UTT/17/3038/DFO – (SAFFRON WALDEN)

(MAJOR)

PROPOSAL: **Details following outline approval UTT/16/1444/OP for 35 no. dwellings comprising 21 market homes and 14 affordable homes. Details of appearance, landscaping, layout and scale**

LOCATION: **Land Behind The Old Cement Works, Thaxted Road, Saffron Walden**

APPLICANT: **Tarncourt Ambit Ltd**

AGENT: **Ian Abrams Architect Ltd**

EXPIRY DATE: **16 February 2018**

CASE OFFICER: **Luke Mills**

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1. NOTATION

1.1 Within Development Limits; Employment Land to be Safeguarded.

2. DESCRIPTION OF SITE

2.1 The site is located off Thaxted Road, Saffron Walden. It comprises an area of open land, previously used as a cement works, lime kiln and scrapyard, to the rear of existing residential development at The Kilns and Tiptoft Lane.

3. PROPOSAL

3.1 The application is for approval of the reserved matters of layout, scale, appearance and landscaping, following a grant of outline planning permission (including the matter of access) for a residential development of up to 49 dwellings (UTT/16/1444/OP). The current application proposes 35 dwellings, and an accommodation schedule is appended to this report.

3.2 A separate application for planning permission has been submitted for landscaping works on adjacent land to the rear of Plots 21 – 23 (UTT/17/3199/FUL). It primarily relates to land contouring between the development and existing properties, but would also contribute a small portion of the garden land associated with Plots 21 – 23.

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 includes the following documents:

- Planning, Design & Access Statement
- Soft Landscaping Scheme

- Supplementary Ecological Statement (ELMAW Consulting, May 2016)
- SuDS Checklist
- Response to SuDS Checklist

6. RELEVANT SITE HISTORY

6.1 The site has been the subject of a number of applications for permission/consent, as listed below:

UTT/1382/01/FUL Erection of 8 blocks for class B1 business "live/work" purposes and creation of new vehicular access
Approved with Conditions 21/07/2003

UTT/1882/05/FUL Variation of conditions C90D and C90E of planning permission UTT/1382/01/FUL to provide off-site highway works and surfacing of estate road prior to occupation rather than commencement.
Approved with Conditions 22/02/2006

UTT/13/1937/OP Outline application for up to 52 dwellings with all matters reserved except access
Approved with Conditions 11/10/2013

UTT/16/1444/OP Outline application, with all matters reserved except for access, for a residential development of up to 49 dwellings. Previously approved under UTT/13/1937/OP
Approved with Conditions 16/11/2016

UTT/16/3477/DFO Details following outline planning permission for a residential development of up to 49 dwellings (UTT/16/1444/OP) - Details of appearance, layout, scale and landscaping (total of 46 dwellings)
Withdrawn 28/03/2017

6.2 The most relevant application is UTT/16/1444/OP – the outline permission to which the current application relates. A Reserved Matters application for a 46-dwelling scheme was withdrawn in March 2017 (UTT/16/3477/DFO).

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.

7.3 Relevant development plan policies and material considerations are listed below.

Uttlesford Local Plan (2005)

7.4 S1 – Development Limits for the Main Urban Areas
GEN1 – Access
GEN2 – Design
GEN3 – Flood Protection
GEN4 – Good Neighbourliness
GEN5 – Light Pollution
GEN6 – Infrastructure Provision to Support Development
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
E2 – Safeguarding Employment Land
ENV8 – Other Landscape Elements of Importance for Nature Conservation
ENV12 – Protection of Water Resources
ENV13 – Exposure to Poor Air Quality
ENV14 – Contaminated Land
H1 – Housing Development
H3 – New Houses within Development Limits
H9 – Affordable Housing
H10 – Housing Mix
SW6 – Safeguarding of Existing Employment Areas

Supplementary Planning Documents/Guidance

7.5 SPD – Accessible Homes and Playspace (2005)
The Essex Design Guide (2005)
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

National Policies

7.6 National Planning Policy Framework (NPPF) (2012)
- paragraphs 14, 17, 22, 32-39, 47-49, 55, 58, 100-104, 111, 118, 120-125

Planning Practice Guidance (PPG)
- Design
- Flood risk and coastal change
- Housing: optional technical standards
- Land affected by contamination
- Light pollution
- Natural environment
- Planning obligations
- Rural housing

House of Commons Written Statement: Sustainable drainage systems (HCWS161) (2014)
Planning Update: Written statement (HCWS488) (2015)

Other Material Considerations

7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Housing Trajectory 1 April 2017 (August 2017)

8. TOWN COUNCIL COMMENTS

8.1 Objection. Full response:

"The Committee noted the plans and after discussion agreed to object to the plans on the grounds of lack of green space that is inconsistent with the emerging Neighbourhood Plan.

Councillor Dr R Freeman and Councillor Paul G Fairhurst abstained from voting as they are on Uttlesford District Council's Planning Committee."

9. CONSULTATIONS

Highway Authority (Essex County Council)

9.1 No objections, subject to conditions. Extract:

"The highway authority has assessed the highways layout of the application in detail and had a number of requirements in terms of road layout and parking. The applicant has addressed these comments with a revised layout drawing number 90416.30 REV F and the submitted highways technical note dated 12 January 2018."

UDC Housing Enabling Officer

9.2 No objections. However, advises that lifts may be expensive for housing associations and Plots 33 – 35 should be 2-bed, 4-person properties.

London Stansted Airport

9.3 No objections.

UK Power Networks

9.4 General comments regarding works near electricity apparatus.

Affinity Water

9.5 No objection, subject to measures to reduce groundwater pollution risk.

Ecological Consultant (Place Services)

9.6 No objections, subject to a condition to secure biodiversity enhancements. Extract:

"Actions by the applicant have resulted in net loss of biodiversity in the form of loss of Priority habitat and associated species. No effort has been made to mitigate for this. Under paragraphs 109 and 118 of the NPPF, the planning system is required to demonstrate no-net-loss of biodiversity and to provide net gains in biodiversity where possible. We therefore expect all adverse impacts to be fully mitigated, and in cases of Major development such as this we would expect additional enhancements to be provided to result in a net gain in biodiversity."

Infrastructure Planning Officer (Essex County Council)

9.7 Offers no comment on the basis that this is a Reserved Matters application.

Environment Agency

9.8 No further implications for contaminated land and groundwater compared with the outline application.

Essex Police

9.9 Objection. Full response:

"We are concerned that the proposed boundary treatments only offer a symbolic boundary and offer no security to the rear of the properties. UDC Local Plan Policy GEN2 – Design (d) states "It helps to reduce the potential for crime", when it is well known that most burglaries occur at the rear of the property this proposal does not reduce the potential for crime.

We would also like to know what lighting provision is being considered and would recommend the applicant seeks to achieve a Secured by Design award in respect of this development for the benefit of the intended residents and their neighbours."

Lead Local Flood Authority (Essex County Council)

9.10 No objections. Full response:

"Thank you for consulting us however as this is application was originally a renewal of a previous application where the drainage scheme had already been approved and agreed, we did not provide comment at the outline stage.

We would continue this view, and will not be providing comment to this reserved matters application."

10. REPRESENTATIONS

10.1 Neighbours were notified of the application by letter, and notices were displayed near the site and in the local press. The following concerns have been raised in the submitted representations:

1) The proposal represents an overdevelopment of the site
2) Inadequate parking provision
3) Unsuitable access through existing car park
4) Loss of privacy at 10 Tiptofts Lane
5) Lack of integration of affordable and market housing
6) Unsafe access from Thaxted Road
7) Inadequate infrastructure – education, healthcare and roads
8) Adverse effect on pedestrian safety due to a lack of street lighting on Thaxted Road

10.2 The following comments are made in relation the above points:

1) – 5) Covered in the below appraisal.

6) The access was approved under application UTT/16/1444/OP.

7) – 8) Infrastructure improvements were secured under application UTT/16/1444/OP, including financial contributions towards education and

healthcare and the provision of a pedestrian crossing facility.

10.3 It is also noted in one representation that the overall scheme is well-designed and represents an appropriate use of a brownfield site.

11. APPRAISAL

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

A Location of housing (S1, H1, H3, 55 & PPG)
B Character and appearance (S1, GEN2, GEN5, 58, 125 & PPG)
C Transport (GEN1, GEN8, 32-39 & HCWS488)
D Accessibility (GEN2, 58 & PPG)
E Crime (GEN2, 58 & PPG)
F Amenity (GEN2, GEN4 & 17)
G Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)
H Infrastructure (GEN6)
I Biodiversity (GEN7, ENV8, 118 & PPG)
J Employment safeguarding (E2, SW6 & 22)
K Groundwater contamination (ENV12, 120-122 & PPG)
L Air quality (ENV13, 124 & PPG)
M Land contamination (ENV14, 120-122 & PPG)
N Affordable housing (H9 & PPG)
O Housing mix (H10 & SHMA)
P Housing land supply (47-49)
Q Previously developed land (111)

A Location of housing (S1, H1, H3, 55 & PPG)

11.1 The principle of residential development was accepted when outline planning permission was granted under application UTT/16/1444/OP.

B Character and appearance (S1, GEN2, GEN5, 58, 125 & PPG)

11.2 With an open field to the north and commercial development to the south, the residential design cues for the site are provided by the contemporary apartment blocks of The Kilns and the more traditional housing of Tiptoft Lane. It is considered that the proposed development takes a suitable approach, adopting traditionally-designed buildings and positioning the larger-scale apartment buildings close to The Kilns.

11.3 The majority of the development comprises two-storey housing, centred on an area of public open space and positioned in line with the road network to form a cohesive street scene. Subject to the use of a condition to secure a suitable landscaping scheme, it is considered that the development is well-designed and compatible with the character of the area. It is therefore concluded that the proposal accords with the above policies insofar as they relate to character and appearance.

C Transport (GEN1, GEN8, 32-39 & HCWS488)

11.4 The vehicle movements associated with the development and the access off Thaxted Road were assessed at the outline stage. Therefore, the assessment of the Reserved Matters application focuses on the road safety implications of the detailed layout, as well as the proposed parking provision.

11.5 Taking into account the comments of the highway authority, it is considered that there would be no adverse effects on road safety as a result of the proposed layout, subject to the use of appropriate conditions. Furthermore, the proposed parking provision is fully compliant with the Council's minimum residential parking standards. It is therefore concluded that the proposal accords with the above transport policies.

11.6 It is noted that a small portion of the site has been used as an informal car park associated with The Kilns. However, the land is wholly within the application site, as defined by the outline planning permission, and is therefore available for the proposed development. The existing apartments are provided with parking elsewhere – to the rear of Block A and to the front of Block B.

D Accessibility (GEN2, 58 & PPG)

11.7 Condition 4 of the outline planning permission requires that the Reserved Matters application demonstrates compliance with the Lifetime Homes standards, in accordance with Policy GEN2 and the associated SPD entitled 'Accessible Homes and Playspace'. It is considered that compliance is demonstrated by the submitted Lifetime Homes drawings.

E Crime (GEN2, 58 & PPG)

11.8 Taking into account the comments of Essex Police, it is considered that the development generally has regard to the need to design-out crime. The identified vulnerabilities with respect to boundary treatment and lighting could be addressed using a condition to secure full details prior to occupation, thereby ensuring compliance with the above policies insofar as they relate to crime prevention.

F Amenity (GEN2, GEN4 & 17)

11.9 Taking into account The Essex Design Guide, a non-adopted but useful guidance document, it is considered that the proposed gardens would be of a suitable size. All houses would have gardens larger than the recommended minimum size standard, the flats at Plots 22 and 23 would have more than 25 sq m of communal garden space each and the flats at Plots 27 – 32 would have separate terraces/balconies much larger than 5 sq m (12 sq m).

11.10 The minimum standards on privacy and daylight levels indicate that the development would not have any significant adverse effects on the amenity of existing or future residents. It is noted that the lower ground level of the development ensures that there would be no loss of privacy in the gardens of the dwellings on Tiptoft Lane, as shown in detail on the submitted site section drawing.

11.11 Finally, it is considered that there would be no significant overbearing impacts or noise nuisance as a result of the development. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

G Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)

11.12 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The SFRA confirms that the site is not in an area at risk of flooding, and the outline planning permission does not require the use of a sustainable drainage system. It is therefore concluded that there is no

conflict with the above policies.

H Infrastructure (GEN6)

11.13 Infrastructure requirements were assessed at the outline stage, with a S106 agreement securing financial contributions towards primary education and healthcare.

I Biodiversity (GEN7, ENV8, 118 & PPG)

11.14 The effect of the development on existing biodiversity and the need for mitigation are issues which were considered at the outline stage. In granting outline planning permission, the Council determined that the development would not adversely affect any protected species or valuable habitats. Nevertheless, taking into account the comments of the Council's ecological consultant, it is considered that the proposal represents an opportunity to secure biodiversity enhancements. It is therefore concluded that the suggested condition be used in the event that approval is granted.

J Employment safeguarding (E2, SW6 & 22)

11.15 It is noted that the site is safeguarded for employment use in the Local Plan. Nevertheless, the principle of residential development was accepted when outline planning permission was granted.

K Groundwater contamination (ENV12, 120-122 & PPG)

11.16 The issue of groundwater contamination was addressed at the outline stage, in consultation with the Environment Agency.

L Air quality (ENV13, 124 & PPG)

11.17 The issue of air quality was addressed at the outline stage, in consultation with the Council's Environmental Health Officer.

M Land contamination (ENV14, 120-122 & PPG)

11.18 The issue of land contamination was addressed at the outline stage, in consultation with the Environment Agency and the Council's Environmental Health Officer.

N Affordable housing (H9 & PPG)

11.19 The submitted site layout identifies 14 affordable housing units, in accordance with the requirement in the S106 agreement that 40% of the total units must be affordable homes.

O Housing mix (H10 & SHMA)

11.20 The majority of the market dwellings would be two- and three-bedroom units, in accordance with the requirement in Policy H10 to include a significant proportion of small dwellings in residential developments.

P Housing land supply (47-49)

11.21 It is noted that the Council is unable to demonstrate a five-year supply of housing

land, as confirmed in the document entitled Housing Trajectory 1 April 2017 (August 2017). Nevertheless, the principle of residential development was accepted when outline planning permission was granted.

Q Previously developed land (111)

11.22 It is noted that the site constitutes previously developed land. Nevertheless, the principle of residential development was accepted when outline planning permission was granted.

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 the application should be refused. It is therefore recommended that approval be granted.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. Prior to commencement of the development, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

   - Walls
   - Roof
   - Windows
   - Doors

   The development must be carried out in accordance with the approved details.

   REASON: To ensure compatibility with the character of the area, in accordance with Policy S1 and Policy GEN2 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. Prior to commencement of the development, details of the following hard and soft landscaping works must be submitted to and approved in writing by the local planning authority:

   - Retained features
   - New planting
   - Hard surfaces
   - Boundary treatment
   - External lighting (including light emissions)
   - Pedestrian and cycle access to PROW byway 18 (Saffron Walden)

   All hard and soft landscape works must be carried out in accordance with the approved details prior to occupation of the thirty-fifth dwelling.

   All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must be carried out in the first planting and seeding seasons

following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compatibility with the character of the area, to assist in the prevention of crime and to ensure highway safety and accessibility, in accordance with Policy S1, Policy GEN2 and 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.

3. 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.

4. Prior to occupation of any dwelling, a biodiversity enhancement strategy must be submitted to and approved in writing by the local planning authority. The approved strategy must be implemented prior to occupation of any dwelling.

REASON: To take the opportunity to enhance biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

5. Each dwelling hereby permitted must not be occupied until such time as its associated vehicle parking area has been formed and provided in accordance with Drawing No. 90416.30 Rev F.

REASON: To prevent hazardous on-street parking, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

6. The eaves and ridge heights of the permitted dwellings relative to each other and to existing buildings must be constructed as shown on the following drawings:

- Drawing No. 90416.40
- Drawing No. 90416.26 Rev A

REASON: For the avoidance of doubt and to ensure compatibility with the character

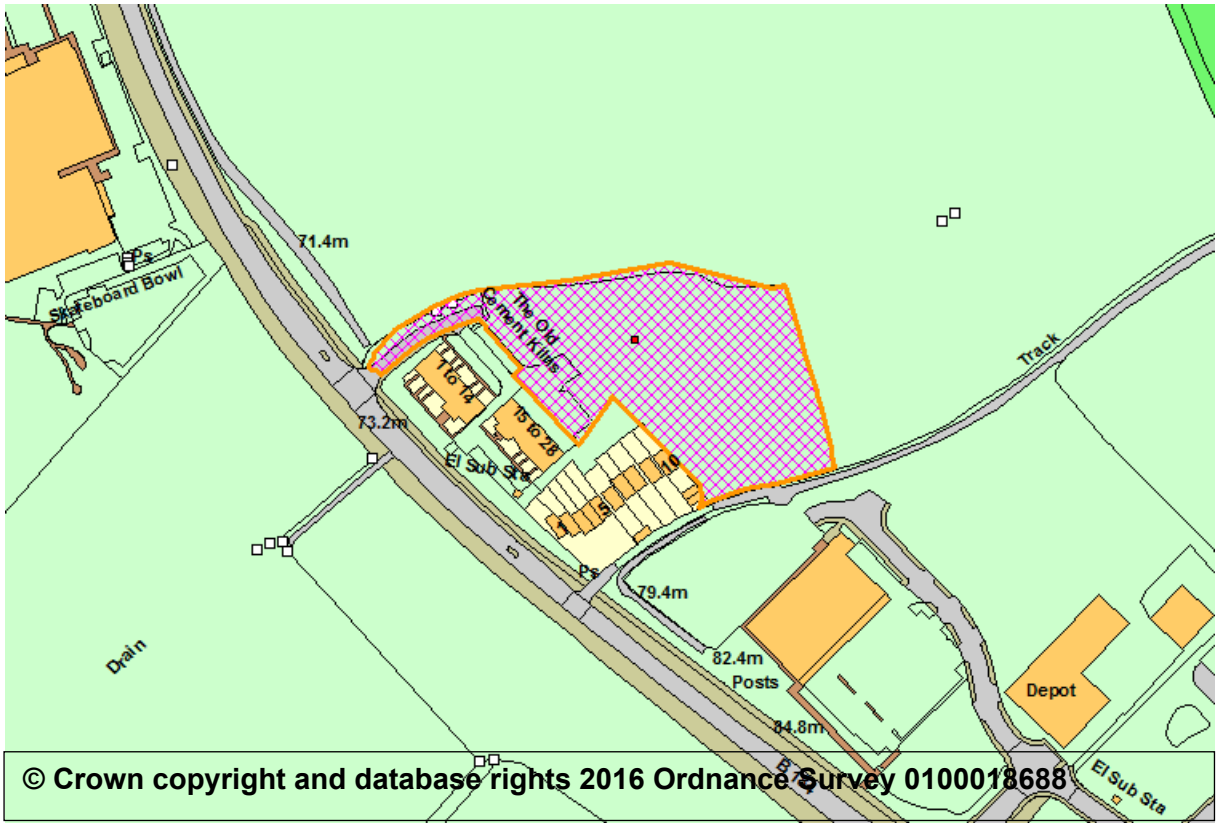
and appearance of the area, in accordance with Policy S1 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Appendix:
Accommodation Schedule

Plot	Bedrooms	Parking	Garden	Tenure
1	3	2	109	Market
2	3	2	100	Market
3	4	3	127	Market
4	3	2	138	Market
5	3	2	129	Market
6	3	2	117	Market
7	4	3	161	Market
8	4	3	239	Market
9	3	2	106	Market
10	3	2	105	Market
11	3	2	110	Market
12	3	2	107	Market
13	3	2	106	Market
14	3	2	102	Market
15	2	2	59	Affordable
16	3	2	100	Market
17	3	2	100	Market
18	3	2	100	Affordable
19	3	2	100	Affordable
20	3	2	102	Affordable
21	3	2	103	Affordable
22	2	2	56 (shared)	Market
23	2	2	56 (shared)	Market
24	3	2	149	Market
25	3	2	127	Market
26	3	2	130	Market
27	2	2	12	Affordable
28	2	2	12	Affordable
29	2	2	12	Affordable
30	2	2	12	Affordable
31	2	2	12	Affordable
32	2	2	12	Affordable
33	2	2	59	Affordable
34	2	2	62	Affordable
35	2	2	64	Affordable
Visitors	-	9	-	-

Application: UTT/17/3038/DFO

Address: Land Behind The Old Cement Works, Thaxted Road, Saffron Wa



Organisation:	Uttlesford District Council
Department:	Planning
Date:	1 February 2018