

Committee: DEVELOPMENT CONTROL
Date: 9 AUGUST 2004
Agenda Item No: 6
Title: TREE PRESERVATION ORDER NO 3/04 ST JOHNS CRESCENT, STANSTED MOUNTFITCHET
Author: Ben Smeeden (01799) 510466

Introduction

- 1 This item seeks Members' consideration of objections made in respect of the serving of a Tree Preservation Order on trees at No 2 St Johns Crescent, Stansted.

Background

- 2 Following an inspection undertaken by the Council's Landscape Officer a provisional Tree Preservation Order was made in respect of 5 No Pine trees in the ground of No 2 St Johns Crescent on the grounds of amenity.

Objections And Representations

- 3 Objections to the serving of the Order have been made by the occupier of No 2 St Johns Crescent and the occupier of a neighbouring property.

The grounds of objection are summarised as follows:-

The trees are shallow rooted and have grown so tall they are susceptible to being wind thrown. Their proximity to the house and neighbouring property puts at risk people and property. Topping of these trees would reduce any risk and would not affect the aesthetics of the trees.

Assessment

- 4 The trees have been inspected by the Council's Landscape Officer. No evidence was found to indicate that the trees are not well rooted. The trees are not in a location which places them at peculiar risk of being wind thrown.
- 5 The topping of these pine trees would be detrimental to their natural form and visual amenity.
- 6 Being located at the junction of St Johns Crescent and St Johns Road the trees have particular prominence in the street scene.

RECOMMENDED that the Tree Preservation Order No 3/04 be confirmed without amendment.

Committee: DEVELOPMENT CONTROL COMMITTEE
Date: 9 AUGUST 2004
Agenda Item No: 7
Title: PROPOSED WORKS TO 2 NO YEW TREES AT BRIDGE
END GARDENS SAFFRON WALDEN – WITHIN
CONSERVATION AREA
Author: Ben Smeeden (01799) 510466

Introduction

- 1 This item seeks Members' consideration of the proposed pruning and reshaping of 2 No Yew trees at Bridge End Gardens. The trees are within the Saffron Walden Conservation Area.

Background

- 2 The Council's Bridge End Garden Restoration Project Manager has given notification of intent to carry out the pruning and reshaping by up to 50% of 2 No Yew trees growing adjacent to the gardens main lawn.

Assessment

- 3 The trees have been inspected by the Council's Landscape Officer. Both subjects are approximately 4 metres in height and in good general health. These trees have in the past been topiarised but over the years have been allowed to become over extended and have lost much of their shape. Hard pruning would be necessary to restore the designed shape and size of the 2 trees.

RECOMMENDED that the 2 Yew trees be reduced by 50% and reshaped.

Committee: Development Control Committee

Date: 9 August 2004

Agenda Item No: 8

Title: Advanced report of issues relating to 3 separate applications for reserved matters for residential development at Rochford Nurseries, Stansted / Birchanger:
UTT/1024/04/DFO: *Siting, design and external appearance of the buildings pursuant to Condition C.1.1 of UTT/0443/98/OP*
UTT/1026/04/DFO: *Submission of landscaping pursuant to Conditions C.4.1 & C.4.2 of UTT/0443/98/OP*
UTT/1194/04/DFO: *Submission of access and bridge materials pursuant to Conditions C.1.1 & C.90B of UTT/0443/98/OP*

Author: Jeremy Pine (01799) 510460

Summary

- 1 This report concerns 3 applications for approval of reserved matters that have been submitted on behalf of Taylor Woodrow Developments Limited by the Barton Willmore Planning Partnership. The applications relate to the erection of 315 dwellings on the Pelham Homes land at Rochford Nurseries, for which outline planning permission was granted on 27 February 2004.
- 2 This report sets out the main issues, lists the representations received to date and details how officers are dealing with them. Officers seek the advice of Members on whether there are additional matters that require consideration prior to drafting conventional committee reports on each reserved matters application containing a recommendation. Members are reminded that they should not offer an opinion at this stage.

Background

- 3 Members will recall that the advance-reporting scheme is being tried out to improve the authority's performance in determining major applications within the 13-week target set by Government. All 3 of these reserved matters applications are deemed to be major by virtue of the application site area, and by the number of dwellings proposed under UTT/1024/04/DFO.
- 4 The 13-week deadline for the determination of each of the applications is as follows:
UTT/1024/04/DFO – 24/09/04 (*Last DC Committee will be 20/09/04*)
UTT/1026/04/DFO – 13/09/04 (*Last DC Committee will be 31/08/04*)
UTT/1194/04/DFO – 11/10/04 (*Last DC Committee will be 11/10/04*)

The joint current summary report on the 3 applications is attached.

RECOMMENDED: That Members advise officers whether there are additional issues they would like officers to cover when considering these applications.

Background Papers: Current application files and UTT/0443/98/OP

SUMMARY REPORT ON UTT/1024/04/DFO, UTT/1026/04/DFO & UTT/1194/04/DFO

NOTATION: Within Development Limits / Allocated for residential development in both ADP (400 dwellings – Policy SM6) and DLP (600 dwellings – Policy SM4/BIR1). Allocation in DLP increased to 720 dwellings at the recommendation of the Local Plan Inquiry inspector, and agreed by Environment Committee and Full Council on 8/6/04 and 22/6/04 respectively.

DESCRIPTION OF SITE: Rochford Nurseries lies on a plateau immediately south of Stansted Mountfitchet. It has been underused for many years, and comprises significant areas of mainly derelict glasshouses. This site, which forms the eastern part of the residentially allocated land, is bordered to the north by houses in Manor Road, to the west by the Croudace land and to the south and east by Foresthall Road and Church Road respectively. Newman's Plantation, a significant area of preserved woodland, extends northwards away from Foresthall Road, bordering a bridleway.

DESCRIPTION OF PROPOSALS:

UTT/1024/04/DFO: As per the outline planning permission, 315 dwellings would be erected at a density of 37/hectare, with 25% (79) being affordable. Density would be lower around Foresthall and Church Roads and higher around the main square. Affordable housing would be in 2 locations along the northern edge of the site, separated by an area of private housing. The affordable housing would consist of 2 and 3-storey flats and 2-storey terraced and semi-detached houses, 60 of the 79 units being either 1 or 2-bed. The private housing would be mainly terraced and semi-detached, ranging from 2-storey to 2 + attic through to 3-storey, and would be predominantly 3 or 4-bed. The layout would be broadly in accordance with the masterplan, but would reflect the changes required via the landscaping submission (see next paragraph). 17 houses would have their own direct access onto Church Road, and a minor access road would run immediately to the south of the linear drainage feature along the northern boundary. Car parking would be provided by a combination of "drive through" houses and parking courts to minimise visual impact by concealing parked cars behind principal frontages. Confirmation is awaited from the agent on the total number of car parking spaces provided and the ratio between housing type and size.

UTT/1026/04/DFO: Peripheral and internal landscaping would be carried out, broadly as per the approved masterplan. The main change from the masterplan would be the provision of a new mitigation area (2 acres or 0.8 hectares) along part of the southern boundary of the site. In addition, the form of the urban squares has been adjusted to fit the layout, and the layout of the LEAP area has been amended to link the various areas of open space, including the smaller urban square. A linear

drainage feature would also be provided along the northern boundary of the site. Via this reserved matters application, the applicant is therefore seeking consequential amendments to the masterplan to accommodate the landscaping scheme now proposed.

UTT/1194/04/DFO: The main estate road would run through the site from Foresthall Road to Church Road on the alignment shown in the masterplan. A mini-roundabout would be provided at the Church Road junction, and a "T" junction would be formed with Foresthall Road.

APPLICANT'S CASE: The layout follows from pre-application discussions with the District Council, Stansted and Birchanger Parish Councils and CABE.

RELEVANT HISTORY: Outline planning permission for 315 dwellings, new vehicular access, public open space, play area and school granted on the eastern part of the allocated land (Pelham Homes) in February this year. At the same time, outline planning permission was also granted for 285 dwellings on the western part of the allocated land (Croudace Homes). Both permissions included an approved master plan / design brief, and were granted subject to appropriate conditions and a Section 106 Agreement.

CONSULTATIONS:

(Officers comments are in italics)

ECC Highways & Transportation: Extension of time requested.

ECC Archaeology: Recommend that trial trenching be undertaken prior to reserved matters approval, as the importance and extent of archaeological deposits should be taken into account in layout design. If this layout is approved, there will be no option but to have full-scale excavation on all archaeological deposits identified. *(The timing and extent of the trial trenching works are being discussed with the applicant / agent).*

ECC Schools Service: The additional site is too narrow to accommodate the second football pitch that would be needed for the larger school. Splitting the school and additional sites by a footpath would be unacceptable as it would limit the layout and would decrease pupil safety. *(This concern will be discussed at a meeting with ECC and the applicant / agent on 10/08/04).*

ECC Built Environment Branch: Have made some detailed comments on layout and building design. See letter of 14/07/04 attached.

CABE: General approach seems sensible. Provides a hierarchy of routes and densities and tackles the difficult issue of minimising the impact of car parking by providing parking courts and drive through garages. Have some concerns about the size and enclosure of the large square. See letter of 23/06/04 attached.

Essex Police Architect: Does not support due to excessive vehicular and pedestrian permeability. Numerous areas will give ease of access through parking courts across private drives and mews areas. Many shared car / pedestrian routes lead nowhere and do not link homes with schools / shops etc. Rear parking courts are not overlooked other than by the rear of properties. They are also flanked by brick walls and fences, which will add to crime problems. Footpath passing plots 138 & 139 affords no natural surveillance for users. Queries the space between the school and health centre sites. *(These comments, and those of ECC and CABE will be discussed at the meeting on 10/08/04. The approved masterplan is, however, based on achieving permeability within the layout).*

Thames Water: No objections with regard to sewerage infrastructure.

Environment Agency: Guidance given. *(This will be passed to the applicant).*

BAA Safeguarding: Has requested further information on plant species and anticipated water levels in the drainage feature and newt mitigation area, in order to assess the likelihood of birdstrike. *(This information has now been provided and is being considered by BAA).*

Environmental Services: Query provision for refuse collection and recycling. *(These matters have been notified to the agent by Building Control).*

PARISH COUNCILS COMMENTS: None have yet been received.

REPRESENTATIONS: 9 have been received at the time of the writing of this report. A schedule is attached to this report detailing the points raised and the comments of officers.

PLANNING CONSIDERATIONS:

The main issues will be whether:

UTT/1024/04/DFO

- 1) the layout and design would be in accordance with the masterplan, in particular with regard to the form of the large square and its formal relationship to the school and health sites,
- 2) the buildings and minor access road along the northern boundary of the site would have an adverse impact on the amenity enjoyed by existing residents in Stoney Common,
- 3) the mix of affordable housing would be acceptable along with its location and, in relation to the flats, more communal open space ought to be provided,
- 4) the school sites would be fit for their purpose, and
- 5) adequate car parking would be provided and in a form that would not dominate street scenes.

UTT/1026/04/DFO

- 1) the landscaping would be in accordance with the masterplan,
- 2) the landscaping would be environmentally appropriate, in particular to mitigate any impact on the amenity enjoyed by existing residents in Stoney Common, and
- 3) the planting mix and water features would cause aircraft safety hazards in proximity to Stansted Airport.

UTT/1194/04/DFO

- 1) the new access road and junctions would cause highway dangers.

Committee: DEVELOPMENT CONTROL COMMITTEE

Date: 9 AUGUST 2004

Agenda Item No: 9

Title: APPEAL DECISIONS

Author: John Mitchell (01799) 510450

APPEAL BY	LOCATION	APPLICATION NO	DESCRIPTION	APPEAL DECISION & DATE	DATE OF ORIGINAL DECISION	SUMMARY OF DECISION
Mr T Robinson	Land adjacent to The Cottage Fullers End Elsenham	UTT/1578/03/DFO	Appeal against refusal to grant planning permission for detached house and garage	13 July 2004 DISMISSED	24 Dec 03	The Inspector concluded that the design was unacceptable in relation to the character of its surroundings
S Leeder	Lindsell Hall Lindsell Great Dunmow	UTT/0700/03/FUL	Appeal against refusal to grant planning permission for conversion and change of use of a rural building to form a dwelling	12 July 2004 ALLOWED	8 Sept 03	The Inspector concluded that conversion was appropriate having regard to the structure and appearance of the building

Committee: Development Control
Date: 9 August 2004
Agenda Item No: 10
Title: PLANNING AGREEMENTS
Author: Christine Oliva (01799 510417)

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

	Planning Current Ref.	Approved by Committee	Applicant	Property	Position
1.	UTT/0816/00/OP	29.4.02	Countryside Properties Plc	Priors Green Takeley/ Little Canfield	Agreement agreed by main parties. Some landowners reluctant to sign. No further action possible until all parties sign.
2.	UTT/0884/02/OP	22.7.02	Exors of D M Harris	83 High Street, Gt. Dunmow	Agreement sealed 22.7.04.
3.	UTT/0875/02/FUL	23/9/02	Granite Estates Ltd	Thaxted Road, Saffron Walden	Agreement being prepared by Essex C.C.
4.	UTT/1247/02/FUL	24/02/03	M B Rich-Jones	Coach House High Street Stebbing	Applicant given until 1/9/04/ to state whether wishes to complete agreement.
5.	UTT/1042/02/OP	07/04/03	Countryside Properties plc	Takeley Nurseries	Final instructions received from ECC. Planning

					services to instruct Legal on terms for the agreement.
6.	UTT/0518/02/OP	07/04/03	R & E McGowan	Laurels Yard, Takeley	Amended draft received from Applicant. Planning Services considering extensive amendments.
7.	UTT/1810/02/FUL	27/05/03	Welcome Break Group Ltd	Birchanger Green MSA	Agreement being finalised
8.	UTT/0811/02/OP	On appeal	Easton Properties	The Broadway, Church End, Great Dunmow	Agreement being finalised
9.	UTT/0511/03/OP	16/06/03	Mrs Gatsky	Hamilton Road, Little Canfield	Final instructions received from ECC. Planning services to instruct Legal on terms for the agreement.
10.	UTT/0790/03/REN	26/08/03	Countryside Properties	Bell College, Saffron Walden	ECC and Bell College are in negotiations
11.	UTT/1002/03/OP	26/08/03	Ms C Cox	The Homestead, Lt Canfield	Final instructions received from ECC. Planning services to instruct Legal on terms for the agreement.
12.	UTT/1084/03/OP	26/08/03	Mr & Mrs T Boswell	Hamilton Road, Lt Canfield	Final instructions received from ECC. Planning services to instruct Legal on terms for the agreement. Dispute over financial

					contributions to be resolved.
13.	UTT/1020/03/FUL & UTT/1195/03/FUL	26/08/03	Paul Watkinson	Felsted School	Applicant questioning need for 106 agreement. Awaiting instruction from Planning Services
14.	UTT/1315/03/FUL	22/09/03	S M Smith	Hamilton Road, Lt Canfield	Final instructions received from ECC. Planning services to instruct Legal on terms for the agreement.
15.	UTT/1988/03/OP	12/01/04	Mrs S M Griffiths	Land Adjacent 4 Hamilton Road, Little Canfield	Final instructions received from ECC. Planning services to instruct Legal on terms for the agreement.
16.	UTT/0775/03/OP	07/07/03	Mr and Mrs G Pretious	Westview Cottage, Dunmow Road, Takeley	Final instructions received from ECC. Planning services to instruct Legal on terms for the agreement.
17.	UTT/1625/03/REN	15/12/03	Mantel estates Ltd	Land at Smith's Farm Gt Dunmow	Draft agreement sent to applicant for comment On 12/05/04
18.	UTT/1795/03/FUL	12/01/04	Mr F A Rogers	Wire Farm, Crawley End. Chrishall	Applicant does not accept terms of Committee decision – considering appeal
19.	UTT/0954/03/FUL	13/10/03	Mr Keays	Bonningtons, George Green, Little Hallingbury	Applicant given until 1/08/04 to indicate if

					wishes to complete agreement.
20.	UTT/1980/03/REN	02/02/04	Jackson Management	Thremhall Priory, Dunmow Road/Bury Lodge Lane, Stansted	This application is not being pursued.
21.	UTT/2048/03/OP	16/06/03	Ashdon PC & English Villages Housing Assoc	Guildhall Way, Ashdon	Negotiations between Housing and Landscape Officer and Applicant. Draft in preparation.
22.	UTT/2055/033/FUL	34/02/04	Countryside Properties	Bowling Club House, Beldams Farm, Great Hallingbury	Instructions sent to Hertfordshire CC who are the highway authority concerned. 106 is for highway matters only.
23.	UTT/2115/03/FUL	26/04/04	Charles Church North London	West Road, Saffron Walden	Draft being considered by Applicant, sent 16/07/04.
24.	UTT/2227/03/FUL & UTT/2228/03/LB	15/03/04	Exciting Projects Ltd	The Old Mill Public House, Takeley	Draft agreed, awaiting proof of ownership of land from Applicant.
25.	UTT/1954/03/FUL	15/03/04	East Anglia and London Properties Ltd	Brookside Garden Centre, Bran End Stebbing	Draft agreement sent to applicant 7/07/04.
26.	UTT/1569/03/FUL	17/05/04	Felsted School	Land to the North of Ingrams, Felsted	Initial letter sent to applicants requesting title to land and undertaking for costs
27.	UTT/0103/04/FUL	17/05/04	Mr F P McGarrigan	Great Hallingbury Manor, Great Hallingbury.	Initial letter sent to applicants requesting title to land and undertaking for

					costs
28.	UTT/2019/03/FUL	26/04/04	Clavering Parish Council and English Villages Housing Association	Site 2 Stortford Road, Clavering	Letter sent to applicant requesting proof of title and undertaking for costs. Instructions awaited from housing and Landscape Officer.
29.	UTT/1620/03/FUL	26/04/04	Mr G Bray	Ozier Court saffron Walden	Letter sent to applicant requesting proof of title and undertaking for costs
30.	UTT/2163/03/FUL and UTT/2164/03/LB	23/02/04	Mrs M Lubbock	Lakehouse Farm, Hempstead	All necessary information received agreement in preparation
31.	UTT/0669/04/FUL		Essex Police Authority	Smith's Farm Gt Dunmow	Draft being considered by Planning.
32.	UTT/0302/04/FUL and UTT/0303/04/LB	28/06/04	Thremhall Properties Ltd	Thremhall Priory, Dunmow Road, Start Hill, Bishop's Stortford	Draft being considered by planning.

Background Papers:

**Planning Applications
Files relating to each application**

FOR INFORMATION