

**UTT/13/0749/FUL (Stansted)**

**PROPOSAL:** The demolition of no.30 - 56 Mead Court Cannons Mead Stansted and the construction of 29 affordable dwellings including associated roads, parking and open space

**LOCATION:** Mead Court Development Mead Court Stansted

**APPLICANT:** Uttlesford District Council

**AGENT:** The Design Partnership

**EXPIRY DATE:** 25 June 2013

**CASE OFFICER:** Maria Tourvas

**APPLICATION TYPE:** Major

**1. NOTATION**

1.1 Within Development Limits, adjacent to Conservation Area and Grade II Listed Building, Stansted Airport Safeguarding Zone

**2. DESCRIPTION OF SITE**

2.1 The application site forms two parcel of land fundamentally which is 30 to 56 Mead Court, with 4 garages and Mead Court green to the west of Cannons Mead and the second plot to the east which currently consists of 5 garages and encompasses land that runs parallel to the rear of 4-12 Cannons Mead which forms a 'dog leg' shape.

2.2 The Mead Court sits on slightly higher ground level than the main road, the drop in ground levels increases largely on the other side of the road by approximately 2m and thereafter the ground levels increase eastwards. The properties fronting Cambridge Road sit at a higher ground level and are of 2-4 storey nature. There is also a difference in ground levels between the application site where proposed units 26-29 are to be sited and the boundary with 35a Blythwood Gardens of approximately 1.5m.

2.3 There is heavy landscape screening at the boundary with Bentfield Place, and vegetation with a chain link o the north boundary with 3 Bentfield Green.

2.4 1-3 and 22-29 Cannons Mead are bungalows and the surrounding dwellings in the area are two-storey.

2.5 Mead Court frames an area of green open space, there is also a small are of green open space opposite on Cannons Mead.

**3. PROPOSAL**

- 3.1 The application is for the demolition of no. 30 to 56 Mead Court (27 units) and the construction of 29 affordable dwellings (net gain of 3 units) with associated roads, parking and open space.
- 3.2 The proposed dwellings would replace a recreation room that is for the use tenants of Mead Court.
- 3.3 Proposed plots 1-9 would be bungalows, with units 1-2 partly being built on the garage plot to the west and units 6-9 being sited on half of the existing open space, adjacent to the Cul-de Sac.
- 3.4 Units 19-25 are proposed to be located, on the second parcel of land, to the east on the corner with Cannons Mead and the garages proposed to be demolished. Adjacent to this would be additional and replacement car parking spaces. There would be a distance of approximately 21/22m between the rear elevation of units 22-25 and 1-3 Cannons Mead, there would be non-habitable rooms on the first floor northern flanks.
- 3.5 4 flats (units 26-29) are proposed to be located to the south of the 'dog leg' plot to the rear of 12 Cannons Mead and 35a/35 Blythwood Gardens. This would be set 3m from the shared boundary with 35a Blythwood Gardens, and 1m from the west and eastern boundary. It is proposed that there would be a disabled parking space outside of these flats. No windows are proposed at first floor level that would face 35a Blythwood Gardens, only a recessed velux which would serve a landing area. Other velux windows would be located to the flank elevations at first floor/roof level above head height level.
- 3.6 A total of 9 x 2 bedroom bungalows, 4 x 2 bedroom dwellings, 4 x 3 bedroom dwellings, 6 x 1 bedroom flats, 2 x 2 bedroom flats and 4 x 1 bedroom temporary flats is proposed.
- 3.7 Additional parking areas are proposed to cater for the proposed development both to the west and east of Cannons Mead. A total of 43 car parking spaces, 4 visitors and 1 disabled space.
- 3.8 The proposed dwellings would be designed to Code Level 3, Secure By Design and to Lifetime Homes Standards.
- 3.9 The bungalows and plots 26-29 are proposed to be constructed from elements of Marley Eternit Cedral, white render, Buff facing bricks in Ibstock Leicester Multi Yellow and Stock concrete Redland Landmark tiles.
- 3.10 The other units are proposed to be constructed from elements of Marley Eternit Cedral and white render, red facing bricks in Ibstock Leicester Autumn Multi and Stock concrete Redland Landmark tiles.

#### **4. APPLICANT'S CASE**

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

Planning Statement (December 2012);  
Design and Access Statement (March 2013);  
Buildings to be demolished (January 2013);

Additional Supporting Statement;  
Traffic Survey (December 2012)

- 4.2 The application is for the demolition of sheltered housing consisting of 21 bedsits and a communal facility. The scheme would also involve the demolition of 9 underused garages. The occupation of the flats has declined over the years due to their condition. Due to the outdated nature of the accommodation failing to meet 'Decent Homes Standards', cramped accommodation, the dwellings have been difficult to let. The option of refurbishing and altering the units has been investigated and was found to be economically unviable. The units have been used in recent times as emergency homeless shelters.
- 4.3 The proposed mix of the units is a direct reflection of results from the Strategic Market Assessment 2008 and the Housing Needs Survey 2005 and 2011 for the over 50s which relates to the overall housing need within the District.
- 4.4 During pre-application stage consultations have been carried out with local residents twice, Housing Task Group, and the Parish Council.
- 4.5 Full consideration has been given to the locality in terms of the proposed design of the scheme. The proposal makes best use of land within a sustainable location and will cause minimal impact upon neighbours and the environment. The scheme is in accordance with local plan policies.
- 4.6 A traffic survey was undertaken end of November 2012 and parking was monitored throughout December 2012 on 10 different occasions, at different points at different times of the day. It is stated that "each house will have 2 allocated parking spaces, bungalows and flats will have one allocated space and eight additional parking spaces will be provided for local residents."
- 4.7 The statement highlights that a driveway to bungalows 22-26 Cannons Mead would also be provided however this does not form part of the application and does not require planning permission.
- 4.8 The Traffic Survey highlighted that the proposed parking provision was sufficient to cater for the scheme.
- 4.9 The demolition of Mead Court and the day room and the development of 29 units was agreed by the UDC Housing Board and Cabinet. Mead Court would no longer be a Sheltered Scheme although remaining tenants will still have access to the Sheltered Warden and Lifeline services where appropriate. The proposed scheme will provide larger accommodation of which there will no longer be a need for the day room and would not be economically viable for the few remaining residents. These residents have been notified of an alternative centre, Crafton Room Day Centre in Stansted which offers more facilities (lunch, computer access, bingo etc. and volunteer drivers who are able to collect people who are less mobile.
- 4.10 The proposal requires the development to be phased to allow the construction of two bungalows and 12 flats prior to the demolition of Mead Court. The scheme has been designed to reflect this.
- 4.11 The area to the rear of 12 Cannons Mead would have the road upgraded and improved with additional lighting. The open space remaining would be landscaped and improved.

4.12 Research and enquires with ECC Archaeology confirmed that there is no evidence of archaeological artefacts in the area and that the area is not liable for flooding.

4.13 It is expected that the scheme would meet all Secure by Design criteria and accreditation will be sought.

## **5. RELEVANT SITE HISTORY**

5.1 Nothing relevant.

## **6. POLICIES**

### **6.1 National Policies**

- National Planning Policy Framework

### **6.2 Uttlesford District Local Plan 2005**

- Policy ENV1 – Conservation Areas
- Policy ENV2 – Development affecting Listed Buildings
- Policy ENV3 - Open Spaces and Trees
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy GEN1 – Access
- Policy GEN2 – Design
- 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 S1 - Development Limits for Main Urban Areas

## **7. PARISH COUNCIL COMMENTS**

7.1 Stansted Parish Council - No objection to application concern regarding impact of fence upon listed building, loss of light and seek for alternative materials for boundary treatment to be used. Also would like to receive an undertaking from UDC that transport will be provided for the new residents of the scheme.

## **8. CONSULTATIONS**

### **ECC Highways**

8.1 No objections subject to conditions.

### **Uttlesford Area Access Group**

8.2 Lifetime Home standards, bungalows address accessible for wheelchair users. Attention would need to be paid to footpath gradients.

### **ECC Ecology**

8.3 Insufficient information to demonstrate that the site does not support protected species.

## **ECC Education**

- 8.4 Seek contribution of £28,150

## **UDC Equalities and Access Officer**

- 8.5 Scheme meets LTH standards, need to know which units would be designated for accessible wheelchair use.

## **9. REPRESENTATIONS**

- 9.1 The neighbouring properties have been consulted of the current application. The scheme has also been adverted on site and in the local press. 4 objections have been received raising the following points;

Objections development to rear of property;  
Access to garage during works;  
Right to continue to access property from the rear;  
Where are the 8 additional parking spaces be sited as current on-street parking is unacceptable;  
Devaluation of property;  
Impact on amenity;  
Loss of light;  
Loss of outlook;  
Damage to property due to proximity of works;  
Even with amendments to plot 26-29 this is not enough and there would still be overlooking from the velux windows;  
Noise and disturbance;  
Scheme can be located elsewhere on site or reduced further;  
Change of view from garden due to timber fence;  
Loss of light from 1.8m fence 4-6m from dwelling plus impact from dwellings overhang;  
Noise and disturbance in change of use from rear garden area adjacent to 3 Bentfield Road;  
Lack of consultation

## **10. APPRAISAL**

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

- A Principle of the development (ULP S1, H3, and NPPF);
- B The design, impact upon residential and visual amenity, conservation area and adjacent listed buildings (ULP Policies GEN2, GEN4, ENV1, and ENV2);
- C Highway Issues (ULP Policies GEN1 & GEN8);
- D Other Material Considerations (ULP GEN6 & GEN7)

### **A Principle of Development**

- 10.1 The application site falls within the development limits of Stansted covered by Local Plan Policy S1. Policy S1 states that development in main urban areas such as Stansted will be permitted if it is a major urban extension or development within existing built-up areas, if compatible with the character of the settlement. Policy H3 for new houses within development limits which states that new houses would be

permitted on land identified subject to meeting the listed criteria;

- a) The site comprises previously developed land;*
- b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;*
- c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;*
- d) Development would support local services and facilities; and*
- e) The site is not a key employment site.*
- f) Avoid development which makes inefficient use of land.”*

- 10.2 The principle of the development is considered acceptable as the site lies within the development limits of Stansted, within a sustainable location making full efficient use of underused land in order to provide improved replacement accommodation and additional accommodation to meet an identified need. The scheme accords with Local Plan Policies S1 and H3, also the trust of NPPF in terms of sustainable development.

**B The design, impact upon residential and visual amenity, conservation area and adjacent listed buildings:**

- 10.3 Policy GEN2 of the local plan seeks amongst other things that any development should be compatible with the surrounding area, reduce crime, energy reduction, protecting the environment and amenity. The proposed development density of 44dph is considered to be acceptable in proposed setting considering the locality's surroundings. It has been confirmed within the application submission that the proposed development would be constructed to Secure by Design and Lifetime Home Standards, also to at least Code Level 3, in accordance with Policy GEN2.
- 10.4 Local Plan Policies ENV1 and ENV2 seeks the protection and preservation of the setting of Listed Buildings and the character and appearance of Conservation Areas. The site lies adjacent to the Conservation Area and a Grade II listed buildings. The proposed development would be effectively sited on a similar foot print to the existing buildings on site to the north and western boundary and would retain a two-storey nature. It is therefore concluded that there would be minimal additional adverse impact upon the setting of the adjacent listed buildings or upon the character and appearance of the adjacent Conservation Area. The Council's Conservation Officer has been consulted of the application of which she raised no objection to the scheme. With regards to concerns that have been raised regarding the proposed erection of 1.8m close boarded fence along the boundary of plots14-17 and with 3 Bentfield Road does not require planning permission and therefore can be erected at any time. The scheme accords with Local Plan Policies ENV1 and ENV2.
- 10.5 There would need to be a distance of 25m back to back, in accordance with the Essex Design Guidance and Policy GEN2 – Design of the Local Plan, in order to prevent direct overlooking. Whist the scheme does not meet this requirement the proposed 2-storey elements of the scheme that are likely to give raise to overlook would be sited on existing footprint therefore the level of overlook would not have any additional adverse impact than existing. Other plots have been designed to avoid habitable rooms facing existing neighbouring habitable rooms, and/or overlooking windows. Plots 26-29 has been pushed away from the shared boundary to the south, removed any form

of directly overlooking windows and the bulk has been reduced.

- 10.6 The proposed heights of the scheme have been sensitively designed to respect the existing neighbouring dwellings.
- 10.7 The proposed development would not result in impact upon residential amenity due to the proposed nature, design, the siting and orientation of the properties. No undue impact on amenity, both in term of residential, and visual amenity, in accordance with Local Plan Policy GEN2 and GEN4.
- 10.8 Amenity space requirement for 3 bed plus dwellings should be at least 100 square metres and 1 and 2 bed dwellings at least 50 square metres. The site at present has communal gardens, whilst the proposed development would not completely fulfil the amenity space requirement the gardens would be 'private' and maintainable with direct access to public open space in the centre of the development.
- 10.9 In terms of development on part of the existing green Local Plan Policy ENV3 states that "*The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for development outweighs their amenity value.*" Part of the open space is required in order to fulfil the need for affordable housing. The open space at present is stated to be under used, maintained and costly. The scheme would retain a proportion of the open space and which would be landscaped and improved as part of the scheme, also the development would continue to frame the green. The need for additional quality affordable housing is considered to outweigh the part loss of the open space and therefore the scheme is considered to accord with Local Plan Policy ENV3.

## **C Highway Issues**

- 10.10 Local Plan Policy GEN8 and the ECC Parking Standards (adopted 2009) and locally amended March 2013 creates a requirement for the provision of 48 car parking spaces as part of the scheme. The proposed scheme would provide a total of 43 car parking spaces, 4 visitors and 1 disabled space. It is stated as part of the application that 8 parking spaces would be provided to existing residents; whilst the parking requirement is below the requirement a traffic survey has been undertaken and submitted as part of the application which investigated the current parking situation. It had been concluded that based on the nature of the housing the proposed number of allocated parking spaces would be adequate to cater for the development in accordance with policy. No objections have been raised by the Highways Authority subject to conditions.

## **D Other Material Considerations**

- 10.11 Ecology consultation response has stated that insufficient information has been submitted to demonstrate that the site does not support protected species. Due to the maintained nature of the green and small number of immature trees would be removed as part of the scheme there is limited opportunity for protected species on site. However, as the existing dwellings have tiled roofs which will be removed as part of the demolition works and nearby trees there is a risk of bats being present. This can be addressed through further information being submitted prior to any demolition works occurring with any suitable

mitigation being submitted in the event of bats being discovered. Whilst this is not a best practice approach considering the importance of the scheme and timescales this is a reasonable approach in the circumstances, in accordance with Local Plan Policy GEN7, NPPF and Circular 11/95.

- 10.12 Policy GEN6 seeks for infrastructure provision to support development. In terms of a contribution towards education the application would see a net gain of 3 units and it has been miss-interpreted by ECC Education in terms of the schemes net gain. The scheme is a 100% Council affordable housing development and there would not be profit that would result from the scheme and would be developed from money from the public purse. It is therefore considered unreasonable to seek for a contribution in this instance.

## **11. CONCLUSION**

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

- A The principle of the development is considered acceptable as the site lies within the development limits of Stansted, within a sustainable location making full efficient use of underused land in order to provide improved replacement accommodation and additional accommodation to meet an identified need. The scheme accords with Local Plan Policies S1 and H3, also the thrust of NPPF in terms of sustainable development.
- B The proposed design, layout, size and scale of the proposed development are considered acceptable. The scheme would not have a detrimental impact upon the residential and visual amenity of neighbouring residential occupiers, and no unacceptable harm or impact upon the character and appearance of the adjacent conservation area or the setting of the adjacent listed buildings, in accordance with Local Plan Policies GEN2, ENV1 and ENV2.
- C Further to the submission of a traffic survey as part of the application it had been concluded that based on the nature of the housing the proposed number of allocated parking spaces would be adequate to cater for the development in accordance with policy. No objections have been raised by the Highways Authority subject to conditions. This accords with Local Plan Policy GEN8 and the ECC Parking Standards (adopted 2009), and locally amended March 2013.
- D There has been a County request for ecological surveys as part of the application. The level and extent of the survey work required does not appreciate the current on site situation and that in fact only a bat survey is required. This can be addressed through further information being submitted prior to any demolition works occurring with any suitable mitigation being submitted in the event of bats being discovered. Whilst this is not a best practice approach considering the importance of the scheme and timescales this is a reasonable approach in the circumstances, in accordance with Local Plan Policy GEN7, NPPF and Circular 11/95.

With regards to the requested for a financial education contribution The scheme is a 100% Council affordable housing development and there would not be profit that would result from the scheme and would be developed from money from the public purse. It is therefore considered unreasonable to seek for a contribution in this instance.



**RECOMMENDATION – APPROVES SUBJECT TO THE FOLLOWING 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. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-
  - i. hard surfacing materials;
  - ii. means of enclosure;
  - iii. car parking layouts;
  - iv. other vehicle and pedestrian access and circulation areas;

Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; 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).

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A-F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: In the interests of protecting the character and amenities of the locality in accordance with Policies GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

5. Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building hereby permitted and any changes in level proposed, together with the proposed floor levels within the extension, shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: In order to minimise the visual impact of the development in the street scene, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. No external floodlighting or other illumination shall be installed until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall include details of the height of the lighting posts, intensity of the lights (specified in Lux levels), spread of light including approximate spillage to the rear of the lighting posts or disturbance through glare and the time when such lights would be illuminated. The development shall be carried out in accordance with the approved details.

REASON: In the interests of local amenity and highway safety, in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

7. No development shall take place until a Bat Survey has been undertaken and has been submitted to and approved in writing by the Local Planning Authority. Should the relevant species be found within the survey, no development shall place until a detailed mitigation plan for the identified species has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall thereafter be carried out in accordance with the approved details.

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) and the NPPF.

8. Prior to the commencement of the development the details of the number, location and design of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved facility shall be secure, convenient and 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, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

9. The first floor flank windows in the south and north elevation of units 10 and 13 shall be obscure glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in those windows.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).