



# Planning Committee meeting 6 September 2016

Reference: **152817: Site known as SR6: Lakelands, Stanway**

Proposal: **28 residential units**

## **Update on consultation responses from the public**

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This update provides a summary of responses opposing the proposed development as at 14.00hrs on 1 September 2016.'

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OBJECTION THEME	
• lack of parking and associated congestion	13.2%
• development out of character with earlier phase	12.3%
• contrary to highway safety	8.0%
• loss of attractive open space at estate entrance	6.5%
• overdevelopment / excessive density	6.5%
• site is allocated in local Plan as open space it should remain open space	6.1%
• loss of privacy (existing dwellings)	4.4%
• original 2 houses should have been built or approved landscape scheme implemented	4.4%
• development will cause unacceptable overlooking	3.0%
• the proposed units are not adequately 'pepperpotted'	2.8%
• lack of local facilities (eg school, doctor) to support this development	2.7%
• phase 1 was finished and should not be revisited with this proposal	2.7%
• loss of views	2.7%
• development will be overbearing in relation to existing properties	2.7%
• flats unacceptable in context of existing properties	2.4%
• poor design quality	2.0%
• developer moved gas pipe on site so Council must already have given nod to the proposed development	2.0%
• unacceptable loss of daylight to existing homes	1.7%
• unacceptable overshadowing of existing properties	1.6%
• noise nuisance	1.6%
• proposal will devalue existing homes	1.6%
• affordable housing numbers should be made up outside of earliest phase	1.1%
• there was no public consultation on masterplan changes	1.1%
• harm to outlook from existing dwellings	<1
• development will increase flood risks	
• Council must be corrupt to entertain this proposal	
• proposal will result in unacceptable loss of sunlight to existing nearby homes	
• application poorly handled by planners	
• submitted plans misleading	
• possible flood risk	
• loss of trees (had they been provided as approved in 2006)	
• development will cause unacceptable smell nuisance	
• Council only concerned with financial benefit from the development	
• oppose social housing here	
• adverse impact on conservation areas	
• poor access for vehicles /delivery vehicles	
• loss of garden land	
• loss of exclusivity	
• lack of rear walkways to proposed properties	

**Figure 1: Breakdown of the nature of comments received in opposition to the proposed development (expressed as a percentage of the total by theme)**

**Lack of parking:**

The proposed parking provision meets Adopted Parking Standards.  
(please see paragraphs 11.1 to 11.11 of report for fuller explanation)

**Out of Character**

The proposed development is considered to reflect design cues from the earlier phase of development and accords with the approved masterplan  
(please see paragraphs 15.2.0 to 15.2.20 of report for fuller explanation)

**Contrary to highway safety**

Essex County Council as the local highway authority has not raised objection to the proposed development on the grounds of highway safety as a result of additional traffic at the estate entrance. Lakelands has been designed to accommodate vehicles from an 800 unit development.

**Loss of attractive open space at estate entrance**

Please see paragraphs 12.1 to 12.11 of report. The amended proposal includes an area of open space at the north-east corner of the proposed development which provides an interesting and attractive entrance in urban design terms

**Overdevelopment and excessive density**

The proposed development meets relevant amenity standards and density targets and is therefore not overdevelopment. (report paragraphs 15.2.1 to 15.2.20 and 15.3.1 to 15.4.3)

**Site is allocated in Local Plan as Open Space**

This point is comprehensively dealt with by Mr Pickles in his Legal Advice to the Council (report paragraphs 15.1.0 to 15.1.9 + legal Opinions posted on Council website)

**Loss of privacy**

Property separation meets Adopted standards (report figure 12)

**Original 2 houses or previously approved landscaping**

The developer chose not to implement a two house scheme on the site and the approved landscaping scheme was never implemented as the site geography changed as did the developers intentions for the site with the amended masterplan of 2010.

**Overlooking**

(as for loss of privacy)

**Pepperpotting**

The proposed distribution is considered reasonable and acceptable as explained in paragraphs 15.7.1 to 15.7.7 of the report. The design quality achieved in the overall design is commensurate with open market housing within Lakelands.

**Lack of local facilities**

The Council is not responsible for providing education or GP services. No objection has been received from the education authority or the NHS. ECC as education authority is preparing plans to build a new primary school on Lakelands using the site safeguarded under the original s106 along with such funding as was generated from that Agreement.

**Phase 1 was finished**

The masterplan of 2010 identified that further residential development on this site was appropriate. Lakelands was still evolving at that time and further reserved matters were due. Highway geography was also evolving

**Loss of view**

The loss of a view is a not a material planning consideration

**Development will be overbearing in relation to existing properties****Flats unacceptable in context of existing properties****Poor design quality**

The proposed development provides a range of units as required by Adopted policy the report explores the relationship of proposed development to existing as will the presentation and in the view of officers the proposed development will not be overbearing not will it be of a poor design.

**Gas pipe**

The site owner moved a utility without reference to the Council as is their prerogative. Developers often choose to move utilities to better serve development. They did so at their own expense and own risk.

**Loss of daylight**

The orientation and position of the proposed development is such that it will not cause undue or unacceptable loss of daylight to existing properties such as to warrant refusal on amenity grounds is explained in the report and will be explained within the presentation

**Overshadowing**

(as above)

**Noise**

The proposed development will not generate noise likely to constitute a statutory nuisance or undue disturbance. This is a predominantly residential area with noise levels that reflect that and its general setting. Noise from construction will be transitory

**De-valuation**

Impact on individual property values (up or down) in the context of existing dwellings from proposed development is not a material planning consideration.

**Affordable housing should be delivered in later phases**

Affordable housing is distributed across Lakelands. Early phases contained little affordable housing as development was required to fund costly road infrastructure

works (By-Pass). During the economic crisis from 2008 developers chose to continue developing on Lakelands rather than moth ball the land (as happened in many areas across the country) but little affordable housing was delivered in that period as project viability was challenging. Since the recovery affordable housing has started to be provided again. In the case of SR6 with residential development being acceptable in principle due to the extant outline planning permissions it was considered appropriate to deliver affordable housing on it because the registered provider was and remains in a position to fund that delivery. In planning terms housing is housing.

### **The masterplan and consultation**

The masterplan of 2010 was approved by discharge of condition where consultation is not required by regulation

### **Harm to outlook**

None of the proposed dwellings are close enough to existing dwellings to have an adverse impact on outlook from those existing properties such as to justify a refusal of approval.

### **Floodrisk**

See paragraphs 15.6.1 to 15.6.2 of report and recommended conditions.

### **Council must be corrupt**

Any evidence of corruption should be reported to the Council's Monitoring Officer, Andrew Weavers or Essex Police. The Council has operated transparently and has shared all relevant documentation. Legal Opinion provided to the Council indicates that it has acted lawfully and appropriately in the way it has handled the proposal.

### **Loss of sunlight**

Orientation of the development is such as not to result in a significant loss of sunlight to existing properties and in some cases it will be a physical impossibility as the proposed development lies north of existing development

### **Poor handling of application by officers**

(see Legal Advice and Council must be corrupt above)

### **Submitted plans misleading**

The plans submitted are comprehensive and detailed but not misleading

### **Floodrisk**

See paragraphs 15.6.1 and 15.6.2 of report and proposed conditions

### **Loss of trees**

No trees are being lost and as the approved landscape scheme of 2006 was not implemented due to changing circumstances/ intentions there are no trees to lose.

### **Smell nuisance**

There is no intrinsic reason why this residential development should generate a smell nuisance. Waste storage facilities are conditioned. Vehicle fumes will be no different to those across the estate

### **Financial benefit to Council**

The Council does not own the land and so stands not to directly benefit from the sale. The Council is not providing the affordable housing. Any council tax

implications from the development are beyond the scope of the Place Service but 28 units is less than marginal in the overall scheme of things

**Oppose affordable housing**

The Council's housing policies promote the delivery of affordable housing

**Conservation Areas**

The site is not within or close to a statutorily designated conservation area

**Access for deliveries /emergency vehicles**

All parts of the site are suitably accessible

**Loss of garden land**

The proposal does not involve a loss of garden land

**Loss of 'exclusivity'**

This is not a material consideration in itself

**Lack of rear walkways**

These are not required and in some cases are considered inappropriate

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1 September 2016