

TO: DEVELOPMENT CONTROL AND LICENSING COMMITTEE

ON: 4 FEBRUARY 2002

Agenda Item No: 7

Title: MEMBERS' ANNUAL TOUR OF RECENT DEVELOPMENTS

Author: John Grayson (01799) 510455

Summary

- 1 This report is to request that Members agree to continue their annual inspections and reviews of recent schemes and to agree a suitable date for this year's tour.

Background

- 2 The review of recent developments, both good and not so good, is recommended by the Audit Commission as part of an effective planning service. Members will recall that the annual tours started in 1994 and have continued successfully ever since except for 1999.

Arrangements

- 3 Last year the tour was held on Monday 18 June, following several years when it took place on a Saturday. Members are invited to decide when this year's tour should take place and to suggest suitable sites. Officers already have several potential developments in mind.

RESOLVED that Members determine a date for this year's annual tour of developments.

Background Papers: NIL

Agenda Item No: 8

Title: Outline application for the erection of about 400 dwellings, construction of an access to highway and provision of public open space, play area and site for school - UTT/0443/98/OP, and Outline application for residential development (about 370 dwellings), public open space, associated access and infrastructure – UTT/1123/01/OP BIRCHANGER/STANSTED

**Author: Roger Harborough (01799) 510457
E mail rharborough@uttlesford.gov.uk**

Summary

- 1 This report advises Members of progress with these applications for major development.

Background

- 2 Members will be aware that the current position is that there are three applications relating to this site. Two of them have been submitted by Pelham Homes Ltd. These are a duplicate pair, and relate to the eastern 15.61 hectare part of the site. A separate application has been submitted for about 370 dwellings and associated facilities on the western 11.2 hectare part of the site by Croudace Ltd.
- 3 Officers prepared a report to the Development Control and Licensing Committee on 26 November 2001 about Pelham Homes Ltd's application UTT/0443/98/OP. The Committee asked for a further report on the combined transport effects of both Pelham Homes and Croudace's proposed developments, and also sought clarification of the effects of the developments on secondary education provision.

Update

- 4 The transport report is in preparation and officers will give further advice to the Committee on transportation issues after it has been considered. The current off site proposals by the applicants are respectively:

Pelham Homes Ltd –

- a) Pesterford Bridge junction
- b) Junctions of internal link road to Forest Hall Road and Church Road
- c) Public transport improvements to achieve better service specification
- d) £400,000 contribution towards measures from the following list:
Birchanger Lane – traffic calming
Church Road – provision and or widening of footway
Forest Hall Road – various measures including possible closure, traffic calming and realigning of adverse camber

Public transport off peak contract
Silver Street/ Chapel Hill junction
Tot Lane – one way working and traffic calming
West Road/ Water Lane/ Station Road footway/ cycleway upgrade
Any other scheme or schemes that the County Council in consultation with the District Council considers will enhance highway safety, highway capacity or highway amenity and public transport provision or facilities within the area of Birchanger and Stansted Mountfitchet.

Croudace Ltd – Its additional proposals will be confirmed at the meeting but include an additional £350,000 to off site transportation measures and a further substantial contribution to public transport provision.

The County Council has advised that, subject to planning permission, the Area Transportation Manager intends to initiate discussions with Birchanger and Stansted Mountfitchet Parish Councils in order to discuss and determine priorities.

- 5 The County Council Learning Services Planning and Admissions Service has advised that the combined effects of both developments would have a marginal impact on secondary school places taking into account the forecast fall in the number of pupils on the roll of the Mountfitchet School by 2006 without development. It confirms that, on this basis and because of the developer contributions of land and finance for a primary school on site and towards the proposed leisure centres project including facilities at the Mountfitchet School that would be available for school use, it is not seeking any contribution towards any additional secondary school capacity.
- 6 Learning Services reserved its position on the master plan for the overall site as considered and approved by Members on 26 November 2001, pending conclusion of its feasibility study of the proposed primary school site. This has now concluded and the County Council requires the school site and its potential extension to be reoriented 90 degrees. A draft revision to the approved master plan to accommodate this relatively minor amendment has been produced by Pelham's agents and they are consulting with the County Council on this draft. It will be displayed at the meeting for information. Pelham Homes is providing the 1.14 hectare site required for a primary school, with the option of 0.9 hectare extension (the extension on the basis of the full development value of the site), together with a financial contribution of £680,400 towards construction costs of a 210 place school. Croudace is providing the balance of £519,600 towards the total of £1.2million sought by the County Council.
- 7 Both developers will provide 25% of the total number of units as affordable housing through a Register Social Landlord. These units will be distributed over the site in groups.
- 8 Pelham propose 2.15 hectares of open space and Croudace 0.58 hectares. This meets the NPFA standard for play areas. Pelham propose a contribution to the Leisure Centres project of £500,000. This is to meet the needs for sport facilities arising from its development. Croudace proposes an additional

contribution of £387,500 to off site provision of sports/ leisure, or alternatively at the Council's discretion, to a community facility.

- 9 Pelham Homes proposes to provide a 0.2 hectare site for a health centre on site or alternatively a financial contribution to a facility off site. Croudace proposes a financial contribution towards the costs of its construction. it proposes the amount of the contribution should be based on the likely proportion of patients served by the facility resident on the Croudace development.
- 10 Both District and County officers continue to discuss the application proposals with the respective consultant teams acting for Pelham Homes and Croudace Ltd. Members' comments on the proposed provision would assist that process.

FOR INFORMATION

Background papers: Representation letters and application files
UTT/0443/98/OP and UTT/1123/01/OP

Agenda Item No: 9
Title: APPEAL DECISIONS
Author: Jeremy Pine (01799) 510460

The following appeal decisions have been received since the last meeting:

1 APPEAL BY MR M BARBOUR
1 MILL ROW, FISHMARKET STREET, THAXTED
APPLICATION NO: UTT/0215/01/FUL

Appeal against the refusal of planning permission for a ground and first floor extension.

Appeal decision: ALLOWED
Date of decision: 8 JANUARY 2002
Original decision made by: OFFICERS
Date of original decision: 19 APRIL 2001

Summary of decision:

The Inspector considered that the existing extension to the dwelling related poorly in visual terms to The Old Cottage, being a discordant feature of the local scene. He felt that the massing of the appeal proposal had the potential to enhance the local scene. He did not consider that the new work would mask the front of the listed building unacceptably. He was not persuaded that there would be such a significant loss of daylight to any window in the adjacent dwelling (Maud Lamb's Cottage) to justify refusing planning permission. He did require by condition the omission of a dining room window which would have caused mutual loss of privacy.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. development affecting the setting of a Conservation Area and Listed Building) since 1984/5: a) Conservation Areas 89% (83 cases) b) Listed Buildings 86% (131 cases).

2 APPEAL BY MR M T RUTTER
THE MORGAN GARAGE, LOWER ROAD, LITTLE HALLINGBURY
APPLICATION NO: UTT/0262/01/FUL

Appeal against the refusal of planning permission for a three-storey extension, including basement vehicle store to existing workshop building for use as a showroom with ancillary staff, customer and storage accommodation; removal of existing canopy.

Appeal decision: ALLOWED
Date of decision: 21 DECEMBER 2001
Original decision made by: OFFICERS
Date of original decision: 19 JULY 2001

Summary of decision:

The Inspector did not consider that the erection of the extension would materially reduce the amount of natural light reaching the domestic gardens to either the south or west. He remarked that the boundary to the garden to the west was marked by an almost impenetrable tree/shrub barrier. Subject to a condition requiring the submission of a scheme of improvements to the adjoining watercourse, the Inspector did not share The Environment Agency's view that excessive shading of the river corridor would be caused to the detriment of its biological or ecological diversity.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. overdraft and loss of amenity) since 1984/5: 70% (159 cases).

**3 APPEAL BY MR I JACK
LAND ADJACENT TO THORNCROFT, TAKELEY STREET, TAKELEY
APPLICATION NO: UTT/0727/01/DFO**

Appeal against the disapproval of reserved matters for the construction of 2 detached dwellings with double garages

Appeal decision: DISMISSED
Date of decision: 28 DECEMBER 2001
Original decision made by: DC SUB
Date of original decision: 10 AUGUST 2001
Officers' recommendation to DC Sub: DISAPPROVAL OF
RESERVED MATTERS

Summary of decision:

(Outline planning permission was originally granted for 2 dwellings on appeal in 1999)

The Inspector remarked that he found no evidence in the appeal documents that a condition imposed by the previous Inspector (Condition 6) requiring the submission of a tree retention location plan, ground levels and protective measures had been complied with.

He said that his colleague's earlier decision, and the reasons underlying it, were material to the appeal. She had attached particular importance to the wooded character of the site and in the absence of firm details had only taken into account the potential of the site to accommodate the development proposed.

He said that the current layout brought development close to the front of the site, significantly reducing the scope for planting that would preserve the amenity value of trees on the site and its wooded appearance. He noted that the footprint of the houses would be greater than those taken into account by the previous Inspector and that there would be extensive areas of hard-surfacing. He felt that the combined effect of all the proposed works would be considerably detracting from the area's established character. He said that a decision on the size and siting of the dwellings could not be properly taken without the information required in outline Condition 6.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. effect on trees) since 1984/5: 83% (18 cases).

4 APPEALS BY MR A S COUSINS

OAKMEAD, BRICK END, BROXTED APPLICATION NOS. UTT/0303/01/FUL & UTT/0304/01/LB

Appeals against the refusal of planning permission and listed building consent for the erection of a first floor rear extension.

<u>Appeal decisions:</u>	DISMISSED
<u>Date of decisions:</u>	10 JANUARY 2002
<u>Original decisions made by:</u>	OFFICERS
<u>Date of original decisions</u>	23 FEBRUARY 2001

Summary of decision:

The Inspector considered that the proposed extension would result in the unpretentious character of the original dwelling being unduly dominated by the modern work. He said that the loss of most of the thatch at the rear of the house would be a significant and undesirable loss of historic fabric, impairing the special interest of the building. He did not consider that the applicant's wish to enlarge his accommodation or the degree to which the new work would be screened from general public view were factors enabling listed building consent to be granted.

Comments on decisions:

Current dismissal rate on this type of appeal (i.e. development affecting listed buildings since 1984/5: 86% (131 cases).

5 APPEALS BY MR D J MCGOWAN

**ROSE COTTAGE, CHURCH ROAD, MONKS GREEN, WHITE RODING
APPLICATION NOS. UTT/0098/01/FUL & UTT/0099/01/LB**

Appeals against the refusal of planning permission and listed building consent for a first floor rear extension and associated works.

<u>Appeal decisions:</u>	DISMISSED
<u>Date of decisions:</u>	15 JANUARY 2002
<u>Original decisions made by:</u>	OFFICERS
<u>Date of original decisions</u>	6 APRIL 2001

Summary of decisions:

The Inspector considered that the discordant relationship between the old and the newer parts of the building would be made greater by the appeal scheme, impairing the special interest of the building. He remarked that advice in PPG15 makes it clear that applicants for listed building consent must be able to justify their proposals and to show why works which would affect the character of a listed building are desirable or necessary. He was not persuaded that the claimed advantages of the proposal justified the works involved.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. development affecting listed buildings) since 1984/5: 86% (131 cases).

6 APPEAL BY MR S COGAN

**HILLTOP CHELMSFORD ROAD HATFIELD HEATH
APPLICATION NO: UTT/1746/00/FUL**

Appeal against the refusal of planning permission for the separation of the existing annexe from the main dwelling for use as an independent dwelling

Appeal decisions: DISMISSED
Date of decisions: 7 JANUARY 2002
Original decisions made by: DC SUB
Date of original decisions 20 MARCH 2001
Officers' recommendation to DC Sub: REFUSAL

Summary of decision:

The Inspector did not consider that a change of occupation to a separate dwelling would in itself, harm the openness of the Green Belt, as any additional domestic paraphernalia would be provided in what was already a garden. He also felt that reuse would satisfy each of the proviso in Paragraph 3.8 of PPG2 necessary for reuse not to be inappropriate development. He did consider, however, that the separate occupation of the annexe would lead to material harm to the living conditions of the occupiers of both Hilltop and the annexe with particular reference to overlooking and loss of privacy.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. conversion of annexe to separate dwelling) since 1984/5: 56% (9 cases).

7 APPEAL BY MR AND MRS G TAYLOR

**MOAT COTTAGE, SMITH'S GREEN, TAKELEY
APPLICATION NO: UTT/0225/01/FUL**

Appeal against the refusal of planning permission for the erection of a detached double garage with a room above

Appeal decisions: DISMISSED
Date of decisions: 8 JANUARY 2002
Original decisions made by: OFFICERS
Date of original decisions 21 MAY 2001

Summary of decision:

The Inspector considered that the building would be of an inappropriate design for its location causing substantial harm to the setting of the listed building.

Comments on decision:

Current dismissal rate on this type of appeal (i.e. development affecting the setting of a listed building) since 1984/5: 86% (131 cases).

Agenda Item No: 10

Title: PLANNING AGREEMENTS

Author: Frank Chandley (01799 510417)

The following table sets out the current position regarding outstanding Section 106 Agreements:-

	Planning Ref	Approved by Sub-Cttee	Applicant	Property	Current Position
1	UTT/0791/98/REN	7.12.98	Wickford Dev Co Ltd	Emblems Great Dunmow	Negotiations continuing
2	UTT/0443/98/OP	25.1.99	Pelham Homes Limited	Rochford Nurseries	Further negotiations taking place
3	UTT/0374/00/FUL	19.7.00	Croft Group Limited	Land at Millfields Stansted	Agreement being negotiated
4	UTT/1418/00/FUL	11.12.00	Messrs Sullivan	Brook Road Stansted	Agreement being negotiated
5	UTT/0786/00/FUL	26.02.01	Countryside Properties Plc	Barkers' Tanks Site, Takeley	Agreement completed
6	UTT/0036/01/CL	23.7.01	Mr L J Eley	Trycot Felsted	Agreement being negotiated
7	UTT/1179/01/FUL	15.10.01	Ashdon Parish Council and English Villages Housing Association	Guildhall Way Ashdon	Agreement to be prepared
8	UTT/1072/01/DFO	26.11.01	Wilcon Homes North London	Phase 2a & 2b Oakwood Park Little Dunmow	Agreement being negotiated
9	UTT/0912/01/FUL	26.11.01	Mr and Mrs D G Reeves	St Clouds Hatfield Heath	Agreement to be prepared
10	UTT/0400/01/FUL	14.1.02	Enodis Property Developments	Little Dunmow/ Felsted	Agreement to be prepared by ECC
11	UTT/0091/01/FUL	14.1.02	Norwich Union Life and Pensions Ltd	Roundabout Access to Chesterford Park	Agreement to be prepared by ECC

Background Papers: Planning Applications
Files relating to each application