

UTT/2170/11/FUL (Felsted)

PROPOSAL: Provision of access road from Tanton Road.

LOCATION: Land adjacent to community hall, Flitch Green.

APPLICANT: Enodis Property Development Ltd.

AGENT: G L Hearn.

GRID REFERENCE: TL 665-205

EXPIRY DATE: 22.12.2011

CASE OFFICER: Joe Mitson

APPLICATION TYPE: Minor

1. NOTATION

1.1 Within Development Limits/Part of Oakwood Park Residential Site.

2. DESCRIPTION OF SITE

2.1 The application site lies towards the south of Flitch Green and is to the east of the community hall beyond which is Flitch Green Primary School. The northern boundary abuts Tanton Road and the southern boundary lies close to Stebbing Brook.

3. PROPOSAL

3.1 The proposal comprises an access road between Tanton Road and the proposed sports pitches car park. The access measures 4.8 metres in width adjacent to which would be a 3 metre footway and cycleway and a 4 metre verge on the eastern boundary.

4. APPLICANT'S CASE

4.1 The proposed development is closely linked to two other applications currently under consideration, UTT/0355/09/OP and UTT/0365/09/OP. The application for outline permission was originally submitted in March 2009 and subsequently revised in September 2009, August 2010 and August 2011 and now comprises 168 dwellings, a bridge over Stebbing Brook and parkland south of Stebbing Brook. Application UTT/0190/09/FUL was also submitted in March 2009 and amended in September 2009 and August 2010 to comprise a multi use games area, an access bridge over Stebbing Brook, a sports pavilion, two sports pitches, a cricket square and a nature reserve.

4.2 The proposed access road would remain in place until development commences on the additional residential units. This would ensure that the proposed sports facilities are accessible whilst other relevant permissions are secured.

4.3 The application site currently contains stockpiled fill which has accumulated as a result of development around the site. The existing fill represents a large mound of earth positioned to the east of the existing community hall with a maximum height of 5.5 metres. The earth will eventually be used for the provision of the sports pitches and gradually all of the accumulated earth will be redistributed to create a lower natural ground level. This proposed development necessitates the removal and relocation of

a section of earth some 11.8 metres in width. Therefore the use of the site changes from land utilised for the storage of earth to land utilised for the formation of an access road and therefore no floorspace is lost or gained by the proposed development.

- 4.4 The proposed access road has been amended since the previous application and now represents the most sensible and appropriate design within the application site. It now curves through the site from east to west then to the east with access to the car park at the entrance to the MUGA (Multi Use Games Area). In addition, the entrance to the new access road is sweeping which make visibility into and out of the access road safer for vehicles accessing and egressing the sports pitches and MUGA.
- 4.5 The eastern boundary abuts a 4 metre verge beyond which is the remainder of the stockpiled material. The western boundary abuts a 3 metre footway/cycle way beyond which is a boundary fence and the community hall. The proposed development is not considered to impact on amenity as it is located on Brownfield land and the community hall is not within close proximity to existing residential properties.
- 4.6 The proposed access road will remain in place until development commences of additional residential units. This will ensure that the proposed sports facilities are accessible whilst other relevant permissions are secured.

5. RELEVANT SITE HISTORY

- 5.1 There is a detailed history on the site. This includes UTT/0190/09/FUL for multi use games area, an access bridge over Stabbing Brook, a sports pavilion, two sports pitches, cricket square and a nature reserve and is pending.
- 5.2 UTT/1592/10/FUL for a similar access was refused on the grounds that the proposal related to the provision of a temporary access to serve proposed leisure facilities when permission had not been granted for these facilities and the location of which was contrary to the Masterplan. The proposal was deemed contrary to Oakwood Park Policy 1 and Policy S2 of the Local Plan as insufficient justification had been submitted to warrant permission being granted for the proposed access.

6. POLICIES

6.1 National Policies

PPS1 – Delivering Sustainable Development
PPS3 - Housing
PPS7 – Sustainable Development in Rural Areas

6.2 East of England Plan 2006

SS1 – Achieving Sustainable Development.

6.3 Essex Replacement Structure Plan 2001

No policies relevant.

6.4 Uttlesford District Local Plan 2005

Policy GEN1 – Access
Policy GEN2 – Residential and Visual Amenity
Policy GEN7 – Nature Conservation
Policy S2 – Policy Area for Oakwood Park
Policy LC3 – Community Facilities
Oakwood Park Local Policy 1

7. PARISH/TOWN COUNCIL COMMENTS

7.1 Flitch Green Parish Council object on the grounds that the application should not be approved given that it is designed to support an access road to playing fields that have not been approved; the application is irrelevant and should not be considered until such time as the main application has been decided upon. Oppose the proposal for the construction of two pitches, cricket square, MUGA, nature reserve, access bridge and sports pavilion and therefore also oppose the access.

8. CONSULTATIONS

8.1 Highway Authority raises no objection subject to a condition relating to the access.

8.2 Environment Agency raises no objections.

8.3 Veolia Water made no comments.

8.4 Essex Wildlife Trust made no comments.

8.5 Environmental Health made no comments.

8.6 ECC Ecology Officer has no objections.

8.7 Natural England does not object.

9. REPRESENTATIONS

9.1 Four letters objecting on the following grounds:

- The application seems to be part of a wider application to construct further housing in the vicinity of Tanton Road as well as giving access to the proposed sports facilities in the Parish of Felsted;
- The development of Flitch Green has already far exceeded the original plans and this will serve only to add to housing numbers and as a consequence greater vehicle movement and pressure on schools;
- The original site for the sporting facilities was a good selling point for many, it is a disgrace that these have not yet been provided, financial gain is sought over providing facilities;
- Development is contrary to the Masterplan;
- There are very little facilities for a development of this size, shops and sporting facilities are required before more housing;
- Fail to see what has changed since the original permissions.

10. APPRAISAL

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

A The principle of the proposal, the visual impact and the affect on residential amenity (ULP Policies S2, Oakwood Park/Flitch Green Local Policy 1 and GEN2);

B Highway safety (ULP Policy GEN1);

C Nature conservation (ULP Policy GEN7).

A The principle of the proposal, the visual impact and the affect on residential amenity (ULP Policies S2, Oakwood Park/Flitch Green Local Policy 1 and GEN2);

10.1 The proposal relates to the provision of an access to serve the proposed leisure facilities under a current planning application. The application differs from the previous scheme in amending the access to overcome objections from the Highway Authority. That application was refused on the grounds that planning permission had not been granted for the leisure facilities, the proposed location of which was contrary to the Masterplan for Oakwood Park. The proposed access road was therefore considered premature and would have served a proposed development that would not comply with the Masterplan. It was also considered that insufficient justification has been submitted to justify overriding this requirement. The proposal was deemed contrary to Oakwood Park Policy 1 which states that development shall be implemented in accordance with the Masterplan.

10.2 Permission has yet to be granted for the leisure facilities; however, an application is on this committee agenda. Should Members support the proposed leisure facilities the access road sought would serve approved facilities and this would overcome the previous objection to the proposal. It would therefore be considered that the proposed access would be acceptable as it would be linked to the provision of the playing fields.

10.3 In the event that Members do not support the application for the leisure facilities the proposed access road would serve a development that had not been approved and is therefore unnecessary. In such circumstances it would be recommended that this application be refused on the following grounds:

The proposal relates to the provision of a temporary access to serve proposed leisure facilities whereby permission has not been granted for these facilities. The proposed access is contrary to Oakwood Park Policy 1 and Policy S2 of the Uttlesford Local Plan. Insufficient justification has been submitted to justify overriding this requirement.

10.4 The proposed access would be visually acceptable and would be set away from residential properties. As such no objection is raised on visual or residential amenity grounds.

B Highway safety (ULP Policy GEN1

10.5 The proposed access road has been amended from the scheme submitted under the previous application. The Highway Authority does not object to the scheme subject to a condition relating to the width of the access road.

C Nature conservation (ULP Policy GEN7).

10.6 The appraisal submitted with the application concluded that the ecological value of the site is considered to be low although further survey work may be appropriate depending on the type of development. No objection has been raised by Natural England or Essex County Ecology and it is not considered that there is sufficient evidence of protected species on the site to warrant this being a refusal reason.

11 CONCLUSION

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

A In the event of permission being granted for the leisure facilities the proposed access road would serve an approved development and would be satisfactory in terms of highway safety.

RECOMMENDATION – APPROVE SUBJECT TO THE FOLLOWING CONDITIONS:

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.

The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies) of the Uttlesford Local Plan (adopted 2005) listed below.

The access road shall be formed as shown in principle of drawing 01/102 rev D but shall include a carriageway width of 5.5 metres for the first 10 metres from Tanton Road which then may reduce to 4.8 metres. Prior to the commencement of development details of the access road taking into account the above requirement shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in strict accordance with these approved details to a timetable to be agreed in writing by the Local Planning Authority. REASON: For the safety and convenience of users of the highway and access and to comply with policy GEN1 of the Uttlesford Local Plan.



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