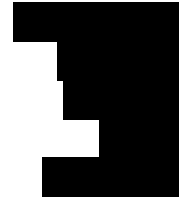


Robert Arthur Robinson



31st May 2023

**Ref: Section 62A Planning Application: S62A/2023/0018 (UTT/23/0966/PINS) Land East of Pines Hill, Stansted Mountfitchet, CM24 8EY**

**FOA: Major Casework Team - Planning Inspectorate**

Dear Sir/Madam,

In regards to application S62A/2023/0018 (UTT/23/0966/PINS), as a direct neighbour whom together with the local community would be significantly affected by the proposed development on a vast scale, I strongly object.

There have been two planning applications refused by UDC - from 2014 UTT/14/0151/OP and 2021 UTT/21/2730/OP. The reasons for refusal are strong and demonstrate the benefits do not outweigh the harm. Located in the Metropolitan Green Belt (MGB), and outside development limits, the provision of 31 units provides no improvements to footways/walking routes to local facilities, including schools. **There are no special circumstances for this development to be here.** This is a highly unpopular development, around 40 wrote in to object previously. I wish to draw your attention to the basis for the objection below:

1. **Green Belt** - This development would create creeping coalescence with Bishop's Stortford. The function of the MGB is to prevent this. The site is not identified in Stansted Mountfitchet's draft neighbourhood development plan. The parish council recognises the requirement to accept housing but has also identified the most suitable locations for it and this site does not meet the criteria to be included in the plan.
2. **Development Access** - The application states Essex Highways and Uttlesford District Council have not objected to access arrangements. This is misleading as it was in relation to the previous applications. There have been changes since the last application which actually included development on residential/commercial land neighbouring the newly proposed development. Our property, Ostra Brama, (has right of way along the private track which will now be dissected by the access road of this proposed development) has recently had a new vehicular access approved onto B1383 (Pines Hill)

immediately to the south of the proposed access for the new development. The site layout plan does not show this, and this needs to be taken into account. Planning application UTT/23/0632/HHF refers. Additionally, the deed dated 21 December 1973, Deed dated 27 August 1987 and Deed dated 24 May 1988 regarding Title Plan Extracts - EX788413 and EX788585 from Ostra Brama (neighbouring property) note the following **(See Appendix A)**:

- a. Right to services crossing neighbouring land and to enter said land for the purposes of repair and maintenance to those services;
  - b. Right over the strip of land 13 feet 6 inches in width coloured brown on the plan.
- The proposed development would impact these rights significantly.

3. **Traffic** - The B1383 is a major route through the district and serves as an alternative route when the M11 and/or A120 are closed. Traffic can be heavy and slow moving at peak hours), or fast moving and regular at other times. Please refer to the statistics submitted by a member of the community's Speed Watch team (Mr Ray Woodcock), documents listed below:
  - a. Stansted Mountfitchet Speed Watch reports dated 31st January 2023; 2nd March 2023; 21st March 2023 and 3rd April 2023. All of these reports have been sent to the Police Coordinator and verified and accepted by them.
  - b. ECC Highways B1383 Silver Street traffic counts during 4th to 10th July 2022. This report shows the average daily number of vehicles of 16,457 during this period. The report also shows that 38.9% of the vehicles exceed the 30mph speed limit. The report was commissioned by ECC Highways and conducted by their main contractor Ringway Jacobs.
  - c. Road Traffic through Stansted Mountfitchet an Overview as at February 2020 - updated July 2020.
4. **Accessibility** - This is not a sustainable location for a development of this size, providing nothing to the village apart from more congestion on the B1383 and Chapel Hill, and an additional dangerous access point. The development is unsustainable, encouraging all movements to be by car. Distance is not the only consideration, as footway provision is poor and the busy road is an unhealthy and unpleasant environment for walking or cycling. The accessibility and condition of the walking and cycling routes are along narrow, poorly maintained or non-existent footways/roads.
  - a. School walking routes - to St Mary's primary on Foresthall Park, along Stoney Common (an unadopted road, with a narrow single track bridge across the railway); to Magna Carta primary in St John's Road, along the B1383 (a narrow footway, poorly maintained by Essex Highways) which by the Old Bell Hotel narrows to just 30cm.
  - b. Cycling routes - similarly, there are no safe cycling routes from this location.
5. **Environment** - The loss of wildlife habitat is significant and the loss of foraging and commuting opportunities for wildlife will not be offset by the provision of a few nesting boxes. The brook and this type of undeveloped land provide an important habitat for

wildlife and is something we should hold on to rather than throw away. As a neighbouring resident, we have first hand witness of bats, and other protected species that would be impacted by the proposed development.

6. **Open spaces** - There is no provision for open space on the development. For play areas, again distance is not the only consideration. The nearest play areas for children are on Mountfitchet Green or Forest Hall Park, both of which would require walking along the same unsuitable routes outlined above.
7. **Benefits** - Should this application be successful, then what benefits would this community receive? Looking at the draft S. 106 agreement, there will be none:
  - a. Contribution to Educational needs will go to E.C.C.
  - b. Contribution to outdoor and indoor sport will go to UDC.
  - c. Library Contribution will go to E.C.C.
  - d. Contribution to Employment Strategy will no doubt go to U.D.C. - Is that necessary in view of the development of the London, Stansted, Cambridge Business Growth Corridor?
  - e. Contribution to Biodiversity (the BNG) will go to E Herts D.C.
8. **What is the BNG planning condition?** - Biodiversity net gain (BNG) is a new legal requirement that most developments are going to have to comply with from November 2023, regardless of size. It requires developments to leave the natural environment in a measurably better condition by insisting that all sites give back a 10% biodiversity uplift. Surely the BNG condition is supposed to benefit the local community so the question is why is it EHDC that is benefiting from this and not the people of Stansted? It therefore appears that higher Local Government Strata have added their weight to recommend this development. Conclusion - no local benefits will be forthcoming from this development.
9. **Housing delivery** - The National Planning Policy Framework requires all local planning authorities to identify a supply of specific deliverable sites to provide five years' new housing supply against their requirements, as calculated under national policies. A housing trajectory is used by councils to calculate their 5-year housing land supply (5 YLS) and demonstrate whether anticipated housing delivery will meet or exceed those housing requirements. Uttlesford housing trajectory and 5-year housing land supply calculation has now been reviewed and updated. It represents the housing land supply position as of 1st April 2022 and demonstrates that the district has 4.89 years of housing supply for the 2022-2027 five-year period. The 5 YLS statement is updated annually. The information is correct in respect of the time period it covers, as of 1 April, but due to the nature of housing supply and delivery it is subject to change over the year. However, It has been announced that the Secretary of State for Levelling Up, Housing and Communities will not be pursuing housing targets, or 5 year housing land supply.

10. **Public engagement** - The applicant states no response from District ward councillors. This is because one of the district councillors was an alternate member of the planning committee and thus not permitted to liaise with applicants/developers, the other district councillor was also a parish councillor and thus any feedback/input was included through parish council meetings rather than direct.
11. **Visual amenity** - This point is based on the important contribution the view currently has on the residential amenity and its loss would have a serious and adverse impact on that residential amenity. In legal terms, whilst there is no right to a view, it does not mean that the loss of our or the neighbouring properties' view is necessarily irrelevant to planning. The enjoyment of the view is an important part of our residential amenity as the primary neighbouring property, and its loss will have an adverse impact on the residential amenity of our property. The loss of the view from a public viewpoint and for those properties in Stoney Common Road and on the private track alongside the proposed development will have a wider impact on the neighbourhood. **(See Appendix B & D)**
12. **Overlooking and loss of privacy** - the proposed development includes two-storey houses within close proximity of the neighbouring property, Ostra Brama. Any overlooking would be detrimental to the privacy currently attained by the property and would have a significant impact on the property, its residents and amenities. **(See Appendix B & D)**
13. **Adverse impact on trees & ecology** - both within the site and upon the neighbouring residential land of Ostra Brama, significant trees will be affected. The development proposal is misleading in showing retention of trees, however many of the trees retained actually fall within our property boundary of Ostra Brama. Furthermore, the development and proximity of the proposed houses to the boundary of Ostra Brama would have a detrimental impact on the tree root systems of trees within the neighbouring property. This has not been taken into consideration and once again is misleading. **(See Appendix C)**

#### **Conclusion:**

1. There are no special circumstances for this development to be built on this land.
2. There are no benefits to the community of Stansted Mountfitchet.
3. The land is designated as Metropolitan Green Belt.
4. Previous Planning Rejection in 2014 (UTT/14/0151/OP – 2014) and in 2021 under UTT/21/2730/OP. The points of the rejection are factual and should not be overturned as no special circumstances apply:
  - a. The site lies within the Green Belt – inappropriate development
  - b. There are protected species such as badgers, reptiles and bats
5. Highways and traffic - the dangers presented by hundreds of additional vehicle movements on a dangerous road do not outweigh the mediocre and ultimately commercial benefits of the proposed development. The safety of the community should

be paramount and this is not addressed. The development would adversely affect highway safety and the convenience of road users and community members.

6. Adverse effect on the residential amenity of neighbours - by reason of noise, disturbance, overlooking and loss of privacy.
7. Should there be any doubt regarding the objection points above, we welcome and invite the planning officer to visit the site and our property in order to fully comprehend the extent and adverse impact the proposed development would have if approved.

I appreciate the consideration given to the above mentioned points in objection to the proposed development.

Kindest regards,

Robert Arthur Robinson

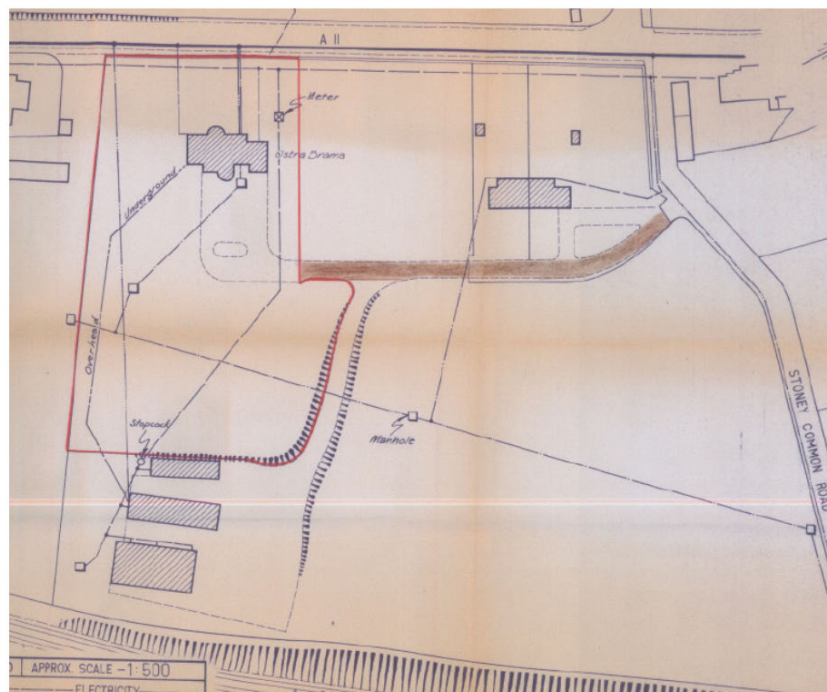
## Appendix A

### **3. BENEFITS ENJOYED BY THE PROPERTY**

Ownership of the Property means you will have the following benefits:

#### **Rights**

- The registered title states that the Property has the benefit of certain rights which, briefly summarised, are:
  - o **Deed dated 21 December 1973, Deed dated 27 August 1987 and Deed dated 24 May 1988 note the following:**
    - Right to services crossing neighbouring land and to enter said land for the purposes of repair and maintenance to those services;
    - Right over the strip of land 13 feet 6 inches in width coloured brown on the plan;



**1973 Deed Plan Extract**

# Appendix B

## OPPORTUNITIES AND CONSTRAINTS

- ↑  
N
- Key
- Site boundary
  - ① Potential new access
  - ② Existing access
  - ③ Existing trees
  - ④ Engineering Business
  - ▭ Potential area for development
  - ↔ Potential vehicular access
  - ↔ Existing vehicular access
  - ↔ Existing vehicular access to neighbouring properties
  - ↔ Potential pedestrian access to Stoney Common Road
  - Existing trees
  - ▭ 2 storey buildings
  - ▭ Landscape buffer
  - ▭ Potential noise (from train line)
  - ▭ Potential noise (engineering business)
  - ↔ Potential overlooking
  - Train line
  - Opens potential frontage to Stoney Common Road and Pines Hill



# Appendix C

## LAND USE

- ↑  
N
- Key
- Residential Use
  - Green amenity space
  - Existing trees/hedges
  - Proposed trees



Land Use Parameter Plan

Not to scale



# Appendix D

## BUILDING HEIGHTS

↑  
N

Key

- Up to 2 storey
- Up to 2.5 storey



Building Heights Parameter Plan

Not to scale