

UTT/17/1452/DFO - (GREAT CHESTERFORD)

(MAJOR)

PROPOSAL: Details following outline application UTT/14/0425/OP for residential development of up to 14 dwellings - Details of access

LOCATION: Land North of Bartholomew Close, Great Chesterford

APPLICANT: Hastoe Group and Messrs A and M Hamilton

AGENT: Birketts LLP

EXPIRY DATE: 30 August 2017

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Countryside; Conservation Area (part).

2. DESCRIPTION OF SITE

2.1 The site is located off Rookery Close, Great Chesterford. It comprises an undeveloped parcel of land, bordered by trees and hedgerows.

3. PROPOSAL

3.1 The application is for approval of the reserved matter of 'access', following a grant of outline planning permission for a residential development of up to 14 dwellings (UTT/14/0425/OP).

3.2 The proposal includes a new vehicular access at the end of Rookery Close, and a cycle link off Stanley Close to the north-east of the site.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

5.1 The application is accompanied by the following documents:

- Supporting Statement
- Access Statement

6. RELEVANT SITE HISTORY

6.1 In October 2014, outline planning permission, with all matters reserved, was granted for a residential development of up to 14 dwellings (UTT/14/0425/OP).

6.2 An application for the approval of all reserved matters was refused in September 2016 due to concerns regarding highway safety and the amenity of existing and future residents (UTT/16/1247/DFO). The subsequent appeal was dismissed on the basis that the layout would have harmed the living conditions of the occupants of the proposed development. The Inspector concluded that there would be no harm in terms of highway safety.

7. POLICIES

7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Uttlesford Local Plan (2005)

- 7.3
- S7 – The Countryside
 - GEN1 – Access
 - GEN2 – Design
 - GEN4 – Good Neighbourliness
 - GEN6 – Infrastructure Provision to Support Development
 - GEN7 – Nature Conservation
 - ENV1 – Design of Development within Conservation Areas

Supplementary Planning Documents/Guidance

- 7.4
- The Essex Design Guide (2005)

National Policies

- 7.5
- National Planning Policy Framework (NPPF) (2012)
 - paragraphs 14, 17, 32-39, 58, 118 & 128-134
 - Planning Practice Guidance (PPG)
 - Conserving and enhancing the historic environment
 - Design
 - Natural environment

8. PARISH COUNCIL COMMENTS

- 8.1 Objection. Concerns include:
- Unsafe access
 - Inappropriate layout and landscaping
 - Loss of trees
 - Harm to wildlife

9. CONSULTATIONS

Highway Authority (Essex County Council)

- 9.1 No objections, subject to conditions.

10. REPRESENTATIONS

- 10.1 Neighbours were notified of the application by letter, and notices were displayed near the site and in the local press.
- 10.2 Within the submitted representations, the following concerns are raised:
- 1) Unsafe access from Rookery Close, including as a result of parked cars
 - 2) Use of the through-route from Stanley Road would exacerbate road safety issues
 - 3) Loss of valuable trees
 - 4) The matter of 'access' should not be considered in isolation from 'layout' and 'landscaping'
- 10.3 Points 1) to 3) are addressed in the below appraisal. However, it is considered that a decision can be taken on the suitability of the proposed access points, irrespective of the final layout.
- 10.4 It is noted that one representation seeks to clarify that access from Stanley Road is not a feasible alternative.

11. APPRAISAL

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

- A Transport (GEN1 & 32-39)**
- B Character, appearance and heritage (S7, GEN2, ENV1, 17, 58, 128-134 & PPG)**
- C Amenity (GEN4 & 17)**
- D Infrastructure (GEN6)**
- E Biodiversity (GEN7, 118 & PPG)**

A Transport (GEN1 & 32-39)

- 11.1 The proposal includes a vehicular access off Rookery Close and a cycle link off Stanley Road. While an indicative site layout has been shown, the definitive layout will not be fixed until approval of the reserved matter of 'layout'.

11.2 It is acknowledged that on-street parking currently takes place on Rookery Close and the surrounding roads. Nevertheless, there has been no material change in circumstances since the recent appeal (UTT/16/1247/DFO). The proposed access points remain the same, and the highway authority maintains that the proposal is acceptable from a highway and transportation perspective. Taking into account the reasons for the Inspector's decision, it is considered that there would be no material adverse effects that would cause conflict with the above policies.

11.3 It is noted that the highway authority has recommended the use of conditions requiring that any damage to the highway from construction vehicles is repaired. However, these potential maintenance works are the responsibility of the highway authority so the suggested conditions are unnecessary.

B Character, appearance and heritage (S7, GEN2, ENV1, 17, 58, 128-134 & PPG)

11.4 The proposed access arrangements would have little impact on the character and appearance of the area. It is noted that two trees at the vehicular access would be removed, and that a section of hedgerow would be removed to facilitate the provision of the cycle link. Nevertheless, taking into account the assessment under application UTT/16/1247/DFO, it is considered that these losses would not cause significant harm to the character and appearance of the area. Furthermore, the trees in question are not considered of sufficient value to warrant a Tree Preservation Order.

11.5 It is noted that the southern corner of the site forms part of the Great Chesterford conservation area. Nevertheless, it is considered that the proposal would not adversely affect its setting. In coming to this view, regard has been had to the Council's statutory duty under S72(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

C Amenity (GEN4 & 17)

11.6 It is considered unlikely that the proposed access routes would give rise to unacceptable levels of nuisance or disturbance affecting existing residents. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

D Infrastructure (GEN6)

11.7 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

E Biodiversity (GEN7, 118 & PPG)

11.8 The main potential impact on biodiversity is from the loss of trees and a hedgerow. Nevertheless, taking into account the assessment of potential ecology impacts under application UTT/16/1247/DFO, it is considered unlikely that there would be any significant harm to protected species or valuable habitats. It is noted that separate legislation provides protection for bats and breeding birds.

12. CONCLUSION

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

- A The proposal accords with the development plan and the NPPF, and no material considerations indicate that planning permission should be refused. It is therefore recommended that permission be granted.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

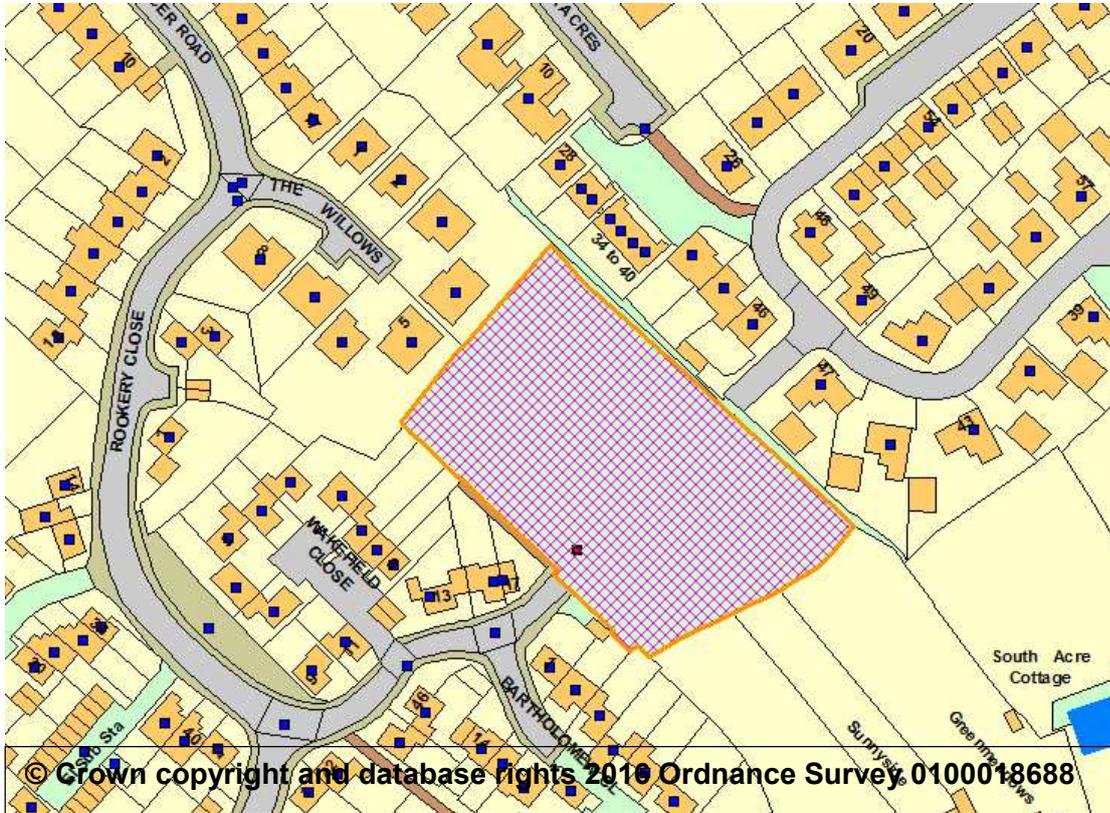
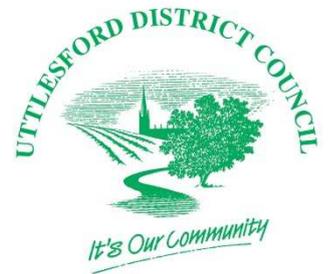
1. Prior to commencement of the development, a Construction Traffic Management Plan must be submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved details, which must provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities.

REASON: To ensure that the highway is not obstructed during the construction period, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

2. The vehicular access off Rookery Close and the cycle link off Stanley Road must be formed in accordance with Drawing No. H.724.P11.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Application: UTT/17/1452/DFO
Address: Land North Of Bartholomew Close, Great Chesterford



Organisation:	Uttlesford District Council
Department:	Planning
Date:	15 August 2017