate parking provisions have been incorporated into the scheme that will meet the needs of future occupiers and visitors.

The proposed landscaping of open spaces including street frontages is considered to be appropriate.

It is concluded that the proposal would not result in a significant harm to the ecology and biodiversity within the site and the surrounding area.

It is considered that the proposed application would not give rise to increase flood risk on the site or elsewhere subject to appropriate mitigation measures.

The proposal would not lead to excessive harm upon the amenities of adjoining property occupiers surrounding the site.

The proposal will ensure that the necessary infrastructure could be provided to meet the needs of the development.

RECOMMENDATION – Approval subject to the conditions and Section 106 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 1st July 2016 the freehold owner enters into a binding agreement 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 Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:

- (i) Provision of education financial contribution**
- (ii) Provision and transfer of open space**
- (iii) Ensure adequate ongoing maintenance of SUDS system.**

- (iv) **Pay the Council's reasonable costs**
- (II) **In the event of such a variation to the extant obligation being made, the Director Public Services shall be authorised to grant permission subject to the conditions set out below:**
- (III) **If the freehold owner shall fail to enter into such a variation of the extant obligation , the Director Public Services shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:**
 - (v) **Provision of education financial contribution**
 - (vi) **Provision and transfer of open space.**
 - (vii) **Ensure adequate ongoing maintenance of SUDS system.**

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. Notwithstanding the details shown on the submitted plans, the external finishing materials of the works hereby approved shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on site. The works approved shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the appearance of the development in accordance with Policy GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

JUSTIFICATION: The details of materials would need to be submitted for approval prior to the commencement of the development to ensure that the resulting appearance of the development is safeguarded and the amenity of the surrounding locality is protected.

3. Based on the findings of the Phase I Preliminary Assessment Report and the Phase II Contamination Assessment Report produced by MLM dated November 2014 submitted with the application, a detailed remediation scheme to bring the site to a condition suitable for the intended use shall be submitted to and approved in writing by Uttlesford Planning Authority prior to commencement of development other than that required to carry out the remediation. The scheme must include all works to be undertaken, proposed remediation objectives, an appraisal of remedial options, and details of how remediation will be deemed to be complete.

ReasonN: To ensure that the proposed development does not cause harm to human health or other receptors, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

Justification: The proposed development site lies in a highly sensitive area of previous commercial and industrial uses and therefore it is essential that these

details are submitted for approval in advance of the works being undertaken to ensure that any contamination deposits present on the site are appropriately investigated prior to development.

4. No occupation of any part of the permitted development shall take place until a verification report including results of any sampling and monitoring to demonstrate the remediation objectives have been achieved has been submitted to and approved in writing by Uttlesford Planning Authority.

Reason: To ensure that the proposed development does not cause harm to human health or other receptors, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

5. In the event that contamination which was not previously identified is found at any time after the development of any phase has begun, development must be halted on that part of the site affected by the unexpected contamination. The contamination must be reported in writing within 3 days to Uttlesford Planning Authority and the site risk assessment reviewed. Where remediation is necessary a remediation scheme detailing how the unsuspected contamination shall be dealt with must be submitted to and approved in writing by Uttlesford Planning Authority. The remediation shall be implemented as approved, following which a verification report must be submitted to and approved in writing by Uttlesford Planning Authority. The assessment, evaluation of remediation and verification shall be carried out in accordance with Essex guidance "Land Affected by Contamination: Technical Guidance for Applicants and Developers 3rd edition", available on the UDC website.

Reason: To ensure that the proposed development does not cause harm to human health or other receptors, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

6. No development shall take place until an assessment of the noise environment has been carried out by a competent person, to include significant existing and potential noise sources and the impact on the proposed development, taking account of national and local policies and guidance. Based on the findings of the assessment, a noise insulation and design scheme shall be produced detailing the measures to be taken to mitigate against the effects of noise on the proposed development, including the acoustic insulation performance of the residential units.

The scheme shall aim to achieve the following design criteria:

- For internal noise levels, the recommendations set out in British Standard 233:2014
- Sound Insulation and noise reduction for buildings:
Living rooms 35db LAeq 16hr
Bedrooms 30 dB LAeq 8hr
- In view of the likelihood of frequent night time peak noise from overflying aircraft, the internal noise criteria of 45 dB LA max.
- The amenity areas of the dwellings shall aim to achieve 50dB LAeq 6hr

The noise assessment and mitigation scheme shall be submitted to and approved in writing by the Uttlesford Planning Authority, and the scheme as approved shall be fully implemented before the dwellings hereby permitted are occupied and shall not be altered without prior approval.

Reason: In the interests of amenity of the future residents and in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

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

Reason: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Justification: The proposed development site lies in a highly sensitive area of historic environment assets and therefore it is essential that these details are submitted for approval in advance of the works being undertaken to ensure that any archaeological deposits present on the site are appropriately investigated prior to development.

8. Prior to occupation of any dwelling, the modified existing access shall be at right angles to Dunmow Road with a minimum 5.5 metre carriageway width and 2 x 1.8 metre wide footways. Visibility splays as shown on TPA Drawing No. PL02 Rev A with dimensions of 43 metres x 2.4 metres x 43 metres as measured from and alongside the nearside edge of the carriageway shall be provided before the access is first used by vehicular traffic and shall be retained free of any obstruction in perpetuity.

Reason: In the interests of highway safety and providing adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

9. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

10. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation. The scheme shall be designed in accordance with the approved Flood Risk Assessment CCE/P101/FRA-02, and the following mitigation measures detailed within the FRA:

- Limiting the discharge from the impermeable areas of the site to 19.3 l/s. In

order to ensure that permeable areas of the site perform in line with greenfield rates then soil remediation measures will be necessary details of this must be provided.

- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change inclusive of an allowance for urban creep.
- Details of viable flood resilience measures to be employed on site.
- Provision of the necessary treatment processes in line with the CIRIA SuDS guide (C753)

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development in accordance with local policy GEN3 and GEN6 and the National Planning Policy Framework.

11. The development hereby permitted shall not be commenced until such time as a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To prevent flooding by ensuring the satisfactory storage of disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development in accordance with local policy GEN3 and GEN6 and the National Planning Policy Framework.

12. Prior to commencement of the development, details of hard and soft landscaping (including planting, hard surfaces and boundary treatment) must be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must 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 must 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 must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure compatibility with the character of the area, in accordance with Policy S3 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

JUSTIFICATION: The landscaping would help enable the development as a whole to integrate into the wider setting within this historical environment and ensure a

sense of well-being for future occupiers and therefore it is essential that these details are submitted for approval in advance of the works being undertaken.

13. 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 policy GEN2 of the Uttlesford Local Plan (adopted 2005)

14. Notwithstanding the landscaping scheme submitted, prior to the commencement of development a scheme showing the measures for the protection of the existing boundary trees and hedges shall be submitted to and approved in writing by the local planning authority. The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

Reason: To protect the existing trees, and hedgerows in the interest of visual amenity, in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

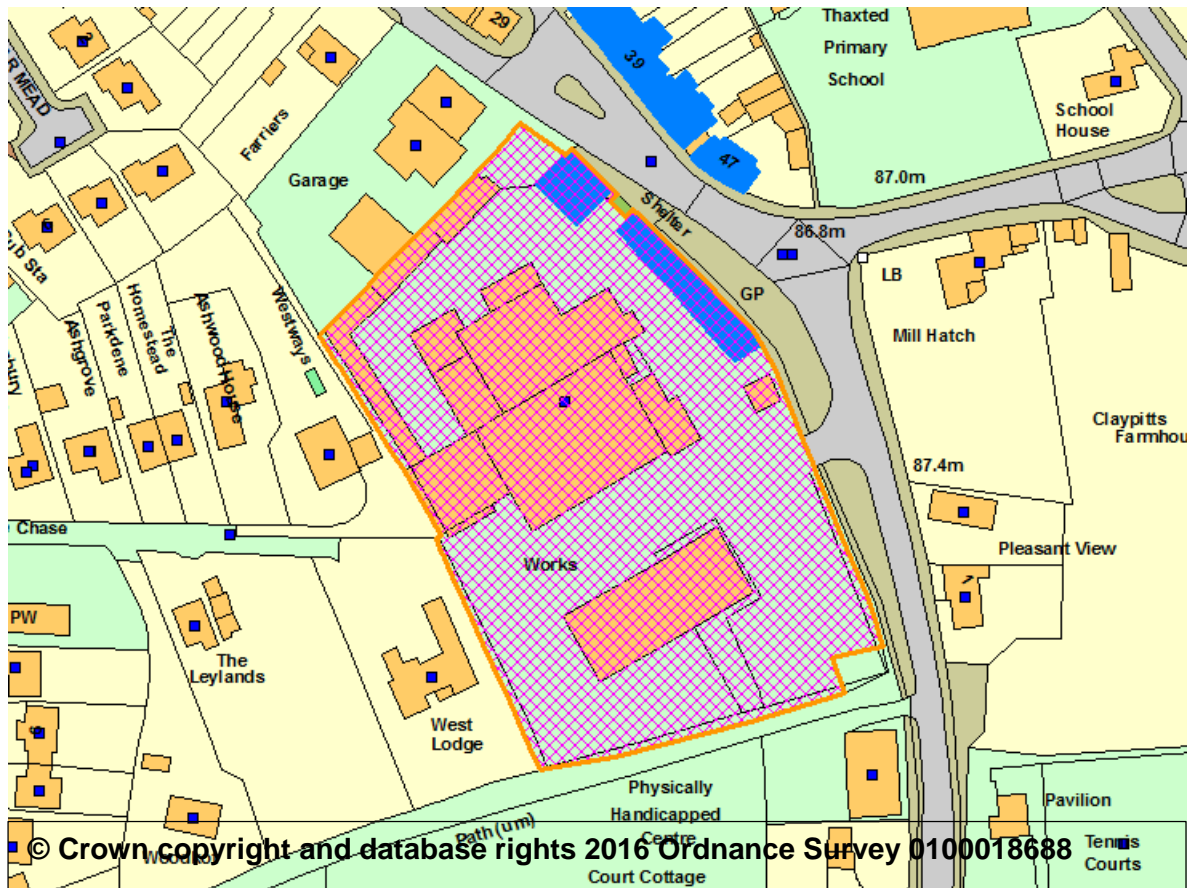
JUSTIFICATION: The protection of the trees and specifically those covered by tree preservation orders is essential to ensure no harm is caused to the significant vegetation and therefore it is essential that these details are submitted for approval in advance of the works being undertaken.

15. 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

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

Application number: UTT/16/0171/FUL

Address: Molecular Products Ltd , Mill End, Thaxted



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

UTT/16/0270/FUL (GREAT DUNMOW)

(MAJOR)

PROPOSAL: **Erection of 13 dwellings with associated landscaping**

LOCATION: **Land at Dunmow Road, Little Canfield, Essex.**

APPLICANT: **Mr R Mackay**

AGENT: **Mr T Blanchard**

EXPIRY DATE: **1 July 2016**

CASE OFFICER: **Madeleine Jones**

1. NOTATION

1.1 Outside Development Limits. Adjacent to County Wildlife Site

2. DESCRIPTION OF SITE

2.1 The application site is located to the south of the Dunmow Road (B1256) in Little Canfield and is 0.49 hectares.

2.2 The site was formally a service station. The previous commercial buildings have been demolished. The site is flat and consists mostly hard standing and rubble piles generated through the demolition of the former service station buildings.

2.3 To the south of the site is the Flich Way a County Wildlife Site and there are residential properties to the east and west of the site.

2.4 The site benefits from two approved planning permissions, for residential use, UTT/1249/09/OP and UTT/ 1155/10/OP, (UTT/12/6172/REN, UTT/13/3038/DFO) for the erection of a total of eight dwellings. The permissions (UTT/1264/09/OP and UTT/12/6172/REN) relating to the front of the site have expired.

3. PROPOSAL

3.1 The proposal is for the erection of twelve dwellings and related landscaping.

3.2

	No of bedrooms	Garden Sizes	Parking Provision
1	2	80	2
2	2	50	2
3	2	50.5	2
4	3	105	2
5	3	105	2
6	3	105	2
7	3	122	2
8	4	155	3
9	4	163	3
10	4	142	3

11	4	142	3
12	5	225	3
Visitor Parking			3

- 3.3 Revised plans have been received:
- The original plans were not to scale
 - Amending the position of the parking spaces
 - Added landscaping to parking areas
- Further revisions:
- . The applicant has since requested that all of the affordable housing is delivered by way of a financial contribution in lieu of the provision and the number of housing units reduced to twelve.

3.4 The density of the development would be 26 dwellings per hectare.

4. **APPLICANT'S CASE**

4.1 The application is accompanied by a Design and Access Statement, Ecological Appraisal, Contaminated Land Survey, Flood Risk and SUDS design Statement, Drainage Statement, Transport Statement, Biodiversity Questionnaire and soft landscaping details.

4.2 The Design and Access Statement provides information in relation to the site and its surroundings, the proposed development, site context and analysis, planning policy, design principles, mix, provision of affordable housing, landscaping, appearance, parking provision, access, and pre- application discussions

5. **RELEVANT SITE HISTORY**

5.1 UTT/1264/09/OP: Outline application for the erection of 4 No. dwellings and cartlidges with some matters reserved. approved with conditions

5.2 UTT/1155/10/OP: Erection of 4 no. dwellings with garages (details of appearance and landscaping reserved) Refused. Allowed at appeal.

DUN/0030/65: Site for display and sale of caravans

DUN/0614/69: Erection of garage for 4 cars. Conditionally Approved.

UTT/005/02/FUL: Continuation of use of premises for car sales. conditionally approved

UTT/0095/06/FUL: Removal of condition C90B (No more than three dwellings shall be accommodated within the site) Allowed at appeal.

UTT/0193/95/FUL: Construction of car and jet wash. Conditionally Approved

UTT/0450/86: Proposed parking area. Conditionally Approved

UTT/0527/05/FUL: Retention of existing security fence & gates to front boundary. Refused

UTT/0627/98/FUL: Change of use to car sales. Erection of replacement

workshop building. Conditionally Approved

UTT/0800/88: Proposed alterations and erection of new sales building and canopy. Approved with conditions

UTT/0898/82: New sales kiosk and office; new 6 000 gall. above ground deriv. storage tank; new 6 000 gall. underground spirit storage tank; revised pump island layout. Approved with conditions

UTT/1035/07/OP: Outline application for the erection of 11 No. dwellings. Refused

UTT/1155/10/OP: Erection of 4 no. dwellings with garages. Refused. allowed at appeal

UTT/12/6172/REN: Renewal of planning application UTT/1264/09/OP for the erection of 4 No. dwellings and cartlodges with some matters reserved. approved with conditions

UTT/1264/09/OP: Outline application for the erection of 4 No. dwellings and cartlodges with some matters reserved. Conditionally approved

UTT/13/2225/REN: Renewal of planning permission UTT/1155/10/OP for erection of 4 no. dwellings with garages (details of appearance and landscaping. Refused

UTT/13/3038/DFO: Details (appearance and landscaping) following outline application UTT/1155/10/OP for 4 no. detached dwellings. approved with conditions.

UTT/1608/05/OP: Outline application for residential development with all matters reserved. Approved with conditions

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

Policy S7: The Countryside

Policy H10: Housing Mix

Policy H9: Affordable Housing

Policy GEN1: Access

Policy GEN2: Design

Policy GEN6: Infrastructure Provision

Policy GEN7: Nature Conservation

Policy GEN8: Vehicle Parking Standards

Policy ENV7: The Protection of the Natural Environment Designated Sites

Policy ENV14: Contaminated Land

Policy GEN3: Flood Protection

Policy GEN4: Good neighbourliness

SPD: Energy Efficiency and Renewable Energy

SPD: Accessible Homes and Playspace

SPD Parking Standards: Design and Good Practice Guide

Developers Contribution Guidance document February 2016

Essex Design Guide

Uttlesford Local Parking Standards

7. PARISH COUNCIL COMMENTS

7.1 No reply received

8. CONSULTATIONS

Environmental Health Officer

8.1 No objection subject to conditions.

Essex County Council Ecology

8.2 I have no objections subject to the imposition of a condition requesting a Biodiversity Enhancement and Management Plan.
The application is supported by an Ecological Appraisal, dated December 2015. The appraisal identifies the site to be dominated by hard standing and tall ruderal habitat. Features of note include a mature oak tree (T1) in the south eastern corner, and mature hawthorn trees along the eastern boundary. It should also be noted that the Flich Way (Local Wildlife Site), runs along the southern boundary and Runnels Hey woodland (also a Local Wildlife Site) lies c.50 metres to the south of the site.
Reptiles and amphibians
Although the potential for reptiles and amphibians on site has been identified as limited, the site abuts residential gardens (and the Flich Way) and herptiles may occasionally enter the site. As such, measures 1-6 set out on Pages 12 and 13 should be adhered to, to ensure reptiles and amphibians are appropriately protected.
Nesting birds and foraging / commuting bats
Section 4.2 of the Appraisal states 'The scrub and trees around the site perimeter provide potential nesting bird habitat and bat commuting/foraging habitat. Together these features may provide dispersal corridors for amphibians and small mammals etc. and should therefore, be retained.' I note that a landscape

buffer has been incorporated into the proposal layout, along the southern boundary. This allows the retention of oak T1 and this is welcomed. It is unclear whether or not the mature hawthorn trees are to be retained, and this should be clarified.

An ecologist should provide input into the design of the landscape buffer to ensure appropriate species inclusion and long-term management. This detail can be provided in a Biodiversity Management Plan, following consent

Section 41 Priority Species

Section 4.6 of the Appraisal states, 'In time, once lawn areas have established they will provide valuable foraging habitat for hedgehogs. Ideally, native species hedgerows will be planted to mark all or some of any new garden boundaries to provide refuge and foraging habitat. If fence panels are erected, small holes (c. 150 x 150mm in size) should be cut at the bottom of the fence panels or gravel board (whichever is in contact with the ground) to allow the free passage of hedgehogs to forage and disperse safely without the need to cross busy roads such as Dunmow Road. A minimum of 1 hole at each end of a straight run of fence is required. This detail should be provided in the Biodiversity Management Plan.

Thames Water

- 8.3 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Reason- to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Essex County Council Highways

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

1. The width of the accesses at their junction with the highway boundary shall be reduced to no less than 5.5 metres and retained at that width for 6 metres within the site.

Reason: To ensure that vehicles can enter and leave the highway in a safe and controlled manner.

2. Prior to commencement of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety.

3. Prior to occupation of the development, any redundant access width shall be

removed, the footpath resurfaced and kerb and tactile paving reinstated for use as approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

4. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

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

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

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

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informatives

(i) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

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

(iii) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

(iv) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

(v) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

Infrastructure Planning Officer

8.5 I have assessed the proposed development on the basis of 13 houses. A development of this size is below Essex County Councils new threshold for

education contributions, and thereby, a s106 education contribution would not be sought

Essex County Council SUDS

8.6 The SUDS team have sent in several responses which the applicants have responded to. (full details can be viewed on the main file) They raised concerns in respect of drainage, infiltration, run off, storage provision, water quality, site levels, contamination, ground testing.

8.7 Final Response 20th April:
Lead Local Flood Authority position
Having reviewed the Flood Risk Assessment and the new associated documents which accompanied the planning application, we do not object to the granting of planning permission.

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the documents submitted with this application are implemented as stated.

Condition 1

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

1. Surface water run-off restricted to a maximum of 5l/s.
2. Attenuation storage for the 1 in 100 inclusive of climate change storm event and urban creep.
3. An appropriate amount of treatment in line with the CIRIA SuDS Manual C753.
4. A drainage plan highlighting final exceedance and conveyance routes, location and sizing of storage features, discharge rates and outfall/s from the site.
5. Demonstration that properties will be safe from flooding in a 1 in 100 inclusive of climate change critical storm event.
6. Demonstration of agreement with the relevant authority to discharge into the relevant surface water sewer.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment

Condition 2

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.

Reason

The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

Condition 3

No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Condition 4

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

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management

Office.

- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Whilst we have no further specific comments to make at this stage, attached is a standing advice note explaining the implications of the Flood and Water Management Act (2010) which could be enclosed as an informative along with your response issued at this time.

8.10 **Specialist Archaeological Advice**

The historic environment record shows that the proposed development lies to the south of the main Roman Road (EHER 4697) from Colchester to Braughing. The development area also lies to the south of the Prior's Hall development which has shown the presence of multi-period occupation from the Neolithic through to the post medieval period.

Recommendation Archaeological trial trenching and excavation

"No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological trial trenching and excavation in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

Environment Agency

8.11 No objection.

We have the following advice on land contamination, the use of Sustainable Drainage Systems and underground storage tanks.

Contaminated land;

The preliminary risk assessment shows there is contamination to ground, which may be affecting the secondary aquifer beneath the site. These proposals therefore need to be dealt with in a way which protects the underlying groundwater.

Following a reduction in Grant in Aid funding, our ability to respond to Local Planning Authorities for some planning consultations has been affected. Our Groundwater, Hydrology and Contaminated Land Team in Hertfordshire and North London Area are not providing specific advice on the risks to controlled waters for this site as they must concentrate their local resources on the highest risk proposals.

We recommend, however, that the requirements of the National Planning Policy Framework and National Planning Policy Guidance (NPPG) are still followed. This means that all risks to groundwater and surface waters from contamination need to be identified, so that appropriate remedial action can be taken. We expect reports and Risk Assessments to be prepared in line with our 'Groundwater protection: Principles and practice' document (commonly referred to as GP3) and CLR11 (Model Procedures for the Management of Land Contamination).

In order to protect groundwater quality from further deterioration:

- No infiltration based sustainable drainage systems should be constructed on land affected by contamination, as contaminants can remobilise and cause
 - Groundwater pollution.
 - Piling or any other foundation designs using penetrative methods should not cause preferential pathways for contaminants to migrate to groundwater and cause pollution.
-
- The applicant should refer to the following sources of information and advice in dealing with land affected by contamination, especially with respect to protection of the groundwater beneath the site:
 - Groundwater Protection: Principles and Practice (August 2013)
 - Technical Guidance Pages on our website, which include links to CLR11 (Model Procedures for the Management of Land Contamination) and GPLC (Environment Agency's Guiding Principles for Land Contamination) in the 'overarching documents' section.
 - The Planning Practice Guidance
 - British Standards when investigating potentially contaminated sites and groundwater:
 - BS 5930: 1999 A2:2010 Code of practice for site investigations
 - BS 10175:2011 Code of practice for investigation of potentially contaminated sites
 - BS ISO 5667-22:2010 Water quality. Sampling. Guidance on the design and installation of groundwater monitoring points
 - BS ISO 5667-11:2009 Water quality. Sampling. Guidance on sampling of groundwaters
 - MCERTS accredited methods for testing contaminated soils at the site: (<https://www.gov.uk/government/collections/monitoring-emissions-to-air-land-and-water-mcerts>)

We only consider issues relating to groundwater and watercourses. Evaluation of any risks to human health arising from the site should be discussed with your Environmental Health Department.

Sustainable Drainage Systems

In brief, our general requirements with regards to Sustainable Drainage Systems (SuDS) are: 1. Infiltration SuDS such as soakaways, unsealed porous pavement systems or infiltration basins shall only be used where it can be demonstrated that they will not pose a risk to the water environment. 2. Infiltration SuDS have the potential to provide a pathway for pollutants and must not be constructed in contaminated ground. They would only be acceptable if a phased site investigation showed the presence of no significant contamination. 3. Only clean water from roofs can be directly discharged to any soakaway or watercourse. Systems for the discharge of surface water from associated hard-standing, roads and impermeable vehicle parking areas shall incorporate appropriate pollution prevention measures and a suitable number of SuDS treatment train components appropriate to the environmental sensitivity of the receiving waters.

4. The maximum acceptable depth for infiltration SuDS is 2.0 m below ground level, with a minimum of 1.2 m clearance between the base of infiltration SuDS and peak seasonal groundwater levels. 5. Deep bore and other deep soakaway systems are not appropriate in areas where groundwater constitutes a significant resource (that is where aquifer yield may support or already supports abstraction). Please also refer to the SuDS Manual (CIRIA C697, 2007), the Susdrain website (<http://www.susdrain.org/>) and the draft National Standards for SuDS (Defra, 2011) for more information.

Underground Storage Tanks

We recommend the removal of all underground storage tanks (USTs) that are unlikely to be reused. Once the tanks and associated pipelines have been removed, samples of soil and groundwater should be taken to check for subsurface contamination. If soil or groundwater contamination is found, additional investigations (possibly including a risk assessment) should be carried out to determine the need for remediation.

The applicant should refer to 'Pollution Prevention Advice and Guidance on Storing and handling materials and products' and 'Defra - The Groundwater Protection Code: Petrol stations and other fuel dispensing facilities involving underground storage tanks - for England and Wales', specifically those sections relating to decommissioning redundant underground fuel storage tanks and infrastructure

8.12 **Housing Enabling Officer**

The proposed scheme will provide a ground floor one bedroom wheelchair accessible unit, and a 2 bedroom 4 person 1st floor apartment. 2 shared ownership affordable units in total in accordance with the advice provided at pre-application stage. Financial contributions would also be acceptable in lieu of the provision.

9. **REPRESENTATIONS**

9.1 This application has been advertised and 67 neighbouring properties written to. No representations have been received. Expiry date 21st March 2016

10. **APPRAISAL**

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

- A **The development of this site for residential purposes is appropriate (NPPF and ULP Policies S7, H3);**
- B **The layout, design and scale of the proposals is appropriate (ULP Policies GEN2, S7 & SPD: Accessible Homes and Playspace);**
- C **The access and parking arrangements are appropriate (ULP Policies GEN1 & GEN8 & SPD: Parking Standards: Design and Good Practice);**
- D **Biodiversity (ULP policy GEN7)**
- E **Affordable Housing, Education Contributions (ULP policies H9, GEN6 and Developers Contributions Guidance Document)**

F Contamination and Drainage Issues (ULP policies ENV14 and GEN3)

A The development of this site for residential purposes is appropriate (NPPF and ULP Policies S7, H3);

10.1 In planning policy terms, the site lies outside of any established development limits as defined by the Uttlesford Local Plan. Consequently for the purposes of planning, the site is considered to be within the countryside and subject to all national and local policies.

Policy S7 is a policy of general restraint which seeks to restrict development to that which needs to take place there, or is appropriate to a rural area in order to protect the character of the countryside. This includes infilling in accordance to paragraph 6.13. 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.

Within the supporting text of policy S7, it sets out at paragraph 6.13 of the Local Plan that outside development limits, sensitive infilling proposals close to settlements may be appropriate subject to the development being compatible with the character of the surroundings and have a limited impact on the countryside will be considered in the context of Local Policy S7. Paragraph 17 of the NPPF does however state that planning should take account of the different areas, promoting the vitality of our main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

A review of the Council's adopted policies and their compatibility with the NPPF has been carried out on behalf of the Council by Ann Skippers Planning. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the 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. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.

The most recent housing trajectory was presented to the Planning Policy Working group on 8 June 2015, an updated statement was presented to the Group on 26 November 2015 The Council is required to identify annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The Council considered that it is a '5% authority' and this has been supported by the Local Plan Inspector and at a number of appeals

The Statement explains that until the Council has determined its objectively assessed need it considers its housing requirement is between 568 to 580 dwellings a year. The Council estimates that 3530 dwellings will be delivered over the next 5 years which provides the District with between 5.1 – 5.3 years of supply, depending on the housing target, but including a 5% buffer.

National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable

development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.

The Council can demonstrate a deliverable 5 year supply of housing land. Notwithstanding this any applications will have to be considered against the guidance set out in Paragraphs 6 - 15 of the NPPF. The Council needs to continue to consider, and where appropriate, approve development which is sustainable and meets its housing objectives.

In view of the above, any new proposal should aim of securing sustainable development as it is a golden thread running through the Framework. Paragraph 14 sets out a presumption in favour of sustainable development and paragraph 7 provides a definition for planning purposes. This identifies three mutually dependent strands; an economic role, a social role and an environmental role.

Economic: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. In economic terms the proposal would 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 economic benefit.

Social: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed in the district, including provision of affordable housing units or financial contributions to provide affordable housing. Furthermore, the site is located near to existing public bus stops (immediately to the front of the site) and is served by existing bus routes that give access to Stansted Airport, bishops Stortford, Stansted Mountfitchet and Saffron Walden and also provide access to railway stations along the routes.

The site also connects with existing pedestrian and cycle routes, including the Flitch Way. The village of Takeley, including Priors Green is well served with facilities, many of which are within walking distance of the application site and development of the site would allow residents to access facilities by means other than the motor car. There is a school, shops and community centre located at Priors Green. In terms of the rural nature of the district, the facilities and public transport options are relatively good.

Environmental: The development of this site would result in additional built form in the countryside. The development would result in re-use of a previously developed site. The site is contaminated and this proposal would result in remediation of the site. The site is located to the County wildlife site, the Flitch Way, however, the design includes a landscape buffer to the rear of the site to respect the wildlife site and any impacts can be mitigated by way of condition. (please see below) Either side and opposite of the development are residential properties. As such it is not considered that the proposals would give rise to substantial harm in terms of environmental impact.

The proposal is considered to meet the three strands of sustainability as set out in the NPPF and is therefore acceptable in principle. The weight to be given towards sustainable development would outweigh the policy objection as set out

in Policy S7 given its partial incompatibility with the NPPF.

A further material consideration is that there is one extant planning permission for this site and one that has recently expired, which gave planning permission for a combined total of eight dwellings. No affordable housing provision or contributions were required for either of the approved schemes.

B The layout, design and scale of the proposals is appropriate (ULP Policies GEN2, S7 & SPD: Accessible Homes and Playspace);

Policy H10 has a requirement for sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties. All developments on a site of 3 or more homes must include an element of small 2 and 3 bed homes, which must represent a significant proportion of the total, for those households who are able to meet their needs in the market and would like to live in a new home. The housing mix of this application meets the requirements of Policy H10.

The supplementary Planning Document Accessible Homes and playspaces requires that developments of 10 and over should provide bungalows, however, there have been two recent approvals on nearby sites which do not have any bungalow provision and it is considered that bungalows in this location would not be in keeping with the surrounding character. The development would result in an increase in density of the previously approved developments for the site.

All of the units have private amenity spaces. The Essex Design Guide recommends that dwellings or 3 bedrooms or more should have private amenity spaces of 100sqm+.and 2 bedroom properties 50 sqm+. The gardens accord with the requirements of the Essex Design Guide Each plot has adequate private amenity space to accord with the requirements of the Essex Design Guide

The design and scale of the proposed dwellings is considered appropriate for this location. The dwellings would all be two storey, the front row of houses are set back from the road to respect the building line created by the dwelling immediately adjacent on the site to the west and to allow soft landscaping to minimise the impact of the built form from the street view.. A landscape buffer has also been incorporated into the design to protect the Wildlife site to the rear of the site. New hedging and planting is proposed along the front of the site to complement the adjacent housing and developments.

It is proposed to use a combination of red and buff coloured face brick and the roofs to be clad in red pantiles and black slate. Materials can be controlled by condition if planning permission is granted.

The development has been designed to minimise the potential for overshadowing or overbearing impacts. In view of the distances between neighbouring properties) the proposal would not result in any material overlooking.

C The access and parking arrangements are appropriate (ULP Policies GEN1 & GEN8 & SPD: Parking Standards: Design and Good Practice);

The proposed properties are a mixture of one, two, three, four and five bedroom dwellings. The adopted Essex County Council parking standards require the provision for two parking spaces per dwelling for two and three bedroom dwellings and three parking spaces for three+ bedroomed properties and additional visitor parking spaces. The proposal meets these standards in that each dwelling would have two/three parking spaces as required and there would also be three unallocated parking spaces within the development to provide

visitor parking. Vehicular access to the site is acceptable. The Highway's Department have been consulted and raise no objections to the proposals on highway terms. The proposals therefore satisfy the requirements of ULP Policies GEN1 and GEN8.

D Biodiversity (ULP policy GEN7)

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.

In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010.

A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site. The questionnaire allows the council to assess whether further information is required in respect of protected species and their habitats. Some of the questions were answered with a yes and accordingly an ecology report has been submitted with the application.

Essex County Council Ecologists have been consulted and have no objections to the proposal subject to condition.

As such it is not considered that the proposal would have any material detrimental impact in respect of protected species and accords with ULP policy GEN7

E Affordable Housing, Education Contributions (ULP policies H9, GEN6 and Developers Contributions Guidance Document)

Affordable Housing:

Policy H9 states that the Council will seek to negotiate on a site for site basis an element of affordable housing of 40% of the total provision of housing

The Council commissioned a Strategic Housing Market Area Assessment which identified the need for affordable housing market type and tenure across the District. As a result of this the Council will require a specific mix per development proposal.

The Strategic Housing Market Area Assessment supports the provision of a range of affordable housing:

Affordable housing provision (rounded up to the nearest whole number)

- 40% on sites of 15 or more dwellings or sites of 0.5ha or more;
- 20% on sites of 5-14 dwellings or sites between 0.17ha and 0.49ha or an equivalent financial contribution as advised by the District Council; and
- Financial contribution on sites of 2-4 dwellings

The site area is 0.49 hectares and the application is for thirteen properties, as

such a provision of 20% affordable housing or an equivalent financial contribution would be required. The applicant has indicated that they are prepared to enter into a Section 106 legal agreement to either provide the affordable housing or make a financial contribution. Subject to this agreement being completed, the proposal would comply with the requirements of policy H9 and the adopted Developer Contributions Guidance Document.

Education Contributions:

Essex County Council (ECC) is the Education Authority for the District. ECC have published a 'Developers' Guide to Infrastructure Contributions' which sets out how contributions for Education are calculated. A development of this size is below Essex County Councils new threshold for education contributions, and thereby, a s106 education contribution is not sought.

F Contamination and Drainage Issues (ULP policies ENV14, GEN2, GEN4 and GEN3)

The site is a redundant service station and as such there is the potential for the site to be contaminated. Accordingly a contamination report has been submitted and it has been identified that there is some hydrocarbon contamination in the ground in the area of the fuel tanks and pump area of the petrol filling station. As a result the Environment Agency, internal Environmental Health officers and the County SUDS teams have been consulted.

Insufficient information was initially submitted with the application and further information requested in relation to infiltration, run-off rates, maintenance of any drainage scheme and on site water treatment.

The SUDS team have now withdrawn their objection and confirm that provided the development is implemented by way of their suggested conditions, the proposed development would meet the requirements of the National Planning Policy Framework.

Additionally Environmental Health officers have confirmed that subject to appropriate conditions the proposal is acceptable.

- G Impact on Archaeological remains(ULP policy ENV4**
Policy ENV4 seeks the preservation or investigation of important archaeological remains as appropriate. The site fronts the roman road from Braughing to Colchester, while to the rear lies the historic railway line of the flitch Way. Taking into account the comments of the Historic Environment Officer, it is considered appropriate to require a condition that appropriate archaeological investigation is carried out before development commences. Subject to this condition, it is considered that there is no conflict with policy ENV4

11. CONCLUSION

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

- A The development comprises sustainable development and is acceptable in accordance with the NPPF
- B The design is considered to be acceptable and complies with eh Essex Design Guide and ULP policy GEN2
- C Adequate parking provision for the number of dwellings is provided to comply with ECC parking standards (adopted 2009) and locally amended March 2013.. Adequate visitor parking spaces are provided. The Highways Authority has no objections. The proposed accesses are acceptable. The proposal complies with of ULP Policies GEN1 and GEN8.

- D It is not considered that the proposal would have any material detrimental impact in respect of protected species in accordance with ULP policy GEN7 and the NPPF.
- E The applicant has agreed to enter into a S106 legal agreement to provide or pay financial contributions in respect of affordable housing in accordance with policy H9.
- F Subject to appropriate conditions, the proposal would not result in any material detrimental issues relating to flooding or contamination.
- G The proposal subject to an appropriate condition complies with policy ENV4

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION

- (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 1st July 2016 the freehold owner enters into a binding agreement 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 Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:
 - (i) Financial contributions in respect of affordable housing
 - (ii) Pay the Council’s reasonable costs
 - (iii) Maintenance of SUDS
 - (iv) Pay the Monitoring fee
- (II) In the event of such a variation to the extant obligation being made, the Director of Public Services shall be authorised to grant permission subject to the conditions set out below:
- (III) If the freehold owner shall fail to enter into such a variation of the extant obligation, the Director of Public Services shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:
 - (v) Provision or financial contributions in respect of affordable housing
 - (vi) Pay the Council’s reasonable costs
 - (vii) Suds maintenance
 - (viii) Pay the Monitoring fee

Conditions

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

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. Before development commences full details of 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) Planting plans, including specifications of species(including details of landscaping to be retained), sizes, planting centres, number, percentage mix and implementation programme.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

Justification: The site is adjacent to a County Wildlife Site, the landscaping may impact on other areas of design of the proposal.

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

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 4 One dwelling approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

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

5. No development shall take place until a Biodiversity Enhancement and Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be informed by the Ecological Appraisal (dated December 2015) and shall include:
- a) A description and evaluation of features to be enhanced and managed, particularly the boundary with Flich Way and the proposed landscape buffer. Details shall be in line with the enhancement suggestions provided in Section 4.7 of the Ecological Appraisal;
 - b) Any potential for protected and Section 41 Priority Species on site that might inform enhancement and future management; particularly reptiles and amphibians, nesting birds, foraging / commuting bats and hedgehogs;
 - c) Aims and objectives of management;
 - d) Appropriate management options for achieving the aims and objectives of the project;
 - e) Prescriptions for management actions;
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - g) Details of the body or organisation responsible for implementation of the plan;
 - h) On-going monitoring and remedial measures.
- The Plan shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out

(where the results from monitoring show that conservation aims and objectives of the Plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved, in the interests of biodiversity and in accordance with Local Plan Policies GEN7 and ENV4

Justification: The site is adjacent to a County Wildlife Site, this condition is required to be a pre-commencement condition due to the statutory requirements relating to protected species

- 6 Prior to commencement of the development, samples of the materials to be used for the external walls and roofs shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved samples.

REASON: To ensure a satisfactory appearance for the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 7 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:
1. Surface water run-off restricted to a maximum of 5l/s.
 2. Attenuation storage for the 1 in 100 inclusive of climate change storm event and urban creep.
 3. An appropriate amount of treatment in line with the CIRIA SuDS Manual C753.
 4. A drainage plan highlighting final exceedance and conveyance routes, location and sizing of storage features, discharge rates and outfall/s from the site.
 5. Demonstration that properties will be safe from flooding in a 1 in 100 inclusive of climate change critical storm event.
 6. Demonstration of agreement with the relevant authority to discharge into the relevant surface water sewer.

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment

Justification: This pre- commencement condition is required to ensure the drainage scheme is appropriate for the site

- 8 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The

scheme shall subsequently be implemented. The scheme shall be implemented as approved.

REASON:

The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

Justification: This pre- commencement condition is required because construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

- 9 No development other than that required to be carried out as part of an approved scheme of remediation shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, [property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.]
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

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

Justification: This pre- commencement condition is required because the carrying out of the development without it may result in harm to human health.

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

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

Justification: This condition is required to be a pre-commencement condition to ensure that all relevant contamination is dealt with as advised by Environmental Health Officers.

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

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

- 12 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination.

An assessment must be undertaken in accordance with the requirements of condition ENV1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements of condition ENV2. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted to and approved in writing by the Local Planning Authority in accordance with condition ENV3.

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

- 13 The width of the accesses at their junction with the highway boundary shall be reduced to no less than 5.5 metres and retained at that width for 6 metres within the site.

Reason: To ensure that vehicles can enter and leave the highway in a safe and controlled manner in accordance with Uttlesford Local Plan Policy GEN1.

- 14 Prior to commencement of the development a 1.5 metre x 1.5 metre pedestrian visibility splay, as measured from and along the highway boundary, shall be provided on both sides of the vehicular access. Such visibility splays shall be retained free of any obstruction in perpetuity. These visibility splays must not form part of the vehicular surface of the access.

Reason: To provide adequate inter-visibility between the users of the access and pedestrians in the adjoining public highway in the interest of highway safety in accordance with Uttlesford Local Plan Policy GEN1

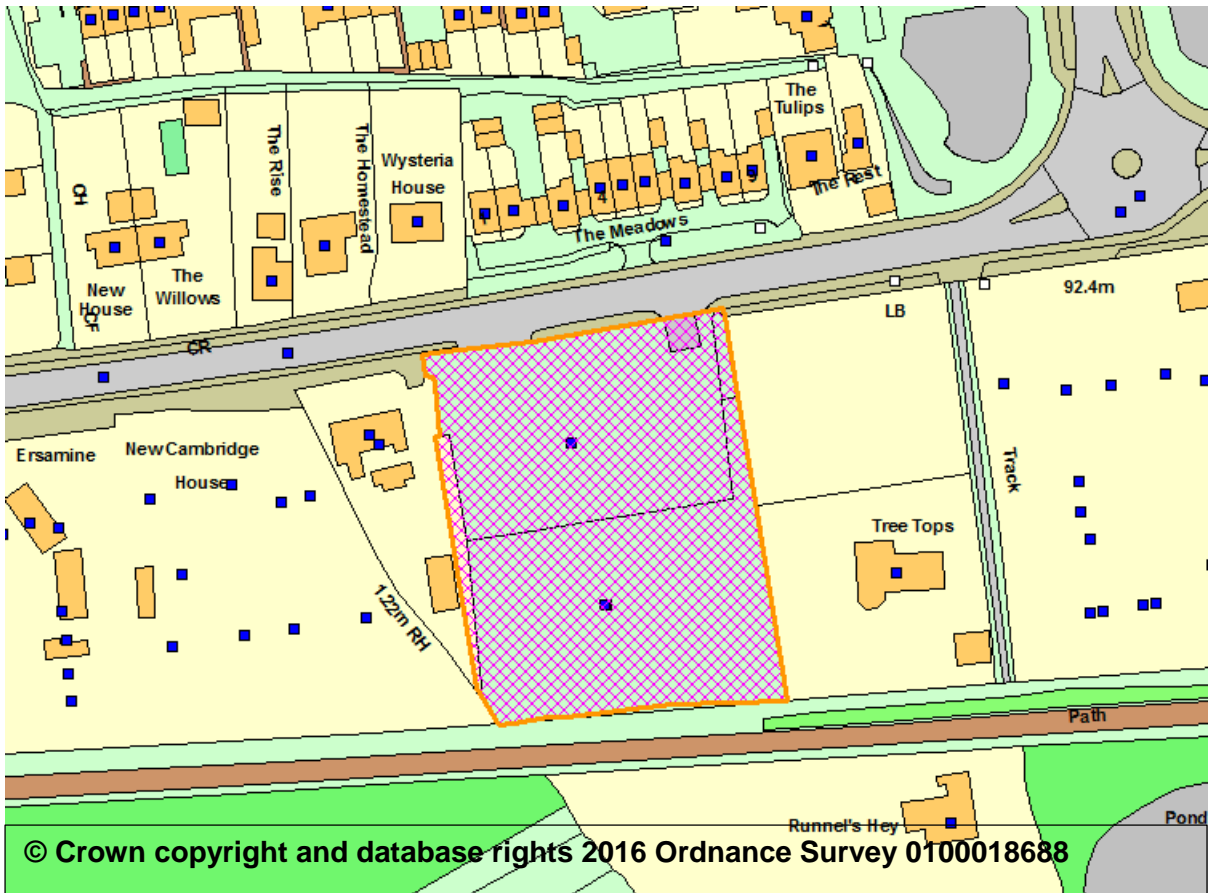
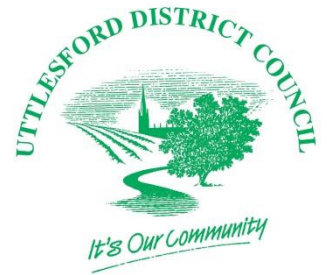
Justification: The above condition is required to ensure that the development does not result in unacceptable highway safety issues

15 No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological trial trenching and excavation 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 shows that the proposed development lies to the south of the main Roman Road (EHER 4697) from Colchester to Braughing. The development area also lies to the south of the Prior's Hall development which has shown the presence of multi-period occupation from the Neolithic through to the post medieval period, in accordance with Uttlesford Local Plan Policy ENV4

Justification: Once works are started any historic records could be destroyed.

Application no.: UTT/16/0270/FUL
Address: Land at Dunmow Road, Little Canfield



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

UTT/15/3785/FUL (GREAT HALLINGBURY)

(MAJOR)

PROPOSAL: Change of Use and conversion of redundant farm buildings to 5 no. holiday lets and 1 no. dwelling and erection of cart lodge

LOCATION: Woodside Green Farm, Woodside Green Great Hallingbury

APPLICANT: Mrs J Schwier

AGENT: Mr M Homer

EXPIRY DATE: 1 July 2016

CASE OFFICER: Madeleine Jones

1. NOTATION

1.1 Outside Development Limits. Grade II Listed buildings. Adjacent to SSSI. Within 6km of Stansted Airport. County Wildlife Site

2. DESCRIPTION OF SITE

2.1 The site is a historic farmstead containing a C16 timber framed farmhouse , C18 two large barns, a c18 granary and a range of other outbuildings which are curtilage listed. The farmhouse has a central position with the outbuildings surrounding it to the south, north and east. The farm was a former dairy farm and the cows used to graze on the green to the east and north of the site.

2.2 The site is located on the western edge of the hamlet of Woodside Green and is separated from it by a pond. It borders the National Trust's ancient woodland of Hatfield Forest to the east

2.3 There are two vehicular access to the site, to the east and to the north west.

2.4 The barn to the south of the house is in a poor state of repair.

2.5 The courtyard is predominantly concrete

3. PROPOSAL

3.1 The proposal is for change of use and conversion of the outbuildings to five holiday lets, a dwelling and the erection of a cart lodge.

4. APPLICANT'S CASE

4.1 The application is submitted with the following documents:
Design and Access Statement
Bat survey
Contaminated Land Survey
Structural Condition Report
Biodiversity Questionnaire
Specialist Analysis and Report on the farm buildings

5. RELEVANT SITE HISTORY

5.1 DUN/0115/72 – Erection of dairy unit- Conditionally approved

P/A/2/14/159 – Extension to agricultural building – Deemed permitted

UTT/0621/93/FUL – Erection of straw barn conditionally approved

UTT/13/1809/AG – Relocation of Dutch Barn - Refused

UTT/13/3039/FUL – Erection of replacement agricultural cattle barn – Conditionally approved

UTT/1539/04/FUL – change of use of redundant farm building – conditionally approved

UTT/1540/04/LB - Change of use of redundant farm buildings to 2 no. dwellings and games room; and 1 no. offices. conditionally approved

UTT/1685/09/REN – Change of use of redundant farm buildings to 2 no dwellings and games room and 1 no. office. Conditionally approved.

UTT/1687/09/LB - Change of use of redundant farm buildings to 2 No dwellings and games room & 1 No offices conditionally approved.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

S7 - The Countryside

GEN2 - Design

GEN8 - Vehicle Parking Standards

GEN7 – Nature Conservation

GEN1 - Access

GEN4 - Good Neighbourliness

E5 – Re-Use of Rural Buildings

ENV14 – Contaminated Land

H6 – Conversion of Rural Buildings to Residential Use

ENV2- Listed Buildings

ENV7 – County Wildlife Site/ site of Special Scientific Interest

ENV7- The protection of the natural environment designated sites.

Supplementary Planning Documents:

Essex County Council Parking Standards.

Accessible homes and playspace

7. PARISH COUNCIL COMMENTS

7.1 No objections

8. CONSULTATIONS

Essex County Council Ecology

8.1 I have reviewed the Bat and Great Crested Newt Assessment Report (May 2016) produced by Skilled Ecology Consultancy. I have no objections subject to conditions.

Results indicate that low numbers of common pipistrelle bats are using Barn A and whilst historically natterers have used Barn A, the deterioration of this building has caused the bats to move elsewhere.

The numbers of common pipistrelle bats recorded increased from the 3rd May to the 16th May 2016 to a peak count of 25 bats. This strongly indicates that a small maternity roost of common pipistrelle bats is present in Barn B. Natterers appear to be present in low numbers only and it is unlikely that a large or significant roost of natterers (such as a maternity roost) is present. Both barns are considered to provide suitable conditions for hibernating bats. If Barn A is used for hibernation it would most likely be by very low numbers of common pipistrelle bats only. If Barn A is used for hibernation both natterers and common pipistrelle may be present over winter in similar numbers recorded.

In terms of their conservation status, barn A is considered to be low, and Barn B high.

A mitigation strategy is required to inform a Natural England license; which will permit the development to go ahead lawfully.

A condition should be imposed, as follows:

1. No works shall commence until a Mitigation Strategy for bats has been produced. This shall be informed by an additional bat survey (during appropriate seasonality as advised by the ecologist) and shall be suitable for submission to Natural England in support of a development license. The Mitigation Strategy shall follow the principles set out in Section 5.1.1 of the Bat and Great Crested Newt Assessment Report (May 2016). The results of the additional survey and the Mitigation Strategy shall be submitted to the LPA for approval.

Reason: To ensure works on site proceed in a manner that protects European protected species.

The pond on site is considered unsuitable for GCN. Nonetheless, the following should be adhered to, to remove any residual risk of harm,:

No ponds should be impacted by the development. If necessary, heras fencing should be used to protect the pond adjacent to Barn B from accidental impact by contractors;

Building materials should be stored on hard standing areas only to prevent wildlife from sheltering in the materials;

Any refuse from the development works should be stored on hard standing or ideally

be removed immediately from the site to prevent wildlife from sheltering in the materials;

Any holes or trenches dug for the development should be covered at night or should have a roughly sawn timber placed in the hole to be used as a ramp and facilitate escape by any wildlife which may fall in;

No development works should occur at night when amphibians are mostly active.

The following condition should be imposed in respect of swallows:

2. No works shall commence until four Schwegler swallow nesting cups have been erected inside the new covered parking area (indicated as E in Figure 2 in Appendix 1 of the Bat and Great Crested Newt Assessment Report (May 2016)) or below the roofline of the newly converted buildings.

Reason: To ensure appropriate mitigation measures are out in place for nationally protected species.

The following informatives should also be appended to any consent:

Great crested newts

Should any newts or evidence of newts be found prior to or during the development, all works must stop immediately and an ecological consultant or the Council's ecologist contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.

Birds

The applicant is reminded that, under the Wildlife & Countryside Act 1981 as amended (section 1), it is an offence to remove, damage, or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act.

Trees and scrub are likely to contain nesting birds between 1st March and 31st August inclusive.

Nesting birds are assumed to be present within vegetation on site between the above dates, unless a recent survey has been undertaken by a competent ecologist and has shown it is absolutely certain that birds are not present.

I have had some valid feedback from the ecologist on this one (regarding the point at which the enhancement feature for swallows can be installed) and feel that condition 2 should be amended to say: four schwegler swallow nesting cups must be erected upon completion inside the new covered parking area (indicated as e in figure 2 in appendix 1 of the bat and great crested newt assessment report (may2016)) or below the roofline of the newly converted buildings. The reason for imposition is the same as previous.

11th March: I wish to object due to insufficient information on bats; European protected species.

Bats were identified (during previous bat surveys) to be using both Barns A and B. However, the current survey undertaken by John Dobson in October 2015 only found evidence of roosting bats (both natterer's and common pipistrelle) within Barn B.

The bat survey states the following on Page 4:

With the evidence being consistent with a colony of bats roosting in Barn B, a EPS Licence would probably be required to develop that building. As part of that process, it is necessary to determine the population of bats using the barn and also at which times during the year. Therefore, prior to any work being undertaken on Barn B, it is recommended that a hibernation survey should take place during a cold spell in January or February, when an endoscopic examination of mortise joints in both barns may be made. It is also recommended that at least two evening surveys take place from mid-May onwards to monitor bat activity in Barn B. These additional surveys should be conducted during the winter and summer prior to the work commencing, since surveys conducted during 2016 would need to be repeated if

any redevelopment were to take place at a later date. The recently published Bat Survey Guidelines asks for at least three surveys at a proven roost to establish the usage of a site by bats. The results of these surveys would determine whether a licence was required, and the appropriate mitigation to retain the bats at the site. The recommended hibernation and emergence surveys should be undertaken before this application is determined, in accordance with paragraph 118 of the NPPF, paragraph 99 of the ODPM Circular 06/05 and Government Guidance. The surveys are also necessary to allow the LPA to be confident that Natural England will grant a license for the development.

Natural England

8.2 Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The Wildlife and Countryside Act 1981 (as amended)

The Conservation of Habitats and Species Regulations 2010 (as amended)

Natural England's comments in relation to this application are provided in the following sections.

Statutory nature conservation sites – no objection

Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Hatfield Forest SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected species

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Essex County Council Highways

- 8.3 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following:
The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.
Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided. The above condition is required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Essex County Council Economic Growth

- 8.4 Essex County Council will not be requesting a S106 education contribution on this occasion

Specialist Archaeological Advice

- 8.5 No development or conversion of any kind shall take place until the applicant has secured the implementation of a programme of historic building recording in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.
Reason for Archaeological conditions
The barns proposed for conversion at Woodside Green Farm, are identified as part of a farm complex dating back to at least the 19th century and potentially earlier. The buildings are identified on the first edition Ordnance Survey map. . It is recommended that the structures should be recorded prior to their conversion. Recent work published in the *East Anglian Archaeology: Research and Archaeology: A Framework for the Eastern Counties 2. Research Agenda and Strategy* states that the East Anglian Farmstead (1750-1914) is a crucial, but understudied component of the East Anglian Landscape. Such farm buildings are of major importance in the development of the 'Victorian High Farming tradition ' when new ideas culminated in significant alterations in the design and layouts of buildings. It is therefore recommended that prior to development the barns proposed for conversion are 'preserved by record' through archaeological survey.
A recognised professional team of archaeologists should undertake the archaeological work. The work will consist of a building record being made of the building for conversion and an assessment of its history. The District Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief can be produced from this office detailing the work required.

Thames Water

- 8.6 Surface Water Drainage - With regard to surface water drainage it is the

responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.

Reason: to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Specialist Conservation Advice

Woodside Green Farm is a historic farmstead containing timber framed farmhouse of C16 origins, two substantial barns and a granary of early C18 origins all listed in their own right and a range of other outbuildings which are of pre 1948 date and listed by the virtue of the cartilage. The site faces picturesque Woodside Green which is quintessentially English bucolic environment.

The proposal subject of this enquiry is to convert the two barns and attached single storey ranges to 1 residential units and 5 holiday lets. Also a new range of cart lodge/garages to serve new units would be built, replace an unremarkable existing structure. Clearly this group of historic buildings form an important heritage asset and as they appear to be redundant for their original use it is essential to secure their future by an economically viable alternative.

The present proposal has been subject of pre-application advice and I feel that it represents logical and an acceptable scheme in principle. The detail design aims at the retention of as much as possible of the original character of these rural buildings and the design of new cart lodge serving as garaging would be in keeping with the general rural vernacular. In conclusion I suggest approval subject to conditions.

9. REPRESENTATIONS

9.1 This application has been advertised and 28 neighbours consulted . Expiry date 21st March 2016. Two objections have been received.

A summary of the main concerns are as follows:

- The county of Essex is not commonly a “holiday” destination. So I query where the market for these lets is coming from.
- The National Trust which owns both Woodside Green and nearby Hatfield Forest, have absolutely no holiday rentals in the area. This must be a strong indicator that there is no such demand for this category of property in the area. So my main concern is what these “lets “will be used for? I would have thought that either selling the properties for long term residential ownership or tenancy would make better sense. If they are not going to be used as “holiday lets”, which they are not, don’t define them as such.
- The numbers of small dwellings as part of the proposed plan are all going to be subject to short term tenancies. Such a large number of temporary residents who will have no long term stake in the place or the community of Woodside Green will likely have a detrimental effect on that community and the infrastructure of the Green. Most households now have at least one car but most have at least two. The number of vehicle journeys around the green

as a consequence will be hugely increased. These properties will also have deliveries and visitors which will also add to increased traffic.

- In addition, the roads approaching the farm along the Woodside Green are inadequate for current use being potholed and poorly maintained as well as single lane. Any additional traffic use is not sustainable. As you will be aware, there is no bus or any means of public transport to and from Woodside Green so residents of the Green must rely 100% on private transport.
- I also question the need for any new build on the site at all. A new barn was recently erected to house livestock on the farm following the destruction of an old farm building in a fire a couple of years ago. I understand that practically all livestock has been sold and that there will be no further livestock farming associated with the farm (grazing pastures have been ploughed up already). I assume, therefore, this huge structure now stands unutilised. It is ideal for parking cars or tractors or other vehicles so no need for a new cart lodge.
- Swallows nest yearly in the farm buildings – I wonder if their habitat and nesting sites have been considered in the proposed development?
- Although, I am keen to see the historic buildings on Woodside Green Farm properly maintained and preserved, I do not believe that there is any merit in the current application.
- Who is going to manage these 'holiday lets' which is very different in usage to short term lets!
- The area is very quiet and would undoubtedly experience a negative impact from having such a great number of 'fluid' residents.
- What is to come of the exciting cattle barns and what is the purpose of needing an additional cart lodge.
- Out of keeping with the area or to the original buildings
- Why can't the barns be converted into two large dwellings which would have a lesser environmental and social impact

10. APPRAISAL

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

- A Whether the proposed use is acceptable in this location and whether the design proposal of the application would be acceptable in terms of the impact on the character and setting of the Listed buildings and countryside location (ULP policies S7, GEN2 and ENV2)**
- B Impact on biodiversity (ULP Policy GEN7)**
- C Highway safety, whether the proposal would provide adequate parking facilities and have suitable access (ULP policies GEN8 and GEN1)**
- D Impact on neighbours amenity (ULP policies GEN2 and GEN4)**
- E Contamination (ULP policy ENV14)**

A Whether the proposed use is acceptable in this location and whether the design proposal of the application would be acceptable in terms of the impact on the character and setting of the Listed buildings (ULP policies S7, GEN2 and ENV2)

10.1 The site is In planning policy terms, the site lies outside of any established

development limits as defined by the Uttlesford Local Plan. Consequently for the purposes of planning, the site is considered to be within the countryside and subject to all national and local policies.

The principle of the change of use to provide two dwellings, a games room and an office was considered acceptable in planning policy terms under application UTT/1539/04/FUL and its renewal UTT/1685/09/REN. Since that time the National Planning Policy Framework has been introduced.

- 10.2 Policy S7 is a policy of general restraint which seeks to restrict development to that which needs to take place there, or is appropriate to a rural area in order to protect the character of the countryside. This includes infilling in accordance to paragraph 6.13. 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
- 10.3 Within the supporting text of policy S7, it sets out at paragraph 6.13 of the Local Plan that outside development limits, sensitive infilling proposals close to settlements may be appropriate subject to the development being compatible with the character of the surroundings and have a limited impact on the countryside will be considered in the context of Local Policy S7. Paragraph 17 of the NPPF does however state that planning should take account of the different areas, promoting the vitality of our main urban areas, protecting Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- 10.4 A review of the Council's adopted policies and their compatibility with the NPPF has been carried out on behalf of the Council by Ann Skippers Planning. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the 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. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.
- 10.5 The most recent housing trajectory was presented to the Planning Policy Working group on 8 June 2015, an updated statement was presented to the Group on 26 November 2015 The Council is required to identify annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. The Council considered that it is a '5% authority' and this has been supported by the Local Plan Inspector and at a number of appeals
- 10.6 The Statement explains that until the Council has determined its objectively assessed need it considers its housing requirement is between 568 to 580 dwellings a year. The Council estimates that 3530 dwellings will be delivered over the next 5 years which provides the District with between 5.1 – 5.3 years of supply, depending on the housing target, but including a 5% buffer.
- 10.7 National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if

the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites.

- 10.8 The Council can demonstrate a deliverable 5 year supply of housing land. Notwithstanding this any applications will have to be considered against the guidance set out in Paragraphs 6 - 15 of the NPPF. The Council needs to continue to consider, and where appropriate, approve development which is sustainable and meets its housing objectives.
- 10.9 As stated above the principle of the change of use to provide two dwellings, a games room and an office were considered acceptable in planning policy terms under application UTT/1539/04/FUL and its renewal UTT/1685/09/REN.
- 10.10 It is considered that the site is not sustainable in view of its remote location away from shops, services, employment and public transport and that newbuilding on this land would have a detrimental impact on the openness and rural character of the countryside. It is evident that any occupier of a dwelling and employees of the business use building would need to rely on private vehicles to meet their everyday needs, including employment, healthcare, secondary education, shopping and leisure facilities. The site is not within a short and convenient walking distance to the above facilities.
- 10.11 The use of the buildings for residential purposes rather than agriculture is likely to result in additional residential paraphernalia which could impact on the openness of the countryside; however, this impact would need to be weighed up against other policy considerations.
A material consideration is that all of the buildings are listed properties and are therefore Heritage Assets.
- 10.12 The NPPF provides policies for the protection of the historic environment and that of designated heritage assets (NPPF, 7, 17, Section 12). The Framework requires that great weight to be attributed to the conservation of designated heritage assets, and that harm should be justified (NPPF, 132). Should proposed works entail harm to the significance of such assets then local planning authorities should weigh that harm against such public benefits as would arise, including, potentially, that of securing a building's optimum viable use (NPPF, 134).
- 10.13 In terms of design the proposal is relatively low key and one which would retain as much as possible of the existing agricultural characteristics of these heritage assets. Clearly these farm buildings are of limited farming use and it is important to find an economically viable use for them so that their survival is assured. Their conversion to holiday lets and residential use as proposed is considered to be an appropriate use of the buildings and that the benefit of the conservation of the buildings would outweigh the harm caused.
- 10.14 Whilst the site is not considered to be sustainable, this application is only for one residential unit and it is clear that because of the historic and architectural importance of the site a new economical viable use has to be found for these structures so their survival is assured. Paragraph 137 of the NPPF states that Local Planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. In addition Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should

be given to the asset's conservation.

In addition, the core principles at paragraph 17 of the Framework include that development should be genuinely plan-led; and that the intrinsic character and beauty of the countryside should be recognised.

- 10.15 Policy ENV2 seeks to protect the fabric, character and the setting of listed buildings from development which would adversely affect them. The listed buildings subject of this proposal are redundant and in a poor state of despair. It is clear that because of the historic and architectural importance of this site a new economical viable use has to be found for these structures so their survival is assured.

This application is supported by an Heritage statement, a detailed analysis and report on the farm buildings and been the subject of pre- application consultation with the specialist conservation officer. It is considered that the suggested uses, the overall details of the design and proposed repair would be beneficial to the integrity and longevity of the historic buildings.

The design aims at the retention of as much as possible of the original character of these rural buildings and the design of the new cart lodge would be in keeping with the general rural vernacular. In view of the above, it is considered that on balance the proposal would not cause significant harm to the intrinsic value and beauty of the countryside, this being one of the core principles set out in policy S7 and at paragraph 17 of the National Planning Policy Framework.

- 10.16 Policy H6 allows for the conversion of rural buildings to dwellings. Permission will be permitted if all the following criteria apply:

a) It can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or 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;

e) Private garden areas can be provided unobtrusively.

Substantial building reconstructions or extensions will not be permitted. Conversion will not be permitted to residential uses on isolated sites in the open countryside located well away from existing settlements.

Policy H6 is however only partly consistent with the NPPF. Policy H6 is inconsistent with the National Planning Policy Framework as it includes no preferences for any particular new use of a converted building and it does not have to be structurally sound or require the historic, traditional or vernacular of the converted building to enhance the character and appearance of the rural area. In accordance with paragraph 215 of the NPPF, only limited weight can be given to policy H6. However in saying this, it should be noted that the existing barns are structurally sound capable of conversion without the need for major works and they can be converted so that the special characteristics of the buildings can be conserved. Additionally, the submitted revised plans show that private garden areas can be provided unobtrusively. Garden sizes/private amenity space per dwelling should accord with the requirements of the Essex Design Guide. Dwellings of 1 or 2 bedrooms need to have a minimum of 50sqm and dwelling of 3+ bedrooms need to have a minimum of 100sqm.

The dwelling would have private amenity space of 196sqm which exceeds the recommended provision.

- 10.17 Policy E5 states:
The re-use and adaption of rural buildings for business uses, small scale retail

outlets, leisure uses or for tourist accommodation will be permitted in the countryside if all of the following criteria are met:

- a) The buildings are of a permanent and substantial construction
- b) They are capable of conversion without major reconstruction or significant extension
- c) The development would protect or enhance the character of the countryside, its amenity value and its biodiversity and not result in a significant increase in noise levels or other adverse impacts
- d) The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity)

The change of use of the buildings to five holiday lets would meet the criteria of the above policy.

- 10.18 As such the proposal subject to appropriate conditions, is considered to meet the aims of ULP policy ENV2, E5, H6 and GEN2 and the aims of the NPPF and considered to be acceptable.

B Impact on biodiversity (ULP Policy GEN7)

- 10.19 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.

In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010.

A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site. The questionnaire allows the council to assess whether further information is required in respect of protected species and their habitats. Some of the questions were answered with a yes and accordingly a bat and newt survey has been submitted with the application.

Essex County Council Ecologists have been consulted and initially objected to the proposal in respect of insufficient information relating to ecology. A further bat and Great Crested Newt assessment report has been submitted and they now have no objections to the proposal subject to conditions.

As such it is not considered that the proposal would have any material detrimental impact in respect of protected species provided the conditions are complied with and accords with ULP policy GEN7

C Highway safety, whether the proposal would provide adequate parking facilities and have suitable access (ULP policies GEN8 and GEN1)

- 10.20 The proposed dwelling has three bedrooms and therefore to comply with the

adopted parking standards requires the provision of two parking spaces. Holiday lets fall under the same use class order as residential units in respect of parking provision.

The adopted Essex County Council parking standards require the provision for two parking spaces per dwelling for two and three bedroom dwellings and three parking spaces for three+ bedroomed properties and additional visitor parking spaces. The proposal meets these standards. Vehicular access to the site is existing and considered to be acceptable.

The Highway's Department have been consulted and raise no objections to the proposals on highway terms. The proposals therefore satisfy the requirements of ULP Policies GEN1 and GEN8.

D Impact on neighbours amenity (ULP policies GEN2 and GEN4)

10.21 The main considerations in respect of impact on neighbour's amenity are in respect of noise, whether the development would cause material disturbance or nuisance and also whether it would generate more traffic that would adversely affect their reasonable enjoyment. The neighbour's comments have been noted, however it is considered that the intensification of the site is not to such a degree that would warrant refusal of the scheme.

10.22 The proposal would not result in any material detrimental overlooking and is considered to comply with policy GEN2.

E Contamination (ENV14)

10.23 The site was a former dairy farm and therefore there is the potential for contamination. A contamination report has been submitted with the application and identified that During the walkover survey, two above ground fuel storage tanks and a number of items of machinery were identified. Based on the nature of the land use, there is also the potential for high concentrations of organic matter to be present within on-site soils, which could give rise to ground gas generation / accumulation over time.

A number of off-site sources were also identified which may have impacted on-site soils.

A review of the conceptual site model suggests that the risk to human health in most cases is likely to be 'low to moderate'; however the above ground tanks are considered to be 'moderate to high'.

The off-site sources are 'low' / 'low to moderate'. Due to the sensitivity of the proposed land use, further investigations will be required in order to quantify or dismiss these risks to ensure that future occupants are not adversely affected.

□ Due to the impermeable nature of the underlying London Clay geology, we consider the potential risk to controlled waters to be 'low'.

Based on the information obtained and reviewed as part of this preliminary assessment, JPC Environmental

Services would advise the following:

□ A Phase II geo-environmental investigation should be undertaken. This should be designed to prove the underlying geology and recover soil samples for chemical testing. A water sample could also be taken from the pond immediately adjacent to the eastern site boundary, to explore any possible impact on existing surface water quality. Testing should include heavy metals, TPH, PAHs and asbestos.

□ As a potential risk of ground gas has been identified, 3No monitoring wells should be installed, followed by a minimum of 6No gas monitoring visits at fortnightly intervals, to establish the actual levels of CO₂ / methane etc.

□ Since it is likely that waste soils will be generated by utility / drainage excavations,

it would be prudent to submit a sample of Made Ground / surface material for Waste Acceptance Criteria, to establish any cost implications on the future development associated with off-site disposal.

□ In the event that imported topsoil is required to establish the proposed areas of garden land, this should be clean, certified material obtained from a reputable supplier. Proof of compliance to BS3882-2007 should be provided and validation testing is recommended once it arrives on site to minimise the risk that contamination is brought on to the site.

As such the Council's Environmental Health team were consulted and they have stated that they have no objections to the proposal subject to appropriate conditions being applied.

11. CONCLUSION

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

- A** The principle of the change of use to provide two dwellings, a games room and an office was considered acceptable in planning policy terms under application UTT/1539/04/FUL and its renewal UTT/1685/09/REN
In terms of design the proposal is relatively low key and one which would retain as much as possible of the existing agricultural characteristics of these heritage assets. Clearly these farm buildings are of limited farming use and it is important to find an economically viable use for them so that their survival is assured. Their conversion to holiday lets and residential use as proposed is considered to be an appropriate use of the buildings and that the benefit of the conservation of the buildings would outweigh the harm caused.
- B** Subject to appropriate mitigation the proposal would not adversely affect biodiversity.
- C** Adequate parking has been provided. The Highways Authority has no objections. The proposed accesses are acceptable. The proposal complies with of ULP Policies GEN1 and GEN8.
- D** The proposal would not result in any material detrimental impact to neighbours amenity and complies with ULP policies GEN2 and GEN4.
- E** Subject to appropriate conditions, the proposal would not result in any material detrimental issues relating to contamination and therefore complies with ULP policy ENV14

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. No works shall commence until a Mitigation Strategy for bats has been produced. This shall be informed by an additional bat survey (during appropriate seasonality as advised by the ecologist) and shall be suitable for submission to Natural England in support of a development license. The Mitigation Strategy shall follow the principles

set out in Section 5.1.1 of the Bat and Great Crested Newt Assessment Report (May 2016). The results of the additional survey and the Mitigation Strategy shall be submitted to the LPA for approval.

Reason: To ensure works on site proceed in a manner that protects European protected species in accordance with ULP policy GEN7

Justification: The site is adjacent to a County Wildlife Site, this condition is required to be a pre-commencement condition due to the statutory requirements relating to protected species

3. Four Schwegler swallow nesting cups must be erected upon completion inside the new covered parking area (indicated as e in figure 2 in appendix 1 of the bat and great crested newt assessment report (May 2016)) or below the roofline of the newly converted buildings.

Reason: To ensure appropriate mitigation measures are out in place for nationally protected species in accordance with ULP policy GEN7

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

Reason: The barns proposed for conversion at Woodside Green Farm, are identified as part of a farm complex dating back to at least the 19th century and potentially earlier. The buildings are identified on the first edition Ordnance Survey map. It is recommended that the structures should be recorded prior to their conversion.

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

A recognised professional team of archaeologists should undertake the archaeological work. The work will consist of a building record being made of the building for conversion and an assessment of its history. The District Council should inform the applicant of the archaeological recommendation and its financial implications. An archaeological brief can be produced from this office detailing the work required.

Justification: Once works are started any historic records could be destroyed.

- 5 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that on street parking of vehicles in the adjoining streets does

not occur in the interests of highway safety and that appropriate parking is provided. The above condition is required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 6 No ponds should be impacted by the development. If necessary, heras fencing should be used to protect the pond adjacent to Barn B from accidental impact by contractors

Reason: To ensure works on site proceed in a manner that protects European protected species in accordance with ULP policy GEN7
- 7 Building materials should be stored on hard standing areas only to prevent wildlife from sheltering in the materials

Reason: To ensure works on site proceed in a manner that protects European protected species in accordance with ULP policy GEN7
- 8 Any refuse from the development works should be stored on hard standing or ideally be removed immediately from the site to prevent wildlife from sheltering in the materials;

Reason: To ensure works on site proceed in a manner that protects European protected species in accordance with ULP policy GEN7
- 9 Any holes or trenches dug for the development should be covered at night or should have a roughly sawn timber placed in the hole to be used as a ramp and facilitate escape by any wildlife which may fall in

Reason: To ensure works on site proceed in a manner that protects European protected species in accordance with ULP policy GEN7
- 10 No development works should occur at night when amphibians are mostly active.

Reason: To ensure works on site proceed in a manner that protects European protected species in accordance with ULP policy GEN7
- 11 There should be no walls or fences between the converted farm buildings within the farm yard.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.
- 12 Any necessary 'external' boundary treatment to be post and rail and indigenous hedging if required.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.
- 13 ENV1 No development [including groundworks] other than that required to be carried out as part of an approved scheme of remediation shall take place until an assessment of the nature and extent of contamination has been submitted to and

approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to human health, [property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwater's and surface waters, ecological systems, archaeological sites and ancient monuments.]
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- This must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

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

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

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

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

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

- 16 ENV4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination.

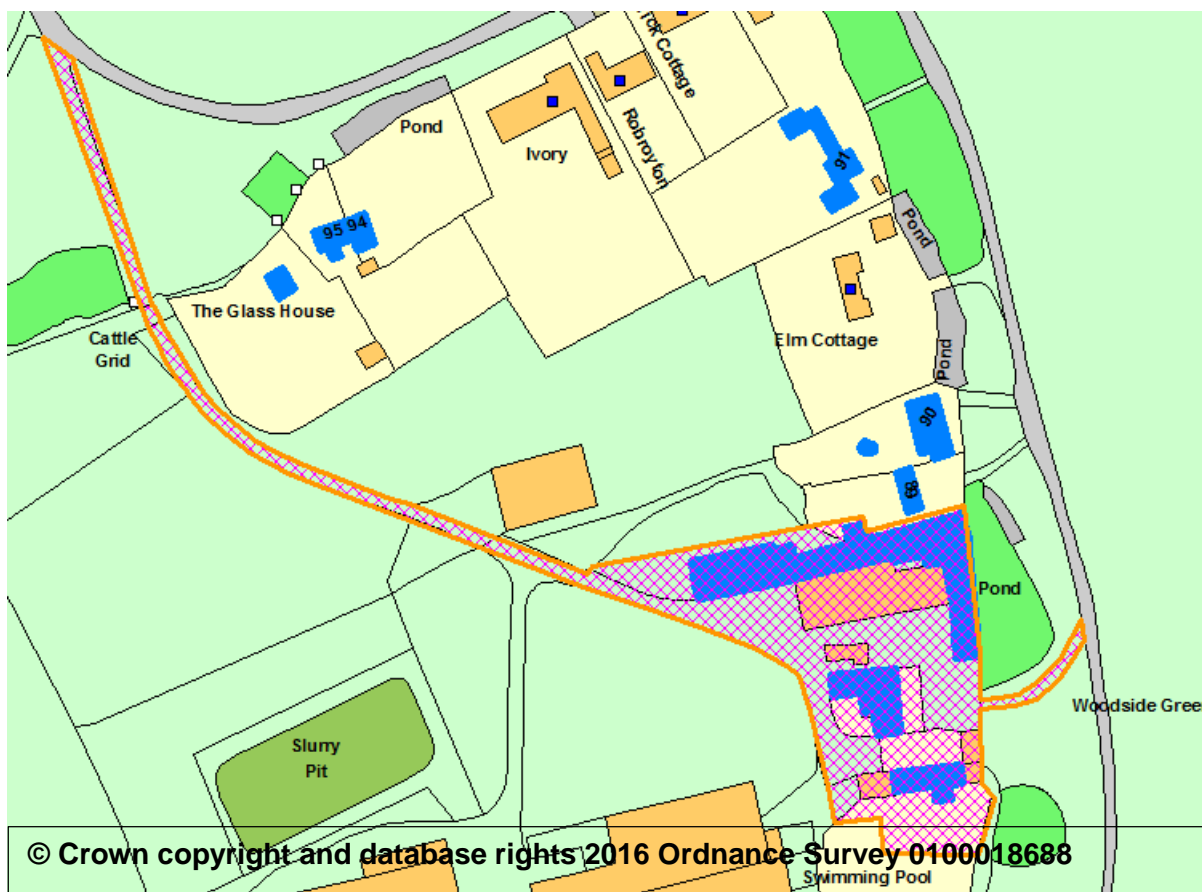
An assessment must be undertaken in accordance with the requirements of condition ENV1, and where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority in accordance with the requirements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

The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme a validation report must be submitted

to and approved in writing by the Local Planning Authority in accordance with condition ENV3.

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

Application no.: UTT/15/3785/FUL
Address: Woodside Green Farm, Woodside Green
Great Hallingbury



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

UTT/15/3786/LB (GREAT HALLINGBURY)

PROPOSAL: Change of Use and conversion of redundant farm buildings to 5 no. holiday lets and 1 no. dwelling and erection of cart lodge

LOCATION: Woodside Green Farm, Woodside Green Great Hallingbury

APPLICANT: Mrs J Schwier

AGENT: Mr M Homer

EXPIRY DATE: 1 July 2016

CASE OFFICER: Madeleine Jones

1. NOTATION

1.1 Outside Development Limits. Grade II Listed buildings. Adjacent to SSSI. Within 6km of Stansted Airport

2. DESCRIPTION OF SITE

2.1 The site is a historic farmstead containing a C16 timber framed farmhouse, two C18 barns, a C18 granary all listed in their own right and a range of other outbuildings which are curtilage listed. The farmhouse has a central position with the outbuildings surrounding it to the south, north and east. The farm was a former dairy farm and the cows used to graze on the green to the east and north of the site.

2.2 The site is located on the western edge of the hamlet of Woodside Green and is separated from it by a pond. It borders the National Trust's ancient woodland of Hatfield Forest to the east.

2.3 There are two vehicular accesses to the site, to the east and to the north west.

2.4 The barn to the south of the house is in a poor state of repair.

2.5 The courtyard is predominantly concrete

3. PROPOSAL

3.1 The proposal is for change of use and conversion of the outbuildings to five holiday lets, a dwelling and the erection of a cart lodge.

4. APPLICANT'S CASE

4.1 The application is submitted with the following documents:

Design and Access Statement
Bat survey
Contaminated Land Survey
Structural Condition Report
Biodiversity Questionnaire
Specialist Analysis and Report on the farm buildings
Heritage Statement

4.2 Summary of Heritage Statement:

Woodside Green Farm has been in its current family ownership since the 1920s and is referred to in the 1923 Sale Catalogue of the break-up of The Hallingbury Estate. Settlement of Woodside Green was first recorded in the 16th Century.

The farm is located within the hamlet of Woodside Green near the village of Great Hallingbury, Essex and borders the ancient woodland of Hatfield Forest to the east, which is under the jurisdiction of the National Trust.

With the current decline of the UK's dairy industry the Applicant wishes to develop the redundant farm buildings - a mixture of barns and storage facilities - that form the main, original farmyard, and border the Grade II Listed farmhouse at the centre of the proposed development - to form a mixture of holiday and residential let facilities.

'Time and Tide' have not been kind to the buildings and the proposed development will secure the structures from eventual loss, create a sustainable business for the Applicant, and provide an opportunity for local employment. Moreover, the business should bring additional income to other businesses in the locality - particularly retail/food based operations.

The barn to the south of the farmhouse and within its curtilage is also Listed Grade II. Probably of 18th Century origins the barn is in particularly poor condition with much of the peg tiling to the roof having been removed in order to relieve the frame. The exterior elevations are a mix of render and weatherboarding with brick extensions. Protective scaffolding/metal sheeting/monoflex has been employed in order to protect the building from the ravages of a further winter.

To the north corner of the farmyard is located a further, timber framed barn of 18th Century origins.

Part of the timber framed lean-to to the south elevation has collapsed but generally, the building is in better condition than the southerly barn. The Elevations are a mixture of brick, but mostly render and weatherboarding - with a peg tiled roof.

To the south and west elevations are attached brick single storey structures of similar origins, with peg tiled roofing, and in similar condition to the main barn. The latter attachment includes a raised grain store to its southerly end. The building to the west would, at some time in its history, have been used as a milking parlour but other uses - mainly storage - have resulted in interior reconfigurations over the years. Low brick walling connects the barns with the farmhouse and defines areas within the yard, with timber five-bar gates at points of access. Much of the original hard landscaping has been lost with the farmyard largely covered by concrete hardstanding - almost certainly of 20th Century origin.

Fenestration to the building group is largely softwood although some framing and glazing has been lost with the dilapidation of its surrounding structure and fabric.

The proposal is to fully refurbish the redundant farm buildings within the curtilage of the farmhouse and convert to holiday lets/short term dwelling let. A cart lodge is proposed and follows the footprint of a former, attached structure to the west of the building group. Generally, new and refurbished materials to elevations and roofs will follow existing. To the interiors, timber framing shall be preserved/treated/restored and exposed, with insulation and damp proofing applied throughout.

Fenestration shall be replicated throughout, with new heritage slimline double glazing.

Where new interventions are applied these shall be clearly identifiable and all new structural work to form first floor accommodation will be independent of the existing frames/structures to ensure no stress is applied. The intervention of a first floor level in the larger barns will not require cutting of any braces.

Uttlesford District Council has acknowledged that the Woodside Green Farm building group is a heritage asset. Natural England encourages planning policy which:

- protects the features, settings, cultural significance and wildlife interest of traditional farm buildings
- retains the contribution that traditional farm buildings make to local distinctiveness and to countryside character ; and
- conserves the environmental capital embodied in traditional farm building stock by promoting their sustainable long-term use.

All of the above key points are embodied in the proposals for Woodside Green Farm's development.

The proposals have been developed following prior consultation with UDC's Conservation Officer, Mrs B Bosworth and planning officer Ms M Jones. Mrs Bosworth's letter of 26th October 2015 offers a positive response, together guidance in the layout and retention of interior volumes of the larger barns.

5. RELEVANT SITE HISTORY

5.1 DUN/0115/72 – Erection of dairy unit- Conditionally approved

P/A/2/14/159 – Extension to agricultural building – Deemed permitted

UTT/0621/93/FUL – Erection of straw barn - Conditionally approved

UTT/13/1809/AG – Relocation of Dutch Barn - Refused

UTT/13/3039/FUL – Erection of replacement agricultural cattle barn – Conditionally approved

UTT/1539/04/FUL – change of use of redundant farm buildings – Conditionally approved

UTT/1540/04/LB – Change of use of redundant farm buildings to 2 no. dwellings and games room and 1 no. office – Conditionally approved

UTT/1685/09/REN - Change of use of redundant farm buildings to 2 no. dwellings and games room and 1 no. office. Conditionally approved

UTT/1687/09/LB - Change of use of redundant farm buildings to 2 no. dwellings and games room and 1 no. office. Conditionally approved

6. POLICIES

6.1 National Policies

-National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

ENV2- Listed Building

7. PARISH COUNCIL COMMENTS

7.1 No objections

8. CONSULTATIONS

Specialist Conservation Advice:

- 8.1 Woodside Green Farm is a historic farmstead containing timber framed farmhouse of C16 origins, two substantial barns and a granary of early C18 origins all listed in their own right and a range of other outbuildings which are of pre 1948 date and listed by the virtue of the cartilage. The site faces picturesque Woodside Green which is quintessentially English bucolic environment.

The proposal subject of this enquiry is to convert the two barns and attached single storey ranges to 1 residential units and 5 holiday lets. Also a new range of cart lodge/garages to serve new units would be built, replace an unremarkable existing structure. Clearly this group of historic buildings form an important heritage asset and as they appear to be redundant for their original use it is essential to secure their future by an economically viable alternative.

The present proposal has been subject of pre-application advice and I feel that it represents logical and an acceptable scheme in principle. The detail design aims at the retention of as much as possible of the original character of these rural buildings and the design of new cart lodge serving as garaging would be in keeping with the general rural vernacular. In conclusion I suggest approval subject to conditions.

9. REPRESENTATIONS

- 9.1 This application has been advertised and 28 neighbours consulted . Expiry date 21st March 2016. Two objections have been received.

A summary of the main concerns are as follows:

- The county of Essex is not commonly a “holiday” destination. So I query where the market for these lets is coming from.
- The National Trust which owns both Woodside Green and nearby Hatfield Forest, have absolutely no holiday rentals in the area. This must be a strong indicator that there is no such demand for this category of property in the area. So my main concern is what these “lets “will be used for? I would have thought that either selling the properties for long term residential ownership or tenancy would make better sense. If they are not going to be used as “holiday lets”, which they are not, don’t define them as such.
- The number of small dwellings as part of the proposed plan are all going to be subject to short term tenancies. Such a large number of temporary residents who will have no long term stake in the place or the community of Woodside Green will likely have a detrimental effect on that community and the infrastructure of the Green. Most households now have at least one car but most have at least two. The number of vehicle journeys around the green as a consequence will be hugely increased . These properties will also have deliveries and visitors which will also add to increased traffic.
- In addition, the roads approaching the farm along the Woodside Green are inadequate for current use being potholed and poorly maintained as well as single lane. Any additional traffic use is not sustainable. As you will be aware, there is no bus or any means of public transport to and from Woodside Green so residents of the Green must rely 100%on private transport.
- I also question the need for any new build on the site at all. A new barn was recently erected to house livestock on the farm following the destruction of an old farm building in a fire a couple of years ago. I understand that practically all livestock has been sold and that there will be no further livestock farming associated with the farm (grazing pastures have been

ploughed up already). I assume, therefore, this huge structure now stands unutilised. It is ideal for parking cars or tractors or other vehicles so no need for a new cart lodge.

- Swallows nest yearly in the farm buildings – I wonder if their habitat and nesting sites have been considered in the proposed development?
- Although, I am keen to see the historic buildings on Woodside Green Farm properly maintained and preserved, I do not believe that there is any merit in the current application.
- Who is going to manage these 'holiday lets' which is very different in usage to short term lets!
- The area is very quiet and would undoubtedly experience a negative impact from having such a great number of 'fluid' residents.
- What is to come of the exciting cattle barns and what is the purpose of needing an additional cart lodge.
- Out of keeping with the area or to the original buildings
- Why can't the barns be converted into two large dwellings which would have a lesser environmental and social impact

10. APPRAISAL

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

A The main issues are whether the change of use of the buildings would have a detrimental impact on the listed buildings and their setting (ULP Policy ENV2, NPPF)

A The main issues are whether the change of use of the buildings would have a detrimental impact on the listed buildings and their setting (ULP Policy ENV2, NPPF)

10.1 Section 16(2) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy ENV2 requires development affecting listed buildings to be in keeping with their scale, character and surroundings. Paragraphs 132-134 of the NPPF set out the requirement to have regard to the significance of the harm arising from development proposals on designated heritage assets. When the level of harm is significant proposals should be refused. Where the level of harm is less than significant the harm needs to be weighed against the public benefits of the proposal.

Paragraph 137 of the NPPF states that Local Planning authorities should look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably. In addition Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Policy ENV2 seeks to protect the fabric, character and the setting of listed buildings from development which would adversely affect them. The listed buildings subject of this proposal are redundant and in a poor state of despair. It is clear that because of

the historic and architectural importance of this site a new economical viable use has to be found for these structures so their survival is assured.

- 10.2 This application is supported by an Heritage statement, a detailed analysis and report on the farm buildings and been the subject of pre- application consultation with the specialist conservation officer. It is considered that the suggested uses, the overall details of the design and proposed repair would be beneficial to the integrity and longevity of the historic buildings.

The design aims at the retention of as much as possible of the original character of these rural buildings and the design of the new cart lodge would be in keeping with the general rural vernacular. As such the proposal subject to appropriate conditions, is considered to meet the aims of ULP policy ENV2 and the aims of the NPPF and considered to be acceptable.

11. CONCLUSION

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

- A** The proposals have been well designed in order to mitigate their impacts on the listed buildings and their setting and is consistent with policy ENV2 of the ULP and in line with the aims of the NPPF

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. No elements of the historic timber frame to be cut or removed without inspection and consent in writing of the Local Planning Authority

Reason: In order to protect the fabric and character of this Grade II_ listed building, in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF

3. Detailed schedule of repairs, including large scale drawings indicating typical timber to timber repairs, to be approved prior to the commencement of works.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.

Justification: Once works are started any historic appearance could be destroyed.

4. All historic brickwork to be repaired as necessary retaining all sound historic material, bonding and pointing.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local

Plan and The National Planning Policy Framework.

- 5 Formal method statement relating to the mode of overall insulation guarantying the breathability of the historic fabric to be approved prior to the commencement of works

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.

Justification: Once works are started any historic fabric could be destroyed.

- 6 All sound historic roofing material to be re-used with shortfall to be made up with exactly matching hand made plain clay tiles, clay pan tiles or natural slate respectively

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework.

- 7 All weatherboarding hereby permitted shall be feather-edged and painted black. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework

- 8 All external joinery to be black painted to match the weatherboarding
Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

Reason : In the interests of preserving the historic character and appearance of the Listed Building and its setting, in accordance with Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF.

- 9 All new external plaster to be lime based and of smooth finish.

Reason: In the interests of the special historic importance of the heritage asset in accordance with Uttlesford Local Plan Policy ENV2

- 10 All rain water goods hereby permitted shall be black painted metal.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting, in accordance with Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF.

- 11 There should be no walls or fences between the converted farm buildings within the farm yard.

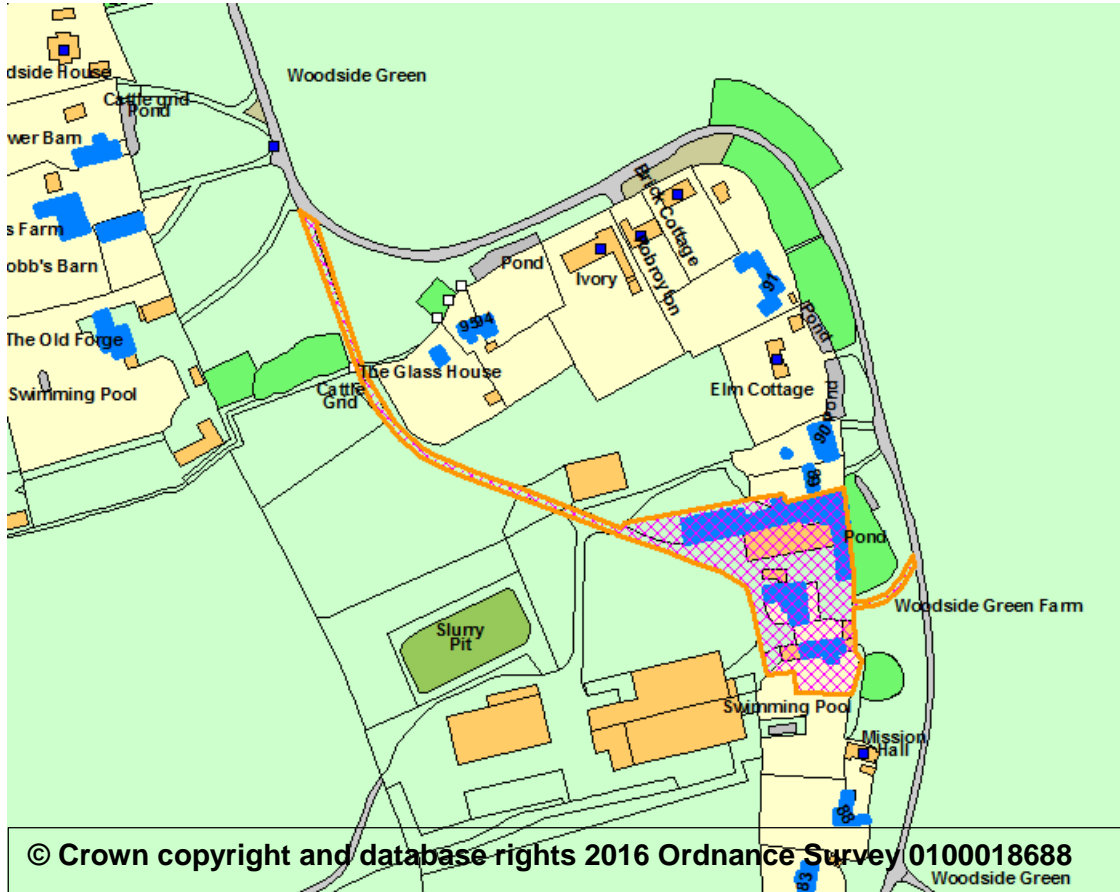
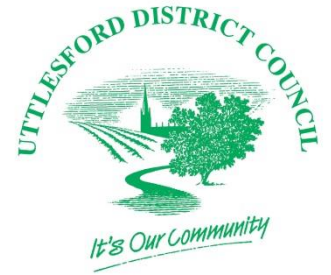
Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework

- 12 Any necessary 'external' boundary treatment to be post and rail and indigenous

hedging if required.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with policy ENV2 of the Adopted Local Plan and The National Planning Policy Framework

Application no.: UTT/ 15/3786/LB
Address: Woodside Green Farm, Woodside Green
Great Hallingbury



Organisation: Uttlesford District Council
Department: Planning
Date: 15 June 2016

UTT/16/1385/LB (WIMBISH)

(Referred to Committee by Cllr Knight so that the impact on the listed building can be assessed)

PROPOSAL: Part demolition of existing cottage, demolition of lean-to outbuildings, new 1 and a half storey extension, insertion of 3 new rear dormer windows and construction of new two bay cart shed and potting shed.

LOCATION: Three Chimneys, Lower Green, Lower Green Lane, Wimbish

APPLICANT: Mr & Mrs Sarah & Rob Mannell & Ellis

EXPIRY DATE: 13 July 2016

CASE OFFICER: Samantha Stephenson

1. NOTATION

1.1 Outside Development Limits; Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 Three Chimneys is a one and a half storey timber framed and plastered Grade II listed thatched structure of C16/C17 origins in a very poor state of repair having been vacant for a number of years. The Cottage has been altered and extended in more modern times and greatly neglected over the years with water penetration resulting in failing elements of the timber frame. It is set in grounds of approximately half an acre which are very overgrown and there are a number of dilapidated outbuildings to the south and east of the dwelling.

2.2 The cottage is set within a rural context, backing onto open fields and with fields to the south. The cottage is set back from the road with a large overgrown front garden. The building forms part of a small cluster of residential units, focused on the cross roads. The site is accessed along narrow single track lanes and given its set back location the cottage is not visually prominent in the street scene.

2.3 Wimbish Lower Green is located approximately five miles south east of Saffron Walden and the site is located on the corner of the no through road from Wimbish Upper Green. It is surrounded by open arable countryside with residential dwellings to the north and south of the site. The dwelling is set back in the site compared to the neighbouring dwelling to the north whose detached garage building lies along the northern boundary.

2.4 Historic England recently received an application to add Three Chimneys to the List of Buildings of Special Architectural or Historic Interest. After an assessment it has been Grade II Listed. The listing description notes that the building is a former open hall house probably of C15 origins with C16/17 and later alterations. The northern and southern end bays are considered by Historic England to be of lesser interest and two porches to the front and southern elevations and the covered walkway to the rear elevation are all held to have no special architectural or historic interest.

2.5 Prior to this listing a HHF application, UTT/16/0338/HHF, for these works was

submitted and approved on 29.03.16.

3. **PROPOSAL**

- 3.1 The proposal subject of this application is to demolish the lean-to, outbuildings and part of the existing dwelling. To erect a one and a half storey extension, insert 3 no. new rear dormer windows and construct a new two bay cart shed and potting shed. The proposal has been subject of pre-application advice with a meeting on site with the Council's Conservation Officer.
- 3.2 The partial demolition of the most northern bay of the cottage and the construction of a one and half storey rear extension to run perpendicular to the original cottage will provide a new staircase, kitchen breakfast room, larder and log store to the ground floor and master bedroom with en-suite on the first floor. Various other internal alterations are proposed to the dwelling. A two bay cart shed and potting shed are proposed to the south of the dwelling. Externally the rear extension will be finished with horizontal bead moulded painted timber boarding and render finish under a plain clay tiled roof.
- 3.3 Internally one of the two staircases is to be removed to allow improved circulation, the existing general layout is to remain. Three new dormer windows will be formed in the rear elevation of the thatched roof to provide daylight to first floor bedrooms and landing.
- 3.4 The two bay cart and potting shed will be clad with black horizontal feather edged timber boarding and steeply pitch plain clay tiled roof.
- 3.5 The outbuildings to be demolished amount to 492sqm and the footprint of the proposed extension (including the replacement structure to the northern end of the cottage) amounts to 83sqm. The net additional footprint is 65sqm compared to the existing footprint of the cottage at 98sqm. The new extension amounts to approx. 66% of the footprint of the original cottage.

4. **APPLICANT'S CASE**

- 4.1 Application supported by;
- heritage statement
 - topographical survey
 - extended Phase 1 Habitat Survey and a biodiversity questionnaire

5. **RELEVANT SITE HISTORY**

- 5.1 UTT/16/0338/HHF Proposed demolition of lean-to, outbuildings and part of existing dwelling. Erection of one and a half storey extension, insertion of 3 no. new rear dormer windows and construction of new two bay cart shed and potting shed. Approved 29.03.16.

6. **POLICIES**

6.1 **National Policies**

National Planning Policy Framework

6.2 **Uttlesford Local Plan (2005)**

7. PARISH COUNCIL COMMENTS

- 7.1 Concerns regarding consultations, overlooking to neighbouring property, concerns regarding scale, expired 17.06.16.

8. CONSULTATIONS

Conservation Officer :

- 8.1 Three Chimneys is a timber framed and plastered cottage a former hall house of C15 origins with C16, C17 and later alterations. The cottage which has been recently listed was empty and neglected for some years and suffered substantial damage. The very comprehensive listed building description as confirmed by the Secretary of State clearly identifies two reasons for designation and it states inter alia:
- Architectural interest for the surviving core of the probably C15, open hall house with a substantially intact close studded frame.
 - Historic interest as a relatively rare survival of this type and date with C16 and C17 changes also adding to its interest.
- 8.2 The cottage consists of six bays. The four central bays which are clearly the reason for listing are of late medieval date with two extreme bays, northern and southern together with other alterations are part of late C19 and C20 changes and are of minor interest. The proposal subject of this application which follows a pre-application advice aims at the repair of the 4 medieval bays and the end southern bay, following traditional methods and under supervision of conservation architect. The northern, late C19 bay, which appears to have lost its original wing would be removed and reinstated on its suspected original footprint. In addition a new extension would be build accommodating master bedroom and bathroom and family kitchen and dining area. Minor internal alterations in the form of bathroom partitions, and additional dormers, to the core of the building are also proposed. The selection of ramshackle outbuildings within the site would be removed and traditional two bay garage and potting shed would be erected along the southern boundary of the site.
- 8.3 By and large, I find the proposal acceptable. I consider the rebuilding of the northern late bay on its original footprint which included a cross wing to the rear, appropriate. Its subservient form would serve to accentuate the form and the importance of the medieval core of the dwelling while the design, detailing and materials would respond well to the character of the cottage and the local vernacular in general. The further new wing again, in terms of design and detailing would be in keeping with the cottage and its location at the extreme northern end of the heritage asset would not unduly diminish its primacy as the thatched cottage would be uppermost visible on entering the site. Now as the building is listed, I must voice my concern relating to the introduction of additional three dormer windows on the eastern side of the thatched roof. I feel that in this instance two of the dormers should be omitted. I find the proposed garage also acceptable. In conclusion and subject to the above proviso I suggest approval with following conditions.
- Detailed schedule of repairs to be submitted and approved prior to the commencement of works

- No elements of the historic timber frame other than indicated to be removed without inspection and consent.
- The two dormer windows on the west elevation of the thatched cottage be omitted with the relevant rafters of the remaining dormer to be left within its void.
- All re-thatching to be undertaken in long straw.
- All new roofs to be hand made plain clay tiles to LA approval.
- All weather boarding to be feather edge timber painted to match the plaster.
- All new windows within the historic parts of the cottage to be single glazed painted timber with slender ovolo moulded glazing bars. Large scale, typical cross sections to be approved.
- All external plaster to be lime based with smooth finish.
- The outbuilding to have hand made plain clay tiles and feather edge timber boarding painted black.

ECC Ecology

8.4 No response

9. REPRESENTATIONS

9.1 6 Neighbours were notified. Consultation expired 10.06.16.

9.2 8 responses received with concerns regarding;

- out of proportion/scale with existing
- not in keeping with scale, character and surroundings.
- large amount of listed building to be demolished
- no public benefit
- detrimental impact on listed building

3 letters of support received - Nottages, Mill Cottage, Veranda Cottage and Mill End have all in recent years been extended by near to double their original size, beginning with Nottages in the 50's. The extension proposed by the applicants is only more noticeable because of the constraint imposed by Listed Buildings that the replacement extension be seen as a new addition and thereby be tiled and boarded. If, as was allowed with the Nottages extension in the 80's, this part was thatched and rendered like the original, little or none of what is built at the rear would be noticeable, and Three Chimneys would grow to accommodate a family just as the others have done.

10. APPRAISAL

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

A In considering whether to grant listed building consent, the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (Sections 16(2) and 66(1) of the Planning (Listed

Buildings and Conservation Areas) Act 1990), NPPF and ULP Policy ENV2.

A In considering whether to grant listed building consent, the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses (Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990), NPPF and ULP Policy ENV2.

- 10.1 Policy ENV2 (Development affecting Listed Buildings) seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Consequently extensions and alterations to listed buildings are strictly controlled to fulfil the requirements of the Act.
- 10.2 The proposal comprises the partial demolition of the most northern bay of the cottage, the lean-to at the rear and the outbuildings and the construction of a replacement bay and one and a half storey rear cross wing. This would be in the location where the map evidence shows that a former rear cross wing once existed. It is also proposed to insert 3 no. new rear dormer windows and to construct a new two bay cart shed and potting shed to the south of the dwelling.
- 10.3 The National Planning Policy Framework requires local planning authorities to give great weight to the conservation of heritage assets and their significance (NPPF, 132). Harm to such assets and their significance should require clear and convincing justification (NPPF, 132). Should proposals give rise to harm, planning authorities should weigh that harm against such public benefits as would also arise (NPPF, 134).
- 10.4 The NPPF advises that partial demolition of a building has to be assessed to see what harm will result from this and whether any resulting public benefits outweigh any harm. In this instance the rear bay proposed to be demolished is one of the more recent additions to the building. The map regression clearly shows that the northern bay and a former rear cross wing attached to this part of the building, were demolished and replaced in the late C19. The demolition does not affect any of the C15 hall house plan form of the original house. The listing description acknowledges that the northern (and southern) end bays are of lesser interest.

It is argued that the loss of this northern bay will result in less than substantial harm as this fabric has been assessed as having low heritage significance when considering the building as a whole. The northern end bay does not form part of the rationale for why the building was listed, which is principally for the surviving C15 frame of the former hall house which is contained in the central four bays.

It is accepted that the northern bay and its historic rebuilding forms part of the history of the site when it was functioning as three cottages, however the fabric of this part of the structure is not of the same quality as the four central bays. The features which survive here are relatively modern (late C19) but there has equally been C20 alterations when the kitchen was refitted and the staircase to this end cottage was removed (it probably stood in the adjacent bay).

The NPPF requires that where less than substantial harm can be shown to result this harm should be weighed against the public benefits of the proposal. In this instance it is argued that the public benefits outweigh the retention of the structure:

- It will enable a new replacement structure to be built which echoes the northern bay and cross wing which the current northern bay replaced.
- The replacement structure will create a new service area including the kitchen and utility areas to the ground floor which will meet modern family requirements. This will thus secure the long term conservation of the building in its preferred optimum viable use as a single family dwelling. The services required by these functions will be contained in the area of modern fabric rather than affecting any of the historic fabric of high significance.
- The proposals must be considered in the context of the overall repair of the building which, having been unoccupied for a number of years, is in a deteriorating condition and potentially at risk. The building will require significant investment to make it habitable and meet modern living standards. The conservation and repair of the building in a sensitive manner which ensures the areas of high heritage significance are preserved and enhanced is seen as a significant public benefit as the long term future of the building is thereby secured.

10.5 The proposed extension will replace the existing northern bay and add a rear cross wing. The map evidence provides evidence that there was formerly a rear cross wing in this location which was removed in the late C19. The proposals thus follow the pattern of how the building has evolved over time.

The extension has been designed to be subservient in form to the main historic cottage. The contrasting materials mean that it will be clearly legible as a modern addition whilst retaining a vernacular styling appropriate to the site and its context. The rear cross wing will largely be screened from view in the street scene. A clear hierarchy will be retained on the site with this new service element being at the 'low end' of the cottage and subservient in form to the main cottage. The thatched cottage will thus remain the focal point.

Indeed, the Council's Conservation Officer considers that the rebuilding of the northern late bay on its original footprint which included a cross wing to the rear, is appropriate. Stating that its subservient form would serve to accentuate the form and the importance of the medieval core of the dwelling while the design, detailing and materials would respond well to the character of the cottage and the local vernacular in general. The further new wing again, in terms of design and detailing would be in keeping with the cottage and its location at the extreme northern end of the heritage asset would not unduly diminish its primacy as the thatched cottage would be uppermost visible on entering the site. The Conservation Officer suggests approval subject to conditions.

10.6 The only concern raised by the Conservation Officer is the proposed introduction of the three dormer windows on the eastern side of the thatched roof and requests that two of these be omitted. This suggested revision will be dealt with by way of condition.

10.7 The removal of the numerous modern outbuildings and structures within the rear and side garden areas will significantly enhance the setting of the heritage asset. These structures are post 1948 structures and not covered by the Listing.

The two bay cart lodge style garage building to the south garden area will be subordinate in scale and appearance to the main cottage. The design and materials are appropriate for this rural location.

10.8 In consideration of the application as a whole, it is considered that there would be a public benefit and an enhancement to the long-term viability of the asset in accordance with 134 of the NPPF, 2012. In addition to this, it felt that some elements of the scheme would represent a heritage gain. The Conservation Officer considers that the scheme should be approved, subject to conditions. The proposal will preserve the historic character of the listed building in accordance with Policy ENV2 of the Local Plan and advice contained with the NPPF.

11. CONCLUSION

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

A The proposal will preserve the historic character of the listed building in accordance with Policy ENV2 of the Local Plan and advice contained with the NPPF and would be acceptable subject to conditions.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. The roof to the development hereby permitted shall be clad with hand made plain clay tiles in accordance with samples that shall be submitted to and approved in writing by the local planning authority before development commences, and thereafter be implemented in accordance with the approved details, and subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

Reason: In order to protect the special architectural and historic interest of the listed building in accordance with ULP Policy ENV2 and the NPPF. It is considered that this pre-commencement condition is justified and reasonable in the interests of preserving the historic character and appearance of the listed building and its setting.

3. No historic timbers of the existing building, other than indicated, shall be cut or removed without the prior inspection and written consent of the local planning authority.

Reason: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF.

4. All indicated weatherboarding shall be feather edge painted timber painted to match the plaster and subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

Reason : In the interests of preserving the historic character and appearance of the Listed Building and its setting, in accordance with Policy ENV2 of the Uttlesford

Local Plan Adopted 2005 and the NPPF.

5. All new windows, within the historic part of the cottage, hereby permitted to be single glazed painted timber with slender ovolo moulded glazing bars. Large scale typical cross sections of the frame and glazing bars (at a scale of not less than 1:5 and including cross-sections where applicable) shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, the works shall thereafter be implemented in accordance with the approved scheme.

Reason: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with ENV2 of the Uttlesford Local Plan adopted 2005 and the NPPF. It is considered that this pre-commencement condition is justified and reasonable in the interests of preserving the historic character and appearance of the listed building and its setting.

6. The new outbuilding shall have black painted feather edge boarding with hand made plain clay tiled roof. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

Reason: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with ENV2 of the Uttlesford Local Plan adopted 2005 and the NPPF.

7. A detailed schedule of repairs should be submitted clearly stating the methods and materials to be employed, and approved by the Local Planning Authority, prior to the commencement of works.

Reason: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF. It is considered that this pre-commencement condition is justified and reasonable in the interests of preserving the historic character and appearance of the listed building and its setting.

8. All external plaster hereby approved to be lime based with a smooth finish. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

Reason: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with ENV2 of the Uttlesford Local Plan adopted 2005 and the NPPF.

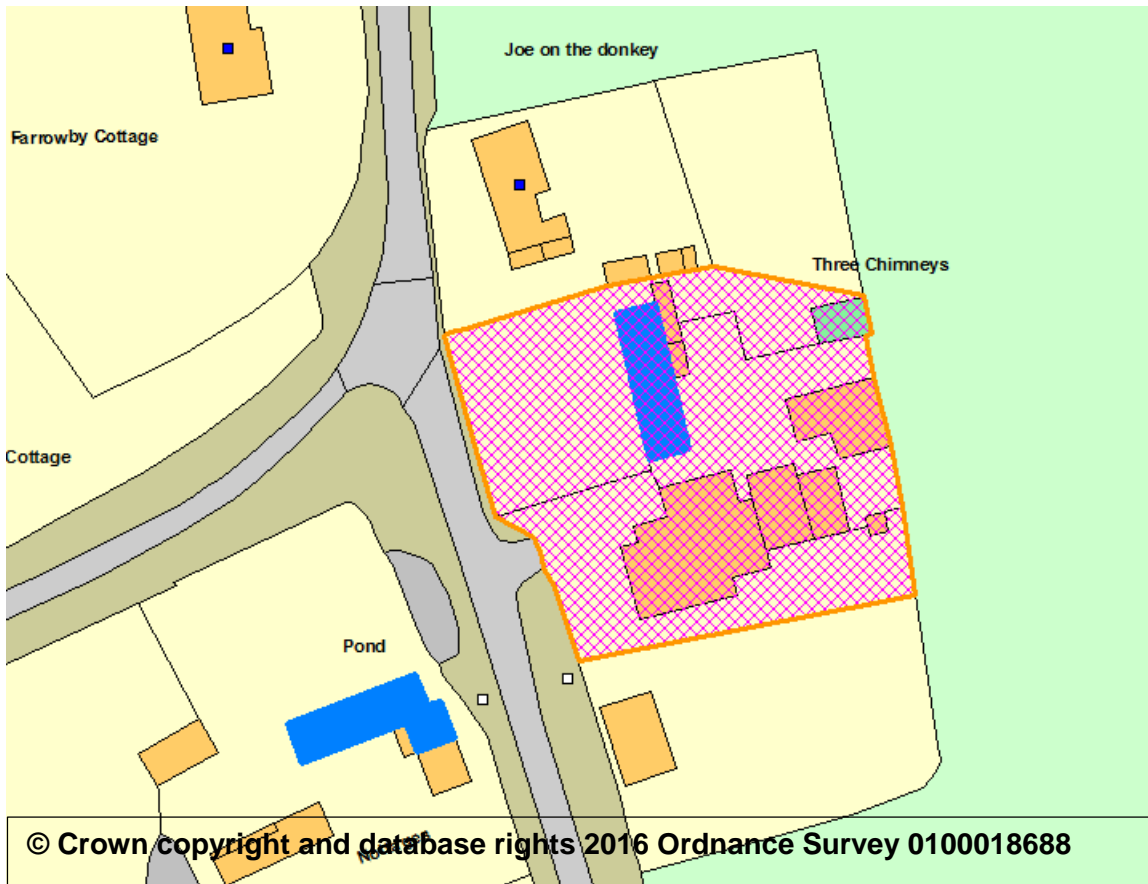
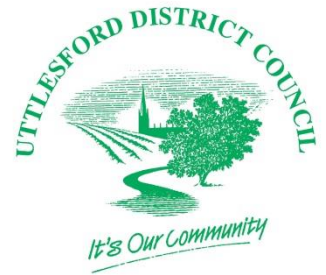
9. The two dormer windows on the west elevation of the thatched cottage shall be omitted with the relevant rafters of the remaining dormer to be left within its void to minimise the air of prominence created by the proposed 3 dormer windows in accordance with details that shall be submitted to and approved in writing by the local planning authority before development commences, and thereafter be implemented in accordance with the approved details, and subsequently, shall not be changed without the prior written consent of the local planning authority.

Reason: In order to protect the special architectural and historic interest of the listed building in accordance with ULP Policy ENV2 and the NPPF. It is considered that this pre-commencement condition is justified and reasonable in the interests of preserving the historic character and appearance of the listed building and its setting.

10. All re-thatching to be undertaken in long straw.

Reason: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with Policy ENV2 of the Uttlesford Local Plan Adopted 2005 and the NPPF.

Application no.: UTT/16/1385/LB
Address: Three Chimneys Lower Green, Lower Green Lane
Wimbish



Organisation: Uttlesford District Council
Department: Planning
Date: 15 June 2016

UTT/16/0777/HHF (Saffron Walden)

(Referred to Committee by Cllr Freeman. Reason: Impact on neighbouring properties)

PROPOSAL: Proposed demolition of existing conservatory and erection of single and two storey rear extensions

LOCATION: 8 Thorncroft, Saffron Walden

APPLICANT: Mr and Mrs Sugg

AGENT: Mr J Ryan

EXPIRY DATE: 27th May 2016

CASE OFFICER: Sarah Marshall

1. NOTATION

1.1 Within development limits

2. DESCRIPTION OF SITE

2.1 The application site is located on the corner of Thorncroft which is a residential street on the northern side of Saffron Walden town centre. On the opposite side of the property is the rear of Dame Bradbury's School. The surrounding dwellings are of similar design and scale to the application site.

2.2 The dwelling is comprised of a two storey detached brick built dwelling with a flat roofed detached garage. The dwelling benefits from an existing single storey conservatory which extends to the rear of the dwelling.

2.3 To the front and side of the dwelling is hardstanding which can accommodate a number of vehicles.

3. PROPOSAL

3.1 The proposal is to demolish an existing conservatory and replace it with a part single storey extension part two storey rear extension. The dimension of the extension will be 4 metres deep for the single storey extension with a width of 3.64 metres and a height of 2.4 metres to the eaves and 3.5 metres. The two storey aspect will have a depth of 4.45 metres and a width of 4.5 metres. The height of the eaves will be the same as the existing dwelling at 5metres and the overall height of the two storey aspect is 6.6 metres. This is set down 0.6 metre from the ridge of the host dwelling.

3.2 The only window that will be introduced into the northern flank wall of the two storey extension will be a window at the upper floor level which will service an en-suite. On the western elevation of the extension there will be bi-fold doors at ground floor level on both the single storey and the two storey extension and at the first floor level a window will be introduced which will serve a bedroom.

4. APPLICANT'S CASE

- 4.1 Application supported by;
- Biodiversity questionnaire

5. RELEVANT SITE HISTORY

- 5.1 No relevant planning history for this site.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

S1 -	Settlement Boundaries for the Main Urban Areas
GEN2 -	Design
GEN4 -	Good Neighbourliness
H8 -	Home Extensions
GEN8 -	Parking Standards
SW2 -	Residential development within Saffron Walden's Built Up Area
SPD -	Home Extensions

7. TOWN COUNCIL COMMENTS

- 7.1 Note objection from Nos. 7 & 9 who believes will result in over-shadowing of their property. Express concern loss of amenity from neighbours, loss of light.
Noted, no objection.

8. CONSULTATIONS

Fisher German Chartered surveys

- 8.1 Our client, CLH Pipeline System Ltd, do not have apparatus situated within the vicinity of your proposed works, and as such do not have any further comments to make.

UDC's Environmental Health

- 8.2 No comment received

National Grid Plant Protection

- 8.3 No comment received.

9. REPRESENTATIONS

- 9.1 8 neighbourhood letters were sent out. The Council received 4 representations in response to this application. It should be noted that one of these representations is from an address that does not exist and the author is anonymous.

10. APPRAISAL

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

- A** Whether the proposed works would be of an appropriate design and scale, (ULP Policies S1, H8 and GEN2).
- B** Whether the proposal would adversely affect amenity values of neighbouring residents(ULP Policy H8 and GEN2)
- C** Whether the proposal meets the required parking standards (Uttlesford Local Parking Standards 2013)
- A** Whether the proposed works would be of an appropriate design and scale, (ULP Policies S1, H8 and GEN2).

10.1 Policy H8 of the ULP states that extensions to dwellings will be permitted where their scale, design and external materials respect those of the original building. Policy GEN2 states that development should be compatible with the scale, form, layout appearance and materials of surrounding buildings.

10.2 The host dwelling is a residential property and it is considered in principle extensions in this location are acceptable. The proposed extension has been designed to be subservient to the host dwelling with a lower ridge height of the two storey extension from the main roof. The design of the extension is compatible to the scale, appearance and materials of the host site.

10.3 Whilst the extension will be visible from the street scene as it is a corner property it is not considered that it will be a dominant feature due to the layout within the site and will appear subordinate to the host dwelling. The scale of the extension is compatible with the original dwelling and there is sufficient amenity area to accommodate this extension without having a detrimental impact on the outdoor amenity area for the occupants of the host site.

- B** Whether the proposal would adversely affect amenity values of neighbouring residents(ULP Policy H8 and GEN2)

10.4 ULP policy GEN2 states that development should not have a materially adverse effect on the reasonable occupation and enjoyment of a residential property. Policy H8 states that development should not cause material overlooking or overshadowing of nearby properties.

10.5 The only proposed openings will be one on the northern flank wall which will serve an en-suite and on the western flank wall will be a window on the upper floor level, two rooflights on the single storey aspect and two sets of bi-fold doors at ground floor level. It is not considered that these openings would cause any additional overlooking of the neighbouring properties than what is already occurring from existing openings at this level. The proposal, whilst bringing one opening 4.5 metres closer to the rear boundary would result in the reduction of openings at this level. To the rear of the site are single storey garages which serve 9 and 10 Thorncroft. The dwelling at 10 Thorncroft benefits from a window at an upper floor on the eastern elevation which faces towards the application site, however the windows are offset and it is not considered that this extension will result in any additional overlooking of this property. Part of the side boundary of 9 Thorncroft is shared with the rear boundary of the application site. The dwelling at 9 Thorncroft is set well into the site and it is not considered that this proposed extension will result in any additional overlooking than what is already occurring.

10.6 The impact of this proposed extension will be felt mostly by 7 Thorncroft who adjoins

the northern boundary of the site. Due to the profile of the roof of the two storey aspect and the existing single storey garage the extension accords with the 45 degree angle rule as set out in the Essex Design Guide. It is not considered, due to the position of the garage and the setback of the two storey extension, that this will result in any further overshadowing or be an overbearing form of development for the adjoining property nor will it cause any overlooking of the neighbouring outdoor seating area.

C Whether the proposal meets the required parking standards (Uttlesford Local Parking Standards 2013)

- 10.7 The proposal will increase the number of bedrooms to four. The requirement for a four bed dwelling is 3 parking spaces. The plans show on the site that there is space for three vehicles off site. It should be noted that one of the spaces shown does not meet Council's standards and therefore cannot be counted. However it is considered, that on balance, not providing the required number of parking spaces will result in a highways safety issue.

11. CONCLUSION

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

- A** The proposed development in principle is an acceptable development and due to its scale, design, materials and fenestration is appropriate for the site and will not have a detrimental impact on the visual amenity of the site and this development accords with the Council's policies
- B** It is not considered that the extension will cause detrimental harm to the residential amenities of neighbouring properties and that the development accords with the local development policies.
- C** Whilst the development fails to accord with Policy GEN8 of the ULP it is not considered that this will result in a highways safety issue.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building unless otherwise agreed in writing by the Local Planning Authority.

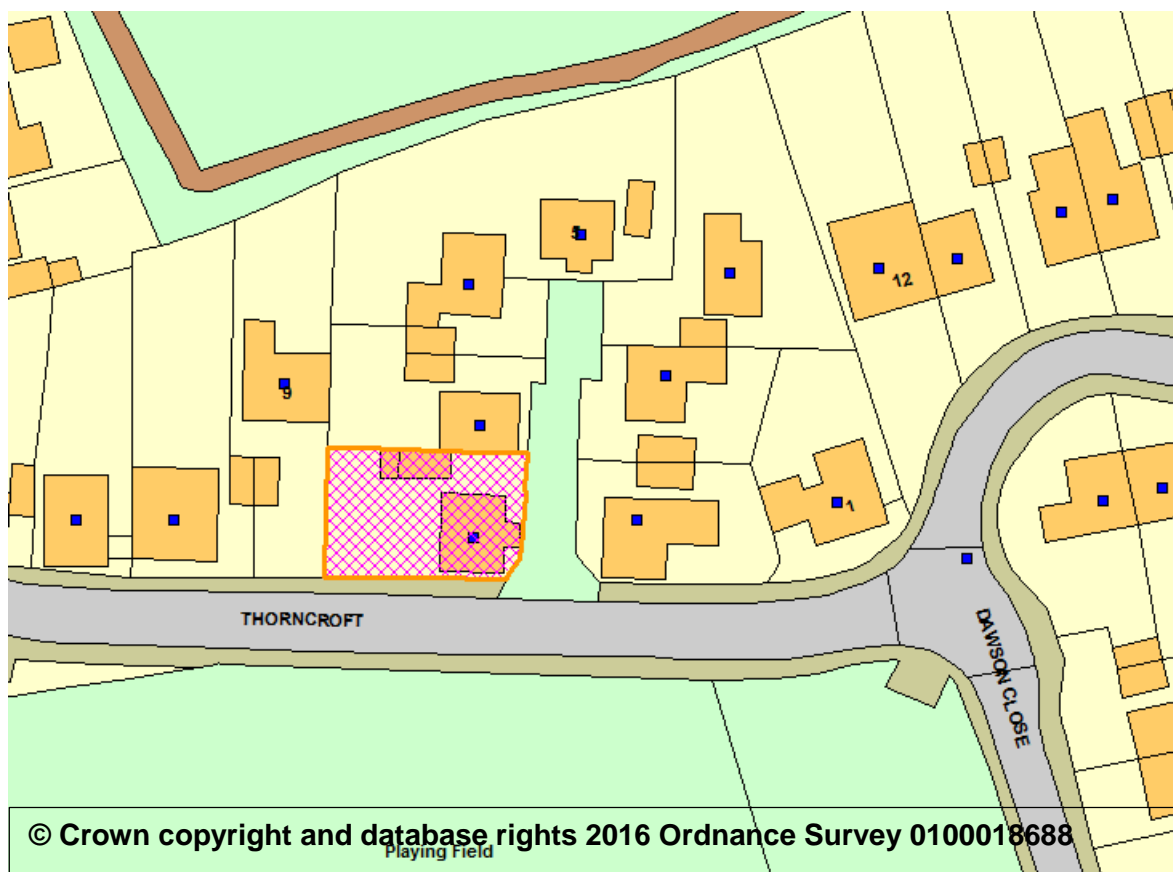
Reason: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. The proposed window on the first floor of the northern flank elevation of the rear

extension shall be fitted with obscured glass and have fixed frames, and shall be permanently retained in that condition unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of protecting the amenities of adjoining property occupiers in accordance with local policy GEN2 and the National Planning Policy Framework.

Application no.: UTT/16/0777/HHF
Address: 8 Thorncroft, Saffron Walden



Organisation: Uttlesford District Council
Department: Planning
Date: 15 June 2016

UTT/16/0836/FUL (Elmdon)

(Procedural requirement for application to be reported to committee as applicant's agent is a son of ex-Ward Councillor Mrs Janet Menell).

PROPOSAL: Demolition of existing dwelling and outbuilding and erection of replacement dwelling and garage with office over.

LOCATION: Serenity, Essex Hill, Elmdon.

APPLICANT: Mr & Mrs Jackson.

AGENT: Dr D Menell.

EXPIRY DATE: 6 July 2016

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits/adjacent to conservation area.

2. DESCRIPTION OF SITE

- 2.1 The site is situated on the south side of Essex Hill on the south-eastern edge of Elmdon village and contains an older style three bedroomed bungalow of tiled and rendered appearance with hipped roof with flat roofed side extension and small rear conservatory together with ancillary outbuildings which stand within a generous sized residential plot of 0.5 ha of irregular shape set to enclosed maintained lawns behind the dwelling with large informal parking hardstanding situated to the front. The outbuildings comprise an old dairy building positioned to the front of the site and a garage/storage range positioned to the side of the dwelling
- 2.2 The existing bungalow is set back into the site and stands slightly elevated from the road, although is partially obscured from view from the highway by a thick vegetated frontage boundary. The site is flanked on its NW side by a modern yet traditionally designed 1½ storey detached dwelling of tiled and rendered appearance (Icknield House) and on its SE side by an identical pair of linking tiled and rendered bungalows of simple proportions. A public footpath leads off Essex Hill in a SW direction along the northern boundary of Icknield House and then along the northern boundary of the application site behind. Two large dwellings stand within large grounds opposite the site on the north side of Essex Hill, including Lofts Hall.

3. PROPOSAL

- 3.1 This revised full application proposal relates to the demolition of the existing bungalow and old dairy building and their replacement by a new four bedroomed dwelling and detached cart shed style three bay garage with ancillary office accommodation over and follows on from the withdrawal of a previous replacement dwelling scheme for this site submitted by the same applicant in 2015 under planning ref; UTT/15/2006/FUL.
- 3.2 The replacement dwelling would be sited in the approximate position of the existing bungalow and set slightly into the ground and would be two storied with a slate hipped roof with full width single storey rear projecting element with a height to the eaves of

5.5m and a height to the ridge of 7.5m. The walls of the new dwelling would be externally clad in horizontal pastel coloured boarding to client specification onto a rendered brick plinth, whilst the front entrance porch would be rendered. The windows to the dwelling would be softwood painted. The cart shed garage would be positioned in the front NW corner of the site at right angles to the dwelling and would have a height to the ridge of 6.2m with rooflights into the SE roof slope and an external staircase. The external finishes to the garage would match the main house, i.e., slate and weatherboarding.

4. APPLICANT'S CASE

4.1 The application is accompanied by a Planning, Design and Access Statement which is summarised as follows:

- The site was previously used in connection with a milk distribution business and some of the outbuildings on the site were built specifically for this purpose;
- In 2000, the site plot was split and a new dwelling was built on its north side (UTT/1233/00/FUL - Icknield House). The current owners bought the existing property under the impression that two dwellings could be built on it, although were advised that this would be against planning policy following a preliminary enquiry to the Council.
- The current application is therefore simply for a replacement dwelling to be positioned on the site of the existing bungalow and for the replacement of one of the outbuildings with a garage with office above.
- The bungalow is in poor condition given its age of construction and suffers from inferior building methods and cheap materials compared to modern day standards. The external walls are thinly constructed with no insulation and many of the internal walls are of single hardboard installation.
- The current owners are wishing to replace the bungalow with a more appropriately designed house to blend in with the surroundings of adjacent dwellings at this end of the village, but which will incorporate modern construction methods to meet and exceed current regulations.

4.2 An email received from the applicant dated 10 December 2015 the contents of which have subsequently been repeated in an email from the applicant's agent dated 23 March 2016 for the current application confirms the design and layout changes discussed and agreed for this replacement dwelling scheme at a meeting held at the Council Offices in December 2015 between the agent, the applicant and Council Officers following the withdrawal of application UTT/15/2006/FUL as follows;

"Further to our meeting, it was agreed that the frontage of the main dwelling should be reduced from 16m to 14m, the single first floor windows should be replaced by 2 No. single windows each matching the size of the ground floor windows, the porch should be rendered and the car port/storage area should be reduced in height to 1.5 storeys to appear subservient in scale to the main dwelling and to reflect the "cottage" style of our neighbour's cart lodge garage. Your department will be supplied with an example of the proposed wooden window surrounds. This sets out our understanding of the required amendments".

4.3 The email from the applicant's agent of 23 March 2016 goes on to say that;

"The matter of the neighbour's objection to the location of the replacement dwelling was also raised in the meeting, but it was not felt that this made any impact on the approval or rejection decision. However, the site of the dwelling has been moved so that it is further away from the neighbour's boundary as a gesture of goodwill and maintenance

of good relations with the neighbour. Revised plans showing changed dwelling position, altered dwelling appearance and altered garage design have since been submitted to Council Officers for informal approval which have now been accepted as meeting with Officers' requests and are now being formally submitted here showing these changes".

5. RELEVANT SITE HISTORY

Planning application UTT/15/2006/FUL for the demolition of the existing bungalow and old dairy outbuilding at Serenity and their replacement with a two storey four bedroomed detached dwelling and frontage garage with studio/office above withdrawn after it was considered by Officers that whilst a replacement dwelling was acceptable at this road frontage site in principle to replace the sub-standard bungalow that some of the design detailing and fenestration and materials treatments for the new dwelling were below standard and introduced some incongruent elements in terms of the dwelling's appearance and also that the proposed cart shed garage to be positioned in front of it by reason of its overall height would fail to represent a subordinate structure to the new dwelling. A subsequent meeting was held at the Council Offices between the applicant, planning agent and Council Officers to agree acceptable revisions (see above).

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

ULP Policy H7 – Replacement Dwellings
ULP Policy S7 – The Countryside
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN7 – Nature Conservation
ULP Policy GEN8 – Vehicle Parking Standards
SPD "Replacement Dwellings"
SPD "Accessible Homes and Playspace".

7. PARISH COUNCIL COMMENTS

- 7.1 The Parish Council has no objections to the design or position of the proposed replacement dwelling. Please note that the letters of objection from a neighbour and Lofts Hall to Uttlesford District Council have been noted by councillors, as has the "Planning application additional statement" from the applicant where it is noted that the height of the proposed new building has been lowered and the footprint moved away from the neighbour's boundary.

8 CONSULTATIONS

Essex County Council Highways

- 8.1 The Highway Authority has no comments to make on this proposal from a highway and transportation perspective as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Essex County Council Ecology

- 8.2 I have no objections. My comments refer to the Bat Survey undertaken by Essex Mammal Surveys in June 2015. During the Bat Survey, no evidence of bat presence was observed in the building to be demolished. There is no vegetation affected by the proposal that has crevices, loose bark or woodpecker holes that might be colonised by bats. No further surveys are required at this stage. The site is small and does not contain any other habitats favourable for protected species.

9. REPRESENTATIONS

- 9.1 Two representations received (object). Notification period expired 26 April 2016. Advertisement expired 5 May 2016. Site Notice expired 5 May 2016.

Summary of objections:

- Proposed replacement dwelling will have an adverse amenity impact on rear sitting out area of Icknield House to the detriment of the occupiers of that dwelling by reason of the size, height and siting of the dwelling. Proposed revisions to the new dwelling scheme do not sufficiently overcome previously expressed concerns.
- The noise and disturbance associated with construction works for the replacement dwelling will have an adverse effect on the health and well-being of the thoroughbred racehorses which are bred at Lofts Hall opposite the site which has its access across the road. Racehorses are also kept elsewhere nearby.

10 APPRAISAL

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

- A Principle of dwelling replacement / countryside protection (NPPF and ULP Policies H7 and S7);**
- B Design / impact on residential amenity (ULP Policies H7 and GEN2);**
- C Access and parking arrangements (ULP Policies GEN1 and GEN8);**
- D Impact on protected species (ULP Policy GEN7).**
- A Principle of dwelling replacement / countryside protection (NPPF, ULP Policies H7 and S7 and SPD "Replacement Dwellings")**

- 10.1 The NPPF has a presumption in favour of sustainable development which is seen as representing a "golden thread" running through the plan making and decision taking process. ULP Policy H7 of the adopted local plan states that development will be permitted if it is in scale with neighbouring properties and, in addition, outside development limits, a replacement dwelling will not be permitted unless through its location, appearance and associated scheme of landscape enhancement it would protect or enhance the particular character of the countryside in which it is set. ULP Policy S7 states that the countryside will be protected for its own sake.
- 10.2 The existing bungalow on the site stands within a short line of frontage dwellings along the western end of Essex Hill before the road leads down into Elmdon village. The site itself is located within walking distance of the village centre, albeit that Elmdon has a limited number of amenities. Given the site's edge of village location and the physical

relationship of the existing bungalow on the site to adjacent dwellings situated either side, the proposal would not represent an isolated replacement dwelling in the countryside but would read instead in the context of neighbouring dwellings along this section of road.

- 10.3 The existing bungalow has no intrinsic architectural merit and is now beginning to show signs of age, whilst the existing former dairy outbuilding which stands in front of it is of a utilitarian nature and is somewhat unsightly. It is stated in the applicant's supporting statement that the bungalow is in poor condition and suffers from poor construction methods and additionally suffers from a lack of insulation whereby an economic case is made for its demolition and replacement. It is evident from this and the site inspection that justification exists for the bungalow's replacement on these grounds where a suitable designed replacement dwelling would represent an aesthetic improvement.
- 10.4 The existing dwelling is single storey whilst the replacement dwelling would be at two storey level. Whilst this would therefore represent a step change in scale, the site is wide enough to the boundaries and deep enough to accommodate a two storey dwelling whilst the adjoining dwellings vary in scale from bungalows to 1½ storey level with two storey dwellings existing within the immediate vicinity of the site. In addition, the replacement dwelling at Serenity would have a ridge height of 7.5m which it should be emphasised is not excessively high for a two storied dwelling where it has been the applicant's stated intention to keep the new dwelling in keeping with the context of its surroundings both in terms of scale and appearance and has also been reduced in width from 16m to 14m. The dwelling would also be cut into the slope of the ground by 0.5m to further reduce its impact on the site, whilst the existing vegetated site frontage onto the highway would be retained. In light of the foregoing, it is considered that the proposed development would by reason of the site's location and the indicated scale of the replacement dwelling protect the particular character of the countryside in which it is set and be compliant with ULP Policy H7 in respect of replacement dwellings and would not have a harmful impact upon the semi-rural amenities of the area under ULP Policy S7.

B Design (ULP Policies H7 and GEN2)

- 10.5 The proposed dwelling would have a traditional design and appearance incorporating a slate roof and horizontal weatherboarded walls on a brick plinth with appropriate fenestration and materials treatment incorporating top portion small paned window detailing and contrasting painted render for the front porch. The dwelling would as a result of the design revisions previously suggested by officers and subsequently incorporated into this revised application submission following the withdrawal of application UTT/15/2006/FUL be acceptable in terms of its overall design and appearance. In terms of setting, Essex Hill has a mixture of house types and building styles and the replacement dwelling as proposed would complement this streetscene. The cart shed garage structure in front of it would also be of traditional design and appearance and would now be subservient to the height of the dwelling following the reduction in its overall height as also requested by officers. No design objections are therefore made to this revised dwelling proposal under ULP Policies H7 and GEN2.
- 10.6 The replacement dwelling would be located between 2.5m and 3m away from the side boundary with Icknield House which stands to the immediate north-west. Previous concerns were expressed by the occupiers of this adjacent dwelling in relation to the impact that a two storey dwelling would have on the residential amenities of that dwelling and these have been expressed again for the revised dwelling scheme. However, the new dwelling would be sited so that it would not have an excessive overbearing effect on Icknield House where the dwelling has been moved forward from

the original footprint location for UTT/15/2006/FUL by 2m to further reduce any such effect. The dwelling by reason of its siting orientation would not cause any significant loss of light or overshadowing effect onto the rear garden of that property whilst no overlooking would occur from the new dwelling onto that area in view of the fact that no windows are shown for the first floor of the new dwelling on this side. No amenity objections are therefore raised under ULP Policy GEN2, although it is considered appropriate as a safeguard to privacy to impose a planning condition restricting the subsequent insertion of first floor windows for the new dwelling on this side without further LPA approval where these could otherwise be inserted as permitted development. Whilst the comments from the residents of Lofts Hall opposite concerning noise and disturbance to racing horses are noted, it is considered that these comments do not carry significant weight in the assessment of impact on amenity for this application.

C Access and parking (ULP Policies GEN1 and GEN8)

10.7 The existing vehicular entrance from the site onto the highway would be retained without alteration and would continue to be used as a result of the proposal and no highway objections have been raised by ECC Highways under ULP Policy GEN1 given the replacement dwelling nature of the submitted application. The replacement dwelling would be four bedroomed which would represent a net increase in bedroom provision of one bedroom over the bedroom accommodation currently afforded to the existing bungalow at the site meaning that there would be a requirement to provide 3 No. on-site parking spaces under locally adopted parking standards. Two of these spaces would be provided within the new cart shed garage, whilst ample retained vehicular hardstanding space would be available around the footprint of the new dwelling to accommodate further vehicles to meet and exceed these parking standards. The proposal would therefore comply with ULP Policy GEN8.

D Impact on protected species (ULP Policy GEN7)

10.8 The application is accompanied by a protected species report prepared by Essex Mammal Surveys (June 2015). The report of survey findings states that the site survey did not reveal any evidence of the presence of protected species at the site when it was noted that the grounds of the dwelling and adjacent grounds did not provide suitable habitat value for reptiles, great crested newts or barn owls and that the existing bungalow to be demolished is not conducive to bat activity. The report concludes from these findings that the proposed development would not have a detrimental effect on protected species and that a European Protected Species Licence would not be required. ECC Ecology has been consulted on the proposal and has not objected to the development based upon the findings of the ecology report. No objections are therefore raised under ULP Policy GEN7.

11. CONCLUSION

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

- A The replacement of the existing bungalow with a two storey dwelling at this edge of village location would be acceptable in principle under the NPPF and ULP Policies H7 and S7 of the adopted local plan.
- B The design of the replacement dwelling and associated cart lodge garage for the site is considered acceptable following agreed design revisions and would comply with ULP Policies H7 and GEN2 and be in accordance with supplementary planning guidance

where it is considered that the impact on adjacent residential amenity would not be significant.

- C The development would be compliant with locally adopted parking standards (ULP Policy GEN8).

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

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

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

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

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

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

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

4. No windows shall be inserted into the north-west flank elevation of the dwelling hereby approved at first floor level without the prior written consent of the local planning authority.

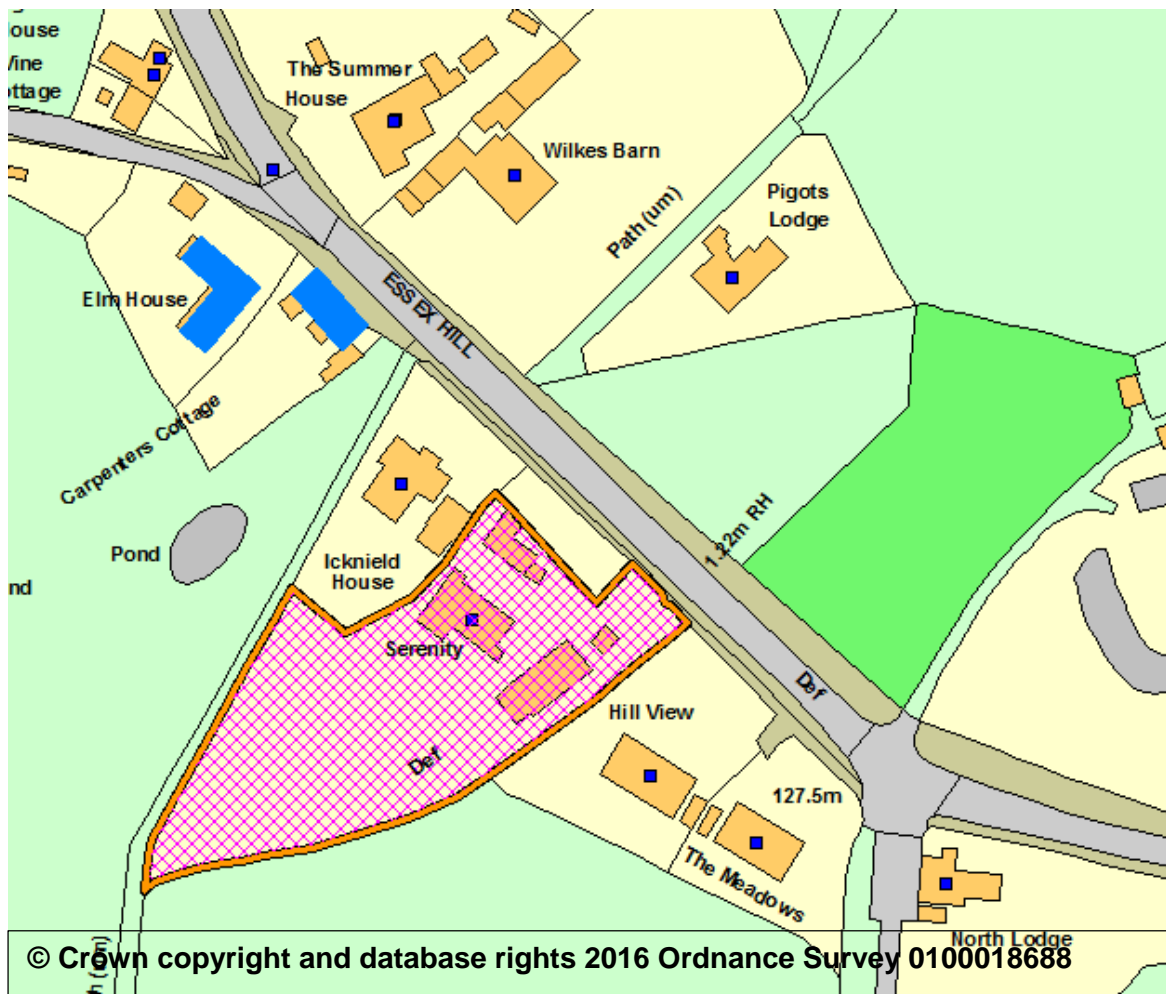
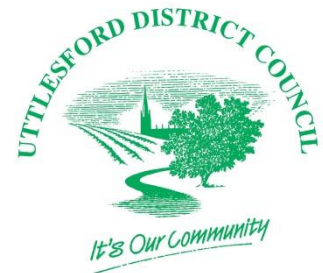
REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

5. The existing bungalow shall be demolished and all the materials arising from such demolition shall be completely removed from the site within one month of the completion of the replacement dwelling hereby permitted.

REASON: To avoid over-development of the site in accordance with ULP Policies GEN2 and S7 of the Uttlesford Local Plan (adopted 2005).

Application number: UTT/16/0836/FUL

Address: Serenity, Essex Hill, Elmdon



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

UTT/16/1121/HHF (Saffron Walden)

(Referred to Committee - Reason: UDC Employee)

PROPOSAL: Proposed single storey front and side extension

LOCATION: 34 Old Mill Road Saffron Walden

APPLICANT: Mr and Mrs L S Dobson

AGENT: David Easthorpe

EXPIRY DATE: 28 June 2016

CASE OFFICER: Rosemary Clark

1. NOTATION

1.1 Within Development Limits

2. DESCRIPTION OF SITE

2.1 The application site comprises a two storey semi-detached dwelling, set on lower ground to the road, on a residential development to the south of Saffron Walden town. There is a driveway to the side of the dwelling leading to a single garage set to the rear. There are similar properties in the locality, many of which have been extended and altered over the years. The property is finished in red brick under a tiled roof.

3. PROPOSAL

3.1 This application relates to a proposed front and side extensions to incorporate an entrance porch, extension to the lounge and downstairs cloakroom. The proposals are single storey and will be finished in materials to match the existing dwelling.

4. APPLICANT'S CASE

4.1 N/a

5. RELEVANT SITE HISTORY

5.1 N/a

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

Policy S1 – Development within Development Limits

Policy GEN2 – Design

Policy H8 – Home Extensions

7. TOWN COUNCIL COMMENTS

7.1 No Objection

8. CONSULTATIONS

8.1 N/a

9. REPRESENTATIONS

9.1 7 Neighbours consulted – No responses received

10. APPRAISAL

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

A Whether the proposals would respect the size, scale and appearance of the original dwelling (ULP S1, GEN2, H8 and SPD1)

B Whether the proposals would adversely affect the neighbouring residential and visual amenity (ULP GEN2 and H8)

C Whether the proposals would adversely affect highway safety and parking provision (ULP Policy GEN8 and Uttlesford Local Parking Standards)

A Whether the proposals would respect the size, scale and appearance of the original dwelling (ULP S1, GEN2, H8 and SPD1)

10.1 The dwelling is situated within the development limits of Saffron Walden, therefore the principle of modest extensions and alterations is acceptable in accordance with ULP Policy S1.

10.2 Local Plan Policies H8 and GEN2 as well as the Supplementary Planning Document (SPD1) – Home Extensions indicate that development should respect the appearance of the existing dwelling with regard to size, design and appearance, in addition the SPD required that all development should respect the scale, height and proportions of the original house.

10.3 The proposed extensions are modest additions to this dwelling that with the use of matching materials would respect the size, design and appearance of the existing dwelling.

10.4 The dwelling is located on a site that has a larger than average front garden and large driveway. Therefore the loss of amenity space resulting from this proposal would not raise any concerns. It is therefore considered that the proposal complies with the relevant Local Plan Policies.

B Whether the proposals would adversely affect the neighbouring residential and visual amenity (ULP GEN2 and H8)

10.5 Policy GEN2 and H8 of the Local Plan state that development should not have a materially adverse effect on the reasonable occupation and enjoyment of any nearby property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

- 10.6 Due to the single storey nature and the location of the proposed extensions, in particular the front extension, that is set away from the shared boundary with no 32, there are no issues regarding neighbouring residential amenity and the proposals in this instance would not be harmful to the street scene as a whole, thus complying with ULP Policy GEN2 and H8.

C Whether the proposals would adversely affect highway safety and parking provision (ULP Policy GEN8 and Uttlesford Local Parking Standards (February 2013))

- 10.7 The side extension will result in the garage building to the rear being inaccessible for the parking of motor vehicles, however, as stated on the application form, there is insufficient width to accommodate most modern vehicles currently, whilst there is sufficient parking to the front of the dwelling to ensure that the proposals do not result in an increase in on-street parking. The proposed extensions therefore comply with Uttlesford Local Plan Policy GEN8 and the Uttlesford Parking Standards (February 2013)

11. CONCLUSION

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

- A** The proposal is acceptable in terms of design, respecting the size, scale and appearance of the original dwelling (ULP Policy S1, GEN2 and H8)
- B** There would be no adverse impact on the neighbouring residential or visual amenity (ULP Policy GEN2 and H8)
- C** There would be no adverse impact on the provision of parking within the site (ULP Policy GEN8 and Uttlesford Local Parking Standards (February 2013))

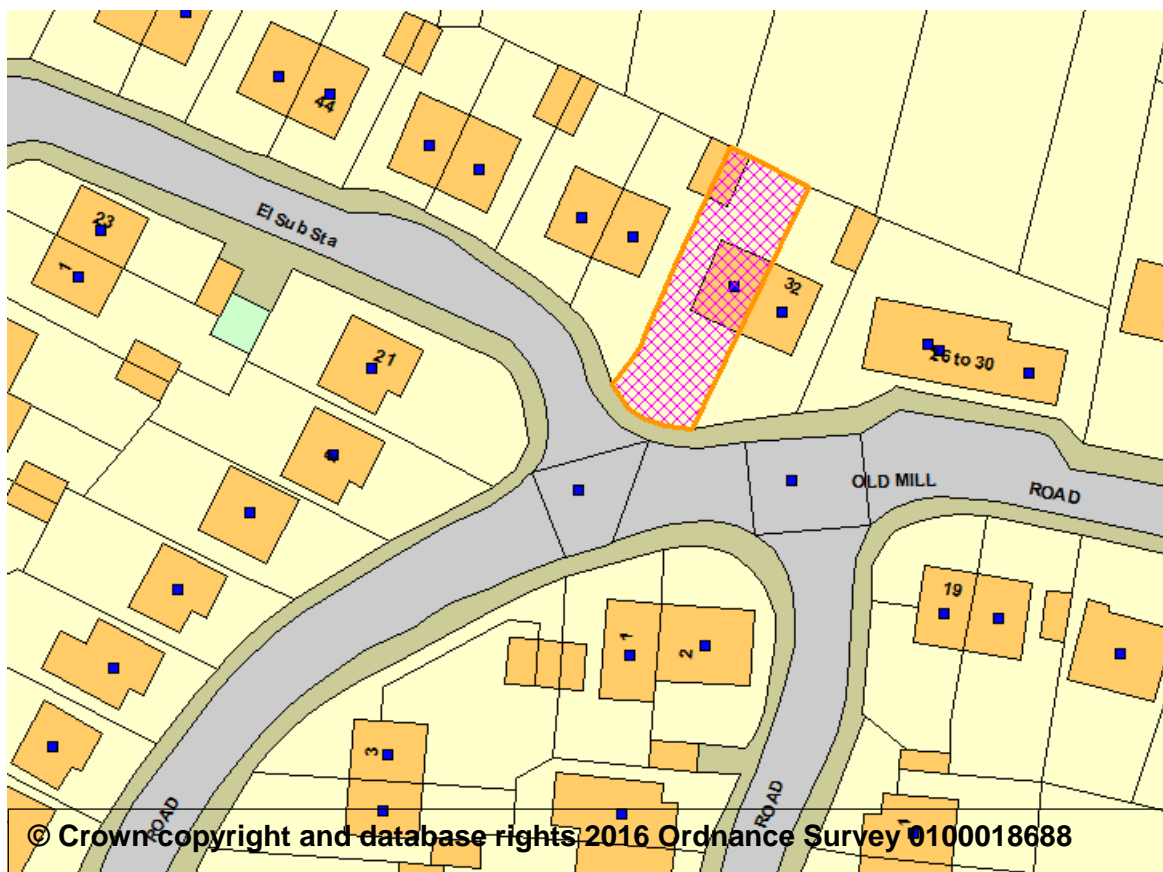
RECOMMENDATION – APPROVAL WITH CONDITIONS

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.

Application no.: UTT/16/1121/HHF
Address: 34 Old Mill Road, Saffron Walden



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

UTT/16/0172/LB (Thaxted)

PROPOSAL: Listed building consent for the demolition of all structures on site (except designated Listed Buildings), demolition of 1.5m of the Listed brick wall. Redevelopment for 22 new dwellings and the conversion of the Listed Buildings to 7 dwellings with associated public open space, roads, access alterations and landscaping. Erection of new boundary wall

LOCATION: Molecular Pruducts Ltd, Mill End, Thaxted

APPLICANT: Molecular Properties

AGENT: Strutt and Parker LLP

EXPIRY DATE: 8th March 2016 (Extension of time 1st July 2016)

CASE OFFICER: Lindsay Trevillian

1. NOTATION

1.1 Within development limits, Thaxted conservation area, Listed buildings.

2. DESCRIPTION OF SITE

- 2.1 The application site as outlined in red on the submitted location plan is located on the western side of Mill End on the southern edge of the town perimeter of Thaxted. The site itself is mainly rectangular in shape, relatively level and is approximately 0.9 of a hectare in size.
- 2.2 The site was previously used by the Molecular Products Group for commercial activities until it became recently vacant in August 2013.
- 2.3 The site consists of a number of industrial like structures of a modern appearance that varying in size, scale and materials. Most noticeable is the main factory along with the distribution warehouse. In addition a tall tank approximately 14m in height is centrally positioned within the site and is highly noticeable within the wider surrounding area.
- 2.4 In addition to these buildings, a row of three buildings, double storey in height and externally finished from facing brickwork and render are located along the eastern boundary of the site fronting onto Mill End. These buildings are grade two listed and were once used as ancillary office accommodation in connection within the commercial use of the site.
- 2.5 Vehicle access to the site is off Mill End to the south of the junction with Bardfield Road. The site is dominated by hard standing with very little soft landscaping. Mature vegetation is located along the boundaries of the site however it is more dense along the southern boundary. Four trees in and around the site are subject to tree preservation orders.
- 2.6 The site is located within a well-established built up area compressing of a mixture of development. A petrol station abuts the northern boundary of the site whilst the

western boundary is almost entirely occupied by two residential plots known as 'Westways' and 'West Lodge'. A public foot path abuts the southern boundary extending the entire length of the site. Further beyond this path is a local community centre along with further residential housing. The local Thaxted tennis club is located to the south east of the site and the local primary school is located to the north east fronting onto Barfield Road. The site is located approximately 170m from the town centre which can be easily reached by the existing public foot path.

3. PROPOSAL

- 3.1 Listed building consent is sought for the demolition of all structures on the site except for designated listed buildings, the demolition of a 1.5m section of brick wall along the sites frontage, and the redevelopment of the site for the construction of 22 new dwellings and the conversion of the listed buildings to 7 dwellings with associated infrastructure and landscaping.

4. APPLICANT'S CASE

- 4.1 Extensive pre-application meetings with the Local Planning Authority were held in which general advice was taken into consideration regarding the final design and layout of the application.
- 4.2 The applicant has provided a Design and Access Statement and a Planning Statement of Conformity in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. In addition further information in relation to technical issues such as a heritage assessment has also been submitted in support of the proposal.
- 4.3 The applicant considers that the proposed residential scheme accords with policies contained within the Uttlesford District Council's Local Plan as well as the National Planning Policy Framework.

5. RELEVANT SITE HISTORY

- 5.1 DUN/0152/51 – Extensions (approved)
- DUN/0122/52 - Additions to the drainage system (approved)
- DUN/0159/52 - Erection of building to house bottle washing machine on the north side (approved)
- DUN/101/53 - Erection of bus shelter (approved)
- DUN/0311/55 - Sugar Dissolving Plant (approved)
- DUN/0178/63 - Site for residential development (approved)
- UTT/0212/77/CA - Demolition of existing sub-standard (approved)
- UTT/0256/77/CA - Renovation of structure fix new windows where existing have been sealed off and replace the demolished gable wall (approved)
- UTT/0016/78/CA - Erection of building for housing and operation of mobile feed mill units (approved)

UTT/0379/78/LB/CA - Proposed building for machinery cover (approved)

UTT/0826/81/LB/CA - Proposed bulk lime silo (approved)

UTT/1439/87 - New silo to be installed through existing factory roof (approved)

UTT/1484/87 - New industrial storage building (approved)

UTT/1457/88 - Retention of use of porta cabin currently used as two offices (approved)

UTT/0362/89 - Proposed office accommodation (refused)

UTT/073/89 - Proposed bulk lime silo (approved)

UTT/0930/89 - Proposed temporary office (approved)

UTT/0050/90 - Retention of portakabin for use as two offices (approved)

UTT/1360/90 - Erection of a replacement extension (approved)

UTT/1325/95/FUL - Erection of two storey rear extension (approved)

UTT/0625/96/LB - Extension to north west of main building (approved)

UTT/0626/96/FUL - Extension to north west of main building (approved)

UTT/0992/96/LB - Alterations to front and side elevations and internal alterations (approved)

UTT/0685/99/FUL - Side extension to warehouse (approved)

UTT/15/1250/FUL - Demolition of structures (except Listed Building), demotion of 1.5m of Listed Brick wall and the redevelopment of the site for 22 new dwellings and the conversion of the existing Listed Buildings into 7 dwellings with associated public open space, roads, access alterations and landscaping (withdrawn)

UTT/15/1251/LB - Demolition of 1930s factory building (curtilage listed) and 1.5m brick wall, external and internal alterations and additions to 3 no. Listed Buildings and associated works (withdrawn)

6. POLICIES

6.1 National Policies

National Planning Policy Framework
The Planning (Listed Buildings and Conservation Area) Act 1990

6.2 Uttlesford Local Plan (2005)

Policy ENV2 – Development affecting Listed Buildings

7. PARISH COUNCIL COMMENTS

7.1 Thaxted Parish Council supports the application and have made the following

comments:

- The Council supports development on this site;
- The Council supports the notion of one and two bedroom open market housing;
- The Council would welcome the opportunity for improvements to the highway at Mill End including bollards to restrict pavement parking in front of and to either side of the redundant bus shelter;
- The Council would welcome the opportunity to discuss the future of the redundant bus shelter as part of the scheme;
- There is a lack of play facilities in the south of the town;
- All SuDS and drainage issues should be satisfactorily resolved.

8. CONSULTATIONS

Historic England:

- 8.7 Objection – Historic England does not object to the principle of demolition of the factory buildings and the redevelopment of this site, but we recommend that the site layout be reviewed to provide a clearer, more coherent layout incorporating a public realm of real quality. This may require a slight reduction on the overall number of units to be provided by this development.

UDC Conservation officer:

- 8.9 No objection subject to conditions.

9. REPRESENTATIONS

- 9.1 The application was publicised by sending 155 letters to adjoining occupiers, displaying of site notices and advertising it within the local newspaper. No representations received at the time of writing this appraisal.

10. APPRAISAL

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

A. Whether the proposal would result in detrimental harm to the historical significance or fabric of the listed buildings (UDC policy ENV2 and the NPPF)

- 10.1 The main issue to address is whether the proposed development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and the relevant policies contained within Uttlesford District Council's Adopted Local Plan.
- 10.2 The Planning (Listed Buildings and Conservation Area) Act 1990 imposes duties requiring special regard to be had to the desirability: firstly section 16(2), of preserving a listed building or its setting or any features of special architectural or historic which it proposes.
- 10.3 Paragraph 133 of the Framework states that where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local authorities should refuse consent, unless it can be demonstrated that

the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

- 10.4 Furthermore, paragraph 134 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use.
- 10.5 The proposed development was consulted to UDC conservation who made the following comments:
- 10.6 The site is located within Thaxted Conservation Area and despite containing some listed structures; it has been identified as one which detracts from its character.
- 10.7 This listed building consent application seeks the consent to demolish the factory structures, some areas of listed wall and the conversion of listed range fronting the road. A detailed scheme for new housing development would form a separate planning application. The proposal has been much negotiated. Clearly, removal of C20 factory buildings is acceptable. The conversion to residential use of the listed and much altered ranges follows officer's previous advice. The scheme endeavours to improve upon previous unsympathetic alterations. It would result in much superior elevational details and final preservation of this heritage asset in new, financially secure ownership. The removal of modest area of listed wall would allow for the implementation of the wider scheme and could be viewed as of public benefit.
- 10.8 Officers consider that the proposal would cause less than substantial harm to the historical significance and fabric of the existing listed buildings and would provide sufficient public benefits such as providing additional housing for the village. The development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and policy ENV2 of the Uttlesford District Council's Adopted Local Plan.

11. CONCLUSION

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

- A** The development is in accordance with the Listed Building and Conservation Area Act 1990, the National Planning Policy Framework and policy ENV2 of the Uttlesford District Council's Adopted Local Plan.

RECOMMENDATION – Approval subject to the conditions.

Conditions:

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

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

2. Samples of the materials to be used in the construction of the external surfaces of the building hereby permitted shall be submitted to and approved in writing by the local planning authority before any work commences on site. The works shall be

implemented in accordance with the approved details. Subsequently, the external surfaces shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with local policy ENV2 and The national Planning Policy Framework.

Justification: The existing building is of historical importance and it is thereby necessary that these details are required before works commence to ensure that no detrimental harm fabric of the building is caused.

3. Notwithstanding the details shown on the submitted plans, additional drawings that show the railings and dwarf walls at scales between 1:20 and 1:1 as appropriate, shall be submitted and approved by the Local Planning Authority prior to the commencement of works.

Reason: In the interest of protecting the architectural and historical significance of the existing building in accordance with local policy ENV2 and The national Planning Policy Framework.

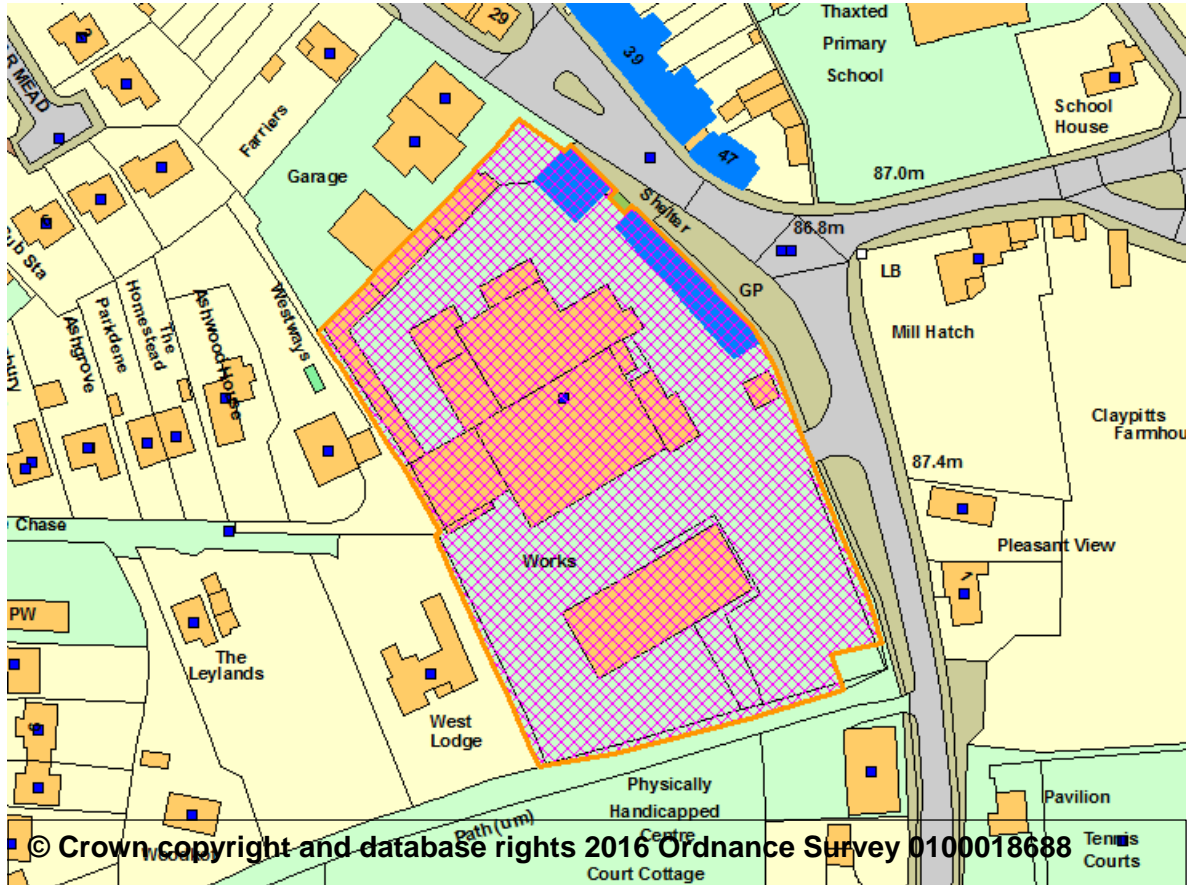
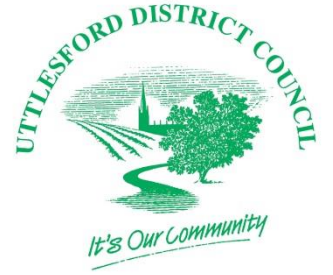
Justification: The existing building is of historical importance and it is thereby necessary that these details are required before works commence to ensure that no detrimental harm fabric of the building is caused.

4. No historic timbers other than that indicated on the approved drawing numbers of the existing building shall be cut or removed without the prior written consent of the local planning authority.

REASON: In the interests of preserving the historic character and appearance of the Listed Building and its setting in accordance with local policy ENV2 and The national Planning Policy Framework.

Application number: UTT/16/0172/LB

Address: Molecular Products Ltd , Mill End, Thaxted



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 June 2016

Committee: Planning

Agenda Item

Date: 29th June 2016

5

Title: UTT/16/1653/TCA

Notification of intent to crown reduce and reduce end weight of branches of 1no. beech tree at Walden Place, Freshwell Street, Saffron Walden.

Author: Ben Smeeden
Landscape Officer

Item for decision

Summary

1. This item seeks the Committee's consideration of the proposed crown reduction and reduction of end weight of branches of 1no. beech tree at Walden Place, Saffron Walden. The tree is within a conservation area and is in UDC ownership. The notification of the proposed works has been made by UDC Grounds Maintenance.
2. Recommendations
No objection to the proposed tree works.

Financial Implications

3. *The cost of the proposed tree works will be met within existing budgetary provisions.*

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

UTT/16/1653/TCA and Hayden's Arboricultural Report dated 5th February 2016.

Impact

- 5.

Communication/Consultation	Weekly List.
Community Safety	None
Equalities	None

Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. The beech tree is a veteran tree of considerable age and stature. The tree has been subject to a condition survey undertaken by Hayden's Arboricultural Consultants of Bury St. Edmunds on behalf of the council. As is to be expected with a tree of this age, a number of defects were found to be present. The advice of Hayden's is to carry a limited crown reduction and the selective reduction of limbs to reduce their end weight.
7. The proposed works would not result in a significant reduction in the visual amenity value of the tree and would safeguard against the risk of a major structural failure.

Risk Analysis

8.

Risk	Likelihood	Impact	Mitigating actions
1. There are no risks associated with the recommendation	1. None	1. No impact	None

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix 1: Location plan

