

UTT/13/3439/FUL (LITTLE EASTON)

(MAJOR APPLICATION)

PROPOSAL: Removal of condition 19 (the plans and particulars submitted shall include a scheme for the provision of a youth shelter to be installed on open space of the development.) from planning permission UTT/2507/11/OP.

LOCATION: Sector 4 Woodlands Park, Great Dunmow

APPLICANT: Wickford Development Company Ltd

AGENT: Melville Dunbar Associates

EXPIRY DATE: 21 March 2014

CASE OFFICER: Katherine Mathieson

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The site is former agricultural land and has a quoted area of 11.1 hectares. The land is enclosed by the approved route of the bypass and 5.5 hectares is proposed for residential development. It has a curving, almost crescent shape and its northern and western edges are defined by the line of the uncompleted North-West ByPass (NWBP).

2.2 From the line of the NWBP the site slopes down towards Hoglands Brook on the south eastern boundary and there is an overall slope down from west to east. The changes in level are significant. For example, along the line of the bypass the existing levels rise up from the south west by about three metres to the point of the proposed T-junction into the residential part of the site before descending by fourteen metres to the roundabout on the B184. From the line of the bypass to the south eastern corner of the site there is a drop of about ten to twelve metres. To the south and outside the site are areas of woodland and the playing fields of the Helena Romanes secondary school.

2.3 Since the outline planning permission was granted works to complete the NWBP have continued and the bypass is substantially complete and anticipated to open in February 2014.

3. PROPOSAL

3.1 This application seeks the removal of condition 19 attached to planning permission UTT/2507/11/OP. The full wording of the condition is:

“The plans and particulars submitted in accordance with condition 1 above shall include a scheme for the provision of a youth shelter to be installed on open space of the development. The scheme shall be constructed and completed in accordance with the approved plans/specifications at such time(s) as may be specified in the approved scheme prior to the occupation of the 50th house.

REASON: To enhance the sustainability of the development through better use of energy and materials in accordance with Policy ENV15 of the Uttlesford Local Plan (adopted 2005).”

4. APPLICANT'S CASE

- 4.1 The need of the Youth Shelter in the location agreed by Essex Police as the most appropriate is questioned by Great Dunmow Town Council, Little Easton Parish Council and Members of the Uttlesford Planning Committee. It is also considered it will be a focus for vandalism and undesirable behaviour.

By way of compromise, the applicant suggests a one-off payment of £10,000 to be spent on youth facilities in Great Dunmow to be secured by a Section 106 obligation.

5. RELEVANT SITE HISTORY

5.1 UTT/2507/11/OP

- 5.2 Outline planning application for “Demolition of derelict former Brookfield Farmhouse and construction of up to 125 No. dwellings and associated estate roads, garages, car parking spaces, footpaths, cycleways, cycle stores, refuse storage, public open space, landscaping and foul and surface water drainage with pumping station, foul sewer along the B184 and dry balancing pond.

Access to the development will be obtained from the un-constructed northern section of the Great Dunmow North West By-pass of approximately 0.55km in length (approved under Ref.No. UTT/0084/01/FUL but amended by this application to incorporate a right hand turn lane). Removal of existing spur from roundabout” approved subject to conditions and a S106 agreement August 2012.

5.3 UTT/13/1663/DFO

- 5.4 Details following outline application UTT/2507/11 for demolition of derelict former Brookfield Farmhouse and construction of up to 125 No. dwellings and associated estate roads, garages, car parking spaces, footpaths, cycleways, cycle stores, refuse storage, public open space, landscaping and foul and surface water drainage with pumping station, foul sewer along the B184 and dry balancing pond. Access to the development will be obtained from the un-constructed northern section of the Great Dunmow North West By-pass of approximately 0.55km in length (approved under Ref.No. UTT/0084/01/FUL but amended by this application to incorporate a right hand turn lane). Removal of existing spur from roundabout - Details of appearance, landscaping, layout and scale conditionally approved 31 October 2013.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S7 – The Countryside
- GEN1 – Access
- GEN2 – Design

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 Little Easton Parish Council
Supports the application to remove the requirement to provide a youth shelter on this housing development.
- 7.2 Great Dunmow Town Council
The Town Council objects to the removal of this condition as it would be detrimental to the health and wellbeing of the youth of the town to remove the youth shelter. An alternative location is required on the same side of the bypass as the development.

8. CONSULTATIONS

None

9. REPRESENTATIONS

- 9.1 One representation has been received in support of the application has been received. Period expired 23 January.
“Many individuals and organisations have objected to the inclusion of a youth shelter within this development. It should now be eliminated from the plans.”

10. APPRAISAL

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

- A The implications of the removal of the youth shelter provision.

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- 10.1 The provision of a youth shelter was requested by the Essex Police Architectural Liaison Officer when consulted on the outline planning application. There is no policy basis for the youth shelter to be provided and during the consideration of the reserved matters application, it was made clear that neighbouring residents and Little Easton Parish Council did not support the provision of the youth shelter in the position proposed. Members also raised concerns regarding the youth shelter and condition 4, (which is the subject of application ref UTT/13/3393/FUL), was imposed in order to allow for further discussions as to the youth shelter’s proposed location.
- 10.2 Since the determination of the reserved matters application, the applicant has discussed with Officers whether there is a requirement for a youth shelter within the development. It is Officers’ view that there is not a policy requirement for such a facility on the site and the applicant is now proposing to provide a £10,000 contribution for youth services in the Great Dunmow area rather than provide a youth shelter that the Parish and neighbours do not want. The removal of condition 19 of the outline permission is now requested in order to address this situation.
- 10.3 The removal of the youth shelter provision is supported by Little Easton Parish Council and the residents of neighbouring properties. The removal of the condition would not compromise the remainder of the development of Sector 4 or the provision of the northwest bypass and there are no detrimental implications for the removal of the condition. An amended S106 obligation would be required if the removal of the condition is considered to be acceptable in order to secure the proposed financial contribution in addition to securing the obligations contained in the previous S106 legal obligation attached to UTT/2507/11/FUL.

11. CONCLUSION

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

- A The removal of the condition requiring the provision of a youth shelter is acceptable, would not impact on the wider development and a financial contribution to local youth services in lieu of the youth shelter would be secured.

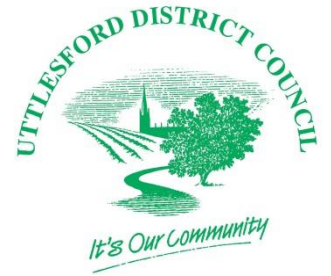
RECOMMENDATION – CONDITIONAL APPROVAL and S106 LEGAL OBLIGATION

- 1 The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding obligation 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 obligation to secure the following:**
 - (i) All provisions set out in the S106 legal obligation attached to application ref UTT/2507/11/OP**
 - (ii) Provision of £10,000 contribution to youth services in Great Dunmow**
 - (iii) Pay the Council’s reasonable costs**
 - (iv) Pay monitoring charge**

- 2 In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below**

- 3 If the freehold owner shall fail to enter into such an obligation by 21 March 2014 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reasons:**
 - (i) Lack of provisions set out in the S106 legal obligation attached to application ref UTT/2507/11/OP**
 - (ii) Lack of financial contribution towards youth services in Great Dunmow**

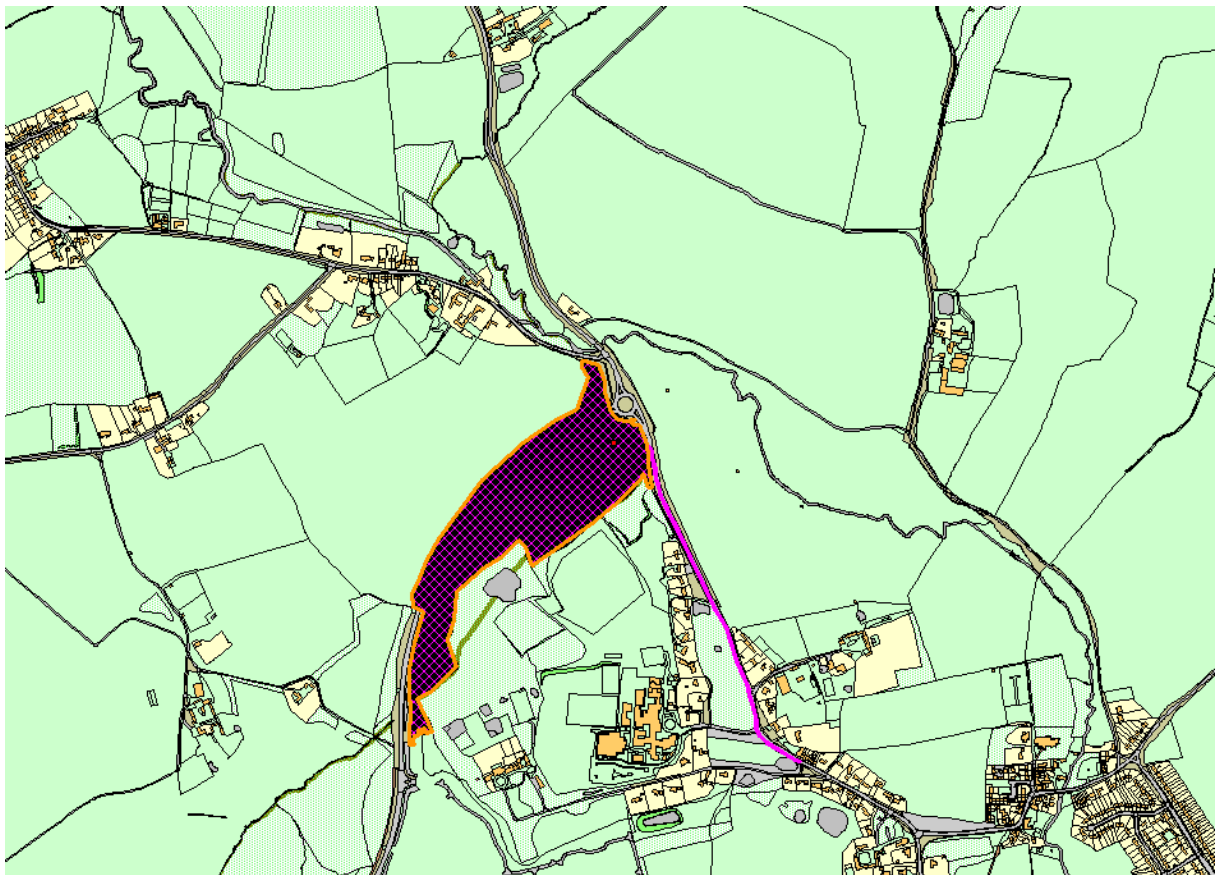
The permission will be subject to updated conditions that were imposed on the outline consent with Condition 19 removed – Details of conditions to be reported in full to the Meeting.



Application no.: UTT/13/3439/FUL

Address: Sector 4 Woodlands Park, Parsonage Downs

Little Easton/Gt Dunmow



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