

Ms M Shoesmith  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex  
CB11 4ER

Our Ref: SJB/nm/13036\_10

26 August 2015

By Email Only: [planning@uttlesford.gov.uk](mailto:planning@uttlesford.gov.uk)

Dear Ms Shoesmith

**TCPA 1990 (as Amended) - Planning Ref: UTT/15/1666/FUL**  
**14 Cambridge Road, Stansted, Essex CM24 8BZ**

I refer to my previous letters of 2 and 23 July and as promised now write to expand upon our objections to this application. I confirm that we have also now seen the four revised application drawings in respect of which you kindly notified us on the 18 August. However, these revisions do little, if anything, to assuage our concerns and remove objections to his poorly conceived and designed scheme, which is an overdevelopment of the site and which will, amongst other things, be prejudicial to highway safety in Cambridge Road.

On a general point the application material is riddled with inaccuracies and omissions. The forms misdescribe the larger commercial unit as being 2.5 storeys (something carried over into your description), when clearly it is 3 storeys, documents are not listed and the floorspaces/uses section (Q18) is incomplete. It does not make commenting easy, when the basic information is incomplete and these errors should have been remedied before consultation began.

The redline plan also fails to correspond with the site plan, with the former more extensive than the latter. The redline plan shows a larger access nib to Cambridge Road and a further strip of land leading to Clarence Road, which does not feature at all on the layout. Possibly this should either be 'blue land' or notices served on other parties, but surely this should be clarified with the applicants as it is not clear what exactly you are being asked to consider. Certainly it makes it impossible to understand how the shop unit and commercial bin stores function, a matter exacerbated by the elevations of commercial Unit 1 (BRD/15/006/003) all being misnamed. Again, not very user friendly and guaranteed to waste time and or confuse those trying to comment on the proposal.

Despite the planning history of this site, the application is accompanied by a very brief Design and Access Statement. It is barely more than two sides of A4 paper and comprises mostly matters of fact and description but, without comparing and contrasting, concludes that the deficiencies which led the previous scheme to be both refused by your Council and dismissed at appeal are now overcome.

This is addressed thus:

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**Barker Parry Town Planning Ltd**  
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*"To highlight the differences between the former layout and content and what is now proposed is a reduced residential content, there is now adequate parking for the commercial element and careful regard to the immediate context".*

With regard to parking, reference is made to an appended Transport Statement. In this respect our clients, the objectors to this scheme, have commissioned their own highways consultants, Rowland Bilisland Traffic Planning (RBTB). Their response and considered assessment is appended to this letter. It is a standalone document, but we will cross refer where relevant.

We do not share the applicant's view that they have addressed previous concerns satisfactorily and this scheme fails for exactly the same reason as the previous one, as confirmed by the Inspector, namely it is an overdevelopment and it cannot function properly without giving rise to both highways and amenity problems. It is probably most useful to deal with the proposal by looking sequentially at the site layout from the Cambridge Road access and round to Plot 10.

Before so doing though, it is important to comment on the use of the site at present. The site used to be part occupied by several large industrial style sheds and an area of open parking as can be seen from the Google Earth aerial image scanned in below. According to the applicants, the last occupants moved out eight years ago and we know that the buildings were demolished, the foundations removed and the voids backfilled with crushed rubble very early in 2013, over 2.5 years ago. Despite this, both the forms and the Transport Statement rely on an "existing" use.



In planning terms, there is no 'existing' use. The site has a nil use and save for a few temporary open uses capable of being operated under permitted development rights, is not capable of any re-use without the benefit of a planning approval. Were the buildings still standing (and not "abandoned" in a planning sense) then they could have been re-used, but now any proposed use must be assessed against prevailing policies and guidance in both planning and highway terms.

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There can be no disputing the fact that the site has previously developed status or that it is at the heart of a settlement, but you cannot pray in aid of some historic use from a bygone planning age rather than demonstrate the acceptability of this now proposed mixed-use. The fact that it is a mixed use makes it all the more important that the two uses (commercial and residential) are functionally compatible, a point in respect of which the previously proposed mixed use failed.

In this regard, the application plans of the Cambridge Road frontage show no details of the highway, surrounding buildings and features or sight lines for vehicles or pedestrians. It is not understood how the highways authority in advising the local planning authority could conclude that the arrangements are satisfactory for the use proposed and current conditions; a point explored in detail by the RBTP submissions. Scanned in below and over are some photographs showing the street scene around the access to illustrate the 'real-world' visibility. As you may be aware and as local people have no doubt mentioned, there was a road traffic accident here at the end of June; hence concerns about the re-use of the application site without properly demonstrating that it can be accessed safely.



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The A1/A2 shop unit would be set back from the pavement edge behind planting (no explanation of implications to sight lines) and with no outside space. Presumably its refuse will be stored in the communal commercial bin store to the rear, but there is no obvious access to this, as it is blocked by tandem parking bays around which it would be difficult to negotiate a domestic wheelie bin let alone a commercial bin. The storage area is also some distance from the highway, although presumably the refuse vehicle will stop on the site access before travelling the entire length of the cul-de-sac to turn round. In this regard, commercial premises are not served by the domestic refuse lorries but rather lorries that are understood to be larger and less manoeuvrable. The storage arrangement looks ill-thought and unworkable and cannot be acceptable.

Commercial building 2 more or less replaces proposed houses from the dismissed scheme. This floorspace is missing from the application forms and the building is 3 storeys tall and not 2.5 storeys as described. As is acknowledged on the context plan, its rear elevation, and all the windows therein, would face the tyre and exhaust depot approved on the neighbouring site to the south. The relative siting of the two buildings can be seen on drawing 011A and the tyre and exhaust building will limit severely daylight and sunlight received and the outlook from the proposed offices and in particular the two lower floors. This building only has north and south facing windows and all are small relative to the deep plan form, so it is likely that there will have to be undue reliance on artificial light to make the office space usable; this is hardly sustainable development.

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Further, if built and occupied for B1a purposes, then under the current legislation it would be possible for this use to 'slide' to residential. Presently, the legislation is temporary and will cease at the end of May next year (2016), but there is speculation that it will be extended or made permanent, in which case it is a material consideration in approving any new office buildings. Consequently, the proximity of this building to the approved tyre and exhaust depot, being significantly closer than the rejected housing, is an additional reason to reject it as overdevelopment of the site. Furthermore, if built and then difficult to let owing to the access and parking arrangements, the Council will be put under pressure to approve some alternative use and clearly a residential use is not appropriate.

A further manifestation of overdevelopment is the tandem parking. Eight commercial spaces are in tandem on this scheme, whereas it was four on the earlier revision. Such an arrangement is unlikely to result in maximum usage at the best of times, but it is wholly inappropriate when the office building is clearly designed to function as six self-contained office suites to be occupied by six independent businesses for whom tandem parking is unacceptable and unworkable. It is not clear how the spaces are apportioned between the offices and the shop, but tandem spaces are also unusable if either intended for people visiting a high street shop or for the abovementioned potential residential use.

The RTPP report has drawn attention to other deficiencies and of course the fact that the shop and offices (based on the floorspace figures in the Transport Statement) should provide twenty seven car parking spaces. As it stands, there are notionally sixteen, but actually twelve, if the tandem spaces are not both occupied. A shortfall in theory of eleven, or in the real world fifteen, represents an underprovision of up to 55% and there is no justification given for this. Certainly there is no evidence that this displaced parking can be accommodated either on the highway in Cambridge Road or the nearest car park.

The current proposal does provide more parking than the dismissed scheme, but equally, it proposes significantly more floorspace than previously, 735m<sup>2</sup> now as opposed to 477m<sup>2</sup> last time. That scheme was deficient to the tune of fifteen spaces and so is this one, so in terms of potential displacement of cars unable to park, it is clearly no different and no better. It is quite wrong therefore, for the applicants to contend that the parking is "*now adequate*". Patently, it is not.

The proximity of the three storey office block to Plots 1 and 3 and the extent of overlooking into the rear gardens and rear windows of Plots 1 and 2 is of concern. These are west facing gardens and the normally private area immediately behind the sitting rooms, which have folding doors, will have no privacy whatsoever when the offices are in use. This is a fundamental and unacceptable design flaw and a symptom of a cramped mixed use.

Plot 3 is similarly overlooked from the first floor windows of Plots 4 and 5 with again the area outside the sitting room doors most exposed. Because of the tight distances, there is no room to introduce design features or landscaping (eg pitched roof garages, trees etc) to provide a shield or screen to reduce mutual overlooking.

Plots 4, 5, 6 and 7 are introduced to the rear of established housing, where historically there have been no buildings. Plot 6, even as amended, is unusually tall with a high eaves level and still has a steep roof. There is clearly the potential to introduce a third floor of accommodation, which could cause overlooking problems to the houses to the north-east. The same considerations apply to Plots 8 and 9 and in all three instances, permitted development rights should be removed to allow full control of what may be done above eaves level, as these dwellings have the potential to be both unneighbourly and in potentially creating four bedroomed units, there would also be a requirement for additional car parking.

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Plot 7 exhibits all the symptoms of overdevelopment. It is very close to its rear boundary and parallel with an existing house in Clarence Road. To prevent back to back overlooking, it has just one first floor rear facing window on a landing. It does not say, but this must be both obscure glazed and fixed shut, so as to prevent overlooking of the rear garden and windows of the neighbour in Clarence Road.

The consequence of the restricted fenestration options means that the master bedroom has one small east facing window, bedroom 3, a small west facing window with the steep, blank, flank gable of Plot 6 (see above) for its outlook and bedroom 2 has a view south down the cul-de-sac. Two of the three bedrooms, therefore, have a very restricted outlook as a direct consequence of the proximity to existing dwellings and the constraints this puts on the location of first floor windows. This attempt to maximise the number of dwellings has prejudiced the amenity of the future occupants.

On the matter of proposed bin storage for the houses, none is shown for Plot 4 and that for Plots 7 and 10 is directly under and in front of sitting room windows. This shows a lack of thought and they are all, with the possible exception of 9, clearly visible in the public domain and with no obvious screening or potential to screen. This is a further manifestation of overdevelopment and poor design.

It is also clear that the scheme repeats the most fundamental failure of the previous scheme and one of which the Inspector was particularly critical. It is again a mixed use site, which has a fifteen car space deficit for the larger commercial element. There are still, however, ten dwellings proposed, which must share the narrow access road and turning head.

Not only is the commercial floorspace underparked, but it has no servicing space. Along with the commercial and domestic refuse collection lorries, all other service vehicles must stop outside and block the access and then, in order to leave the site in forward gear, travel to the end of the residential part of the cul-de-sac and turn. There is absolutely no scope to pull over, as the margins are either too small or will be taken up by parked vehicles. In this latter regard, the latest revisions have decanted almost all the residential parking into the streetscene, which will now be dominated by hard surfacing with scant room for anything other than hardy low planting to preserve forward visibility around the shared surface. This is yet another manifestation of overdevelopment and is a retrograde step compared to the earlier versions of the site layout, which had a green swathe in front of Plots 1-3.

By way of a summary and conclusion, there is little evidence that the applicants have paid regard to the failings of the previous scheme and the Inspector's criticisms. The number of dwellings has been reduced, they no longer back on to the approved tyre and exhaust depot and there is more commercial parking, but, against this, there is more commercial floor space and as a consequence, there is still a deficit of fifteen useable car parking spaces and every likelihood of conflict with both the residential occupants and, owing to likely displaced car parking, with other residential and commercial uses in the centre of Stansted. There also remains no service parking or dropping off provision and in particular a proposed commercial bin store, which is incapable of being accessed, unless (tandem) parking spaces are unused.

The larger of the two commercial units will have restricted outlook and daylight and sunlight. This is both a material planning consideration for the intended use, but also the potential for future residential use. This could be via either the current permitted development rights or by a planning application, should the floor space prove difficult to let.

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Finally, on overarching principles we remain bemused that reliance is placed upon the historic use of this site and the traffic it may have generated. That wholly commercial use ceased some time ago and was prevented from ever resuming by the clearance of the site in early 2013. It now has a nil use and this should be reflected in the scrutiny given to the details which accompany the application. None of the application drawings show achievable sight lines for vehicles or pedestrians at the junction with Cambridge Road and the position of both the applicants and the County Council seems to be that it "*must be better than before*".

That historic use has gone, the situation along Cambridge Road has changed since it was introduced and indeed, since it ceased. In this regard, the Tesco only opened in 2010 and the new Sainsburys to the south of the site access is expected to open before Christmas 2015. There is now a mixed use proposed at the site and it must be demonstrated that both the access and all the on-site provisions are adequate for that use. The applicants have either failed to demonstrate this or it is clear that the proposal is deficient.

I would urge you, therefore, to seek further information regarding the point of access, but in any event, the internal arrangements alone warrant a rejection of the scheme as proposed.

Yours sincerely



**Steven Barker**

Email: [steven@barkerparry.co.uk](mailto:steven@barkerparry.co.uk)

Att'd: RTP Comments on Highways and Transport Matters  
RBTP Addendum

cc: R Harborough – Director of Planning and Building Control ([rharborough@uttlesford.gov.uk](mailto:rharborough@uttlesford.gov.uk))  
A Taylor - Assistant Director of Planning and Building Control ([ataylor@uttlesford.gov.uk](mailto:ataylor@uttlesford.gov.uk))  
N Brown – Head of Development Management ([nbrown@uttlesford.gov.uk](mailto:nbrown@uttlesford.gov.uk))  
List of Interested Parties  
Rowland Bilsland Traffic Planning

## **LIST OF OBJECTORS**

- |     |                   |      |                      |
|-----|-------------------|------|----------------------|
| 1.  | Janet Harris      | 54.  | Richard Darter       |
| 2.  | Peter Harris      | 55.  | Kerry Darter         |
| 3.  | Clare Robinson    | 56.  | Emily Darter         |
| 4.  | Diana Attwood     | 57.  | Jill Day             |
| 5.  | Mark Gurden       | 58.  | James Day            |
| 6.  | Veronica Ilife    | 59.  | Danielle Mathias     |
| 7.  | Marcell Morelli   | 60.  | Francis Worrell      |
| 8.  | Daniel Nunn       | 61.  | Sarah Jordan         |
| 9.  | Tony Fells        | 62.  | Rachel Borthwick     |
| 10. | Nichola Fells     | 63.  | Tanya Walker         |
| 11. | Belinda Eden      | 64.  | Alan Smith           |
| 12. | Nicki Mason       | 65.  | Rhona Brown          |
| 13. | Peter Attwood     | 66.  | Millie Wood          |
| 14. | Diana Roe         | 67.  | Alison Evans         |
| 15. | Heather Curtis    | 68.  | Rob Evans            |
| 16. | Sidney Stringer   | 69.  | Deborah Bland        |
| 17. | Delia Stringer    | 70.  | Becky Dockerty       |
| 18. | Bradley Pressman  | 71.  | Ash Patel            |
| 19. | Paul Ridler       | 72.  | Ruth Chesnick        |
| 20. | Vivien Tokeley    | 73.  | Charlotte Miller     |
| 21. | George Clews      | 74.  | Christine Mallyon    |
| 22. | Trevor Furlong    | 75.  | Katie Turner         |
| 23. | Lino Bottalico    | 76.  | Joanne Purser Devoti |
| 24. | Michelle Becerra  | 77.  | Cheryl Bence         |
| 25. | Tracy Bottalico   | 78.  | Katy Gladen          |
| 26. | Vanessa Ashraf    | 79.  | Jim Gladen           |
| 27. | Joseph Mower      | 80.  | Liane Binks          |
| 28. | Caroline Carter   | 81.  | Lewis Daniels        |
| 29. | Harman Hagon      | 82.  | Graeme Jordan        |
| 30. | Hillary Hagon     | 83.  | Helen Scott          |
| 31. | Natalie Stoneham  | 84.  | Kay Mason            |
| 32. | Barbara Collier   | 85.  | Chris Mason          |
| 33. | Will Buckham      | 86.  | Katy Ball            |
| 34. | Richard Miles     | 87.  | Laura Squires        |
| 35. | Irene Miles       | 88.  | Jo Everett           |
| 36. | Victoria Mitchell | 89.  | Stuart Burkinshaw    |
| 37. | Louise Wade       | 90.  | Liz Hulkes           |
| 38. | Meg Lamb          | 91.  | Tracy Frans          |
| 39. | Emma Watson       | 92.  | Jonathan Frans       |
| 40. | Sue Watson        | 93.  | Denise Linda Moris   |
| 41. | Ryan Livesay      | 94.  | Jean Anderson        |
| 42. | Beth Walker       | 95.  | Chris Townsend       |
| 43. | Kirsty Rock       | 96.  | Stephen Hicks        |
| 44. | Stuart Day        | 97.  | Daniel Miller        |
| 45. | Judith Kiff       | 98.  | Joanna Miller        |
| 46. | Eva Bottalico     | 99.  | Emma Prior           |
| 47. | Anna Scanlan      | 100. | Martin Prior         |
| 48. | Ruth Glasson      | 101. | Caroline Bedford     |
| 49. | Matthieu Glasson  | 102. | Richard Bedford      |
| 50. | Helen Green       | 103. | Jo Atkins Linnell    |
| 51. | Jonathan Green    | 104. | Steve Atkins Linnell |
| 52. | Hugh Faulkner     | 105. | Hazz Lawrence        |
| 53. | Helen Faulkner    | 106. | Alex Fleet           |



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|------|----------------------|------|-----------------------|
| 107. | Darren Chopping      | 159. | Scott Shelford        |
| 108. | Helen Chopping       | 160. | Teresa Gaskin         |
| 109. | Philip Everett       | 161. | Ray Ball              |
| 110. | Lucy Calvert         | 162. | Susie Ball            |
| 111. | Nicola Rossington    | 163. | Jack Ball             |
| 112. | Emma Austin          | 164. | Claire Jonas          |
| 113. | Keith Austin         | 165. | Ian Jonas             |
| 114. | Helen Mackay         | 166. | Charlie Jonas         |
| 115. | Michelle Peachey     | 167. | Madeleine Lees        |
| 116. | Nicola Hobbs         | 168. | Dominic Lees          |
| 117. | Tracy Davidson Perry | 169. | Euan Armon Jones      |
| 118. | Kathryn Dockerill    | 170. | Stephanie Cogan       |
| 119. | Denise Davenport     | 171. | Ray Cogan             |
| 120. | Lucy Hawkins         | 172. | Carole Patmore Crosby |
| 121. | Donna Eley           | 173. | Britt Ellice          |
| 122. | Gill Pursglove       | 174. | Mark Ellice           |
| 123. | Dave Pursglove       | 175. | Charlotte Piek        |
| 124. | Erika Baewer         | 176. | Thea Smith            |
| 125. | Ben Finch            | 177. | Charlie Thorpe        |
| 126. | Jocelyn Faulkner     | 178. | Brigitte Barrett      |
| 127. | Richard Snelling     | 179. | Amy Ellice            |
| 128. | Liz Chappell         | 180. | Sally Lewis           |
| 129. | Elaine Knibbs        | 181. | Patrick Lewis         |
| 130. | Sarah Knibbs         | 182. | Katie Lewis           |
| 131. | Alex Farrer          | 183. | Lucy Lewis            |
| 132. | Ross McBride         | 184. | Sarah Clark           |
| 133. | Kelly McBride        | 185. | Fraser Clark          |
| 134. | Amanda E Palmer      | 186. | Fiona Simon           |
| 135. | Chris Attelsey       | 187. | Keith Brown           |
| 136. | Vickie Broomfield    | 188. | Diane Brown           |
| 137. | Sheila Newland       | 189. | Ellie Brown           |
| 138. | Colin Newland        | 190. | Rachel Munro          |
| 139. | Rachel Pocknell      | 191. | Lynn Dorsett          |
| 140. | Olly Pocknell        | 192. | Jo Ellis              |
| 141. | Linda Deavy          | 193. | Samantha Smith        |
| 142. | Barbara Wright       | 194. | Victoria Richardson   |
| 143. | Sandra Court         | 195. | Elisabeth Hill        |
| 144. | Jae Bell             | 196. | Rachel Glibbery       |
| 145. | Jane Mayne           | 197. | Corrina Mottram       |
| 146. | Hamed Miah           | 198. | Gareth Mottram        |
| 147. | Jonathan Self        | 199. | Liz Kadir             |
| 148. | Charlotte Self       | 200. | Neil Richardson       |
| 149. | Anne Allanson        | 201. | Tara Allen            |
| 150. | Viv Lane             | 202. | Gina Graves           |
| 151. | Philip Lane          | 203. | Claire Cook           |
| 152. | Suzie Grant          | 204. | Andy Cook             |
| 153. | Wilma Vilyoen        | 205. | Heath Follows         |
| 154. | Ian Rossington       | 206. | John Follows          |
| 155. | Phil Elms            | 207. | Giles Greenfield      |
| 156. | Sue Richardson       | 208. | Emelita Greenfield    |
| 157. | Linzi Taylor         | 209. | Alison Mansfield      |
| 158. | Mrs Marshall         | 210. | Rachel Mansfield      |

This is by no means an exhaustive list, but it is correct at the time of sending the accompanying letter.