

# UTTLESFORD DISTRICT COUNCIL

## PLANNING COMMITTEE

### SUPPLEMENTARY LIST OF REPRESENTATIONS

18 November 2015

#### **Item 4.3 UTT/14/3266/OP – Land South Of Wyndhams Croft, Whiteditch Lane Newport.**

##### **Essex County Council Highways – Comments:**

This recommendation supersedes the previous dated 11 November 2014. From a highway and transportation perspective the impact of the proposal as shown in principle on Drawing No. 1 4 is acceptable to the Highway Authority subject to the following:

1. Prior to commencement on site, the provision of 2 accesses into the site as shown in principle on Drawing No. 1 4 with minimum 5.5 metre carriageway width and visibility splays of 33 metres x 2.4 metres x 33 metres. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development. The approved scheme of works shall then be implemented in its entirety prior to commencement on site.

Reason: In the interests of highway safety and providing adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.

2. There shall be no discharge of surface water onto the Highway.

Reason: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety.

3. Prior to commencement of any development, the provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel and under body cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site. Details to be submitted to and agreed in writing with the Planning Authority.

Reason: In the interests of highway safety and efficiency.

4. Prior to occupation, the provision of 3 passing bays along the site frontage of 6 metres in length. Details to be submitted to and approved in writing with the Local Planning Authority in

consultation with the Highway Authority, prior to commencement of development. The approved scheme of works shall then be implemented in its entirety prior to occupation of site.

Reason: In the interests of highway safety and accessibility.

5. No development shall take place until a comprehensive condition survey of Whiteditch Lane from its junction with Bury Water Lane to the application site has been completed. Details of such survey having first been submitted to and approved by the Local Planning Authority. The results of such 'before' survey and any required repair work necessary to facilitate the passage of construction vehicles shall be submitted to and approved in writing by the local planning authority with any repair work being carried out prior to the construction period.

Reason: In the interests of highway safety.

6. Following completion of the construction of the dwellings, a further comprehensive survey of Whiteditch Lane from its junction with Bury Water Lane to the application site shall be completed in accordance with the details approved in 3 above. The results of the survey and any identified damage/repair work shall be submitted to and approved in writing by the Local Planning Authority. Any repair works identified in the 'after' survey shall be carried out within 3 months of the completion of the construction of the dwellings to a programme to be agreed with the Local Planning Authority. Reason: In the interests of highway safety.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

### **Informatives**

(i) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

(ii) The public's rights and ease of passage over public byway 2, Newport shall be maintained free and unobstructed at all times.

(iii) The Highway Authority would like to emphasise that Whiteditch Lane is a Byway which is a shared surface highway over which the public is entitled to travel on foot, horseback or pedal cycle and by motorised vehicle of all kinds, including horse-drawn vehicles. Although legally open to all vehicles, a Byway is used mainly by the public for walking or riding. Most byways do not have a sealed surface and may not be suitable for certain vehicles. Essex County Council maintains Whiteditch Lane to Byway status only.

(iv) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.

(v) The Applicant should provide for agreement, information regarding their drainage

proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

(vi) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

(vii) The parking provision for cars, cycles and powered two wheelers should be in accordance with the Parking Standards Design and Good Practice September 2009.

(viii) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

#### **Item 4.5 UTT/15/2160/FUL – Police Station, London Road Newport.**

The proposed application was validated by the Planning Department on 3 July 2015; and the updated Developer Contribution Guide for the provision of affordable housing was adopted at the Cabinet meeting on 17<sup>th</sup> September and published on 21<sup>st</sup> September 2015; hence it is not applicable to this proposed application as it is exempted from such Developer's financial contribution. The Planning Committee is hereby advice not to consider paragraphs 10.18 and 11 (i), (ii) and (iii) of the Planning Committee report in connection with the application registered as UTT/15/2160/FUL.

#### **Neighbour representations**

Five additional letters of concerns and objection received following the revised scheme comprising of 4 self-contained flats, 8 car parking spaces and general amenity space. And their common grounds of objection include the following:

- The current plan inevitably means that residents and guest will park on the street obstructing the sidewalk.
- There is no justification for the roofline being higher than neighbouring properties
- Any apartment building should have an appropriate area for bin storage- this does not seem to have been accounted for.
- Is the chimney necessary?
- The site is only appropriate for two modest homes
- The tandem parking at the front is clearly impractical and should only be considered as two spaces not four.
- The latest revision car parking still does not meet the UDC requirement of 8 spaces. To get the back vehicles out you would need to reverse out the front one and either leave it blocking the passage to the rear car park or leave it on the main road.
- There are no spaces for the 8 full size wheelie bins and 4 small ones.

## **RECOMMENDATION – CONDITIONAL APPROVAL**

### Conditions reasons

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 Before development commences samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the adopted Local Plan (2005).

3 Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading/unloading/reception and storage of building materials and maneuvering of all vehicles, including construction traffic shall be provided clear of the highway.

REASON: To ensure that appropriate loading/unloading facilities are available so that the highway is not obstructed during the construction period in the interest of highway safety in accordance with Policy GEN1 of the adopted Local Plan (2005).

4 Cycle/powered two wheeler parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, 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 adopted Local Plan (2005).

5 The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy GEN1 of the adopted Local Plan (2005).

6. The indicated obscured first floor windows shown in proposed Elevation drawing Number A 3 Rev 6 elevation and as indicated in the proposed drawing Number A 5 Rev7 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 that/those window(s).

REASON: In order to prevent overlooking on the adjoining occupiers in accordance with Policy GEN2 of the adopted Local Plan (2005).

7. Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building(s) hereby permitted and any changes in level proposed, together with the proposed floor levels within the building(s), 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: To protect the amenities of neighbours and to minimise the visual impact of the development in the street scene in accordance with Policy GEN2 of the adopted Local Plan (2005)

JUSTIFICATION: In order to protect and safeguard the visual amenity of the area.

#### **Item 4.6 UTT/15/2431/FUL - Land South Of Radleys End, Dunmow Road Great Easton**

##### **Neighbour Representation:**

Planning statement suggests site area is same but plan indicates at least a third larger  
Suggests that it is on the same area of field yet extends across the front of High View House whereas it did not previously  
Planning statement suggests that large building will be removed on completion yet is shown on the plans as part of this application  
Proposal has greater impact on the countryside and on the amenities of neighbours, contrary to LP policies GEN2 and GEN4  
Concerned that planning process is not abused  
No specific justification has been provided why the applicants have changed the scheme or why it was not constructed in accordance with submitted plans  
Retrospective applications should be subject to full and transparent scrutiny by the Council  
Request application is refused

##### **Parish Council Comments:**

The area of land occupied for the retrospective submission is nearly twice the size of the first application. In addition the latest submission includes a store.  
These are the concerns of the neighbour and in our opinion these points of concern are valid and respectfully ask you to take them into consideration when determining the application.

#### **Item 4.7 UTT/15/2318/FUL - Bumpstead Hill, Land West of A120, Chelmsford Road, Dunmow**

##### **Neighbour Representation:**

Since my previous letter Lightsource has engaged with us and taken on board my comments. I am therefore writing to you to confirm that the revised CMTP and the inclusion of the passing places and use of 'banksmen' has addressed my practical concerns relating to Grange Lane.