

UTT/1554/07/DFO - GREAT DUNMOW

Details following outline application for construction of 24 (4 & 5 bedroom houses) and 11 Housing Association apartments and related infrastructure

Location: Land South of Springfields. GR/TL 627-214

Applicant: Zog II Ltd

Agent: Head Projects Ltd

Case Officer: Miss K Benjafield 01799 510494

Expiry Date: 29/11/2007

Classification: MAJOR

NOTATION: Within Development Limits / ULP Policy GD4 / Northeast part of site adjacent to Conservation Area / Public Rights of Way run along northern and part of western site boundaries.

DESCRIPTION OF SITE: This application relates to a roughly rectangular parcel of land in Great Dunmow that once formed the grounds of a house that has now largely fallen down. The application site has an area of approximately 5800m² (0.58ha). The south of the site borders the B1256, with a terrace of dwellings named New Street Fields to the east (within a designated Conservation Area) leading to Alan Hasler House, which is a retirement home. To the west are the rear gardens of a housing estate on Woodview Road and to the north is a cul-de-sac of semi detached dwellings named Springfields leading from High Stile. The area of land parceled between the application site and Spingfields has been granted outline planning permission for the erection of three dwellings. There is a current application for four dwellings on that site.

The site itself has an undulating topography but generally slopes down from Springfields to the B1256. A number of trees border the B1256 (none are protected), with a mix of varying dense vegetation, scrub, rough ground, grass and several trees covering the remainder of the site.

DESCRIPTION OF PROPOSAL: This application relates to the submission of reserved matters following the grant of outline permission, for the construction of 24 (4 & 5 bedroom houses) and 11 housing association flats and related infrastructure. The proposal would have an overall density of 60 dwellings per hectare (dph).

The plans indicate that a total of 12 parking spaces would be provided for the 11 affordable housing units and a total of 41 spaces for the 24 market houses. However the Design and Access (D&A) Statement conflicts with this on two occasions as:

1. within section 9 – Sustainability Principles, it states that the market housing would have 1 allocated space per unit (24 spaces) and 1 additional space per every two units (12 spaces) for visitors use – a total of 36 spaces;
2. within section 10 – Access Statement, it is stated that parking levels are at 1 allocated space per house (24 spaces) with 14 shared spaces for visitors – a total of 38 spaces.

The following table sets out the key characteristics of the proposed units:

Plot no. / House type	No. of bedrooms	No. of storeys	Private amenity area per unit
1 / B	5	4 (inc lower grd flr parking)	73m ²
2 – 6 / B	5	4 (inc lower grd flr parking)	Approximately 39m ²

7 / A	4	3	70m ²
8 – 10 / A	4	3	Approximately 49m ²
11 / E	4	4	62m ²
12 / E	4	4	38m ²
13 / C	4	4	113m ²
14 / C	4	4	45m ²
15 / C	4	4	60m ²
16 / C	4	4	57m ²
17 / C	4	4	56m ²
18 / C	4	4	74m ²
19 / C	4	4	50m ²
20 / C	4	4	43m ²
21 / C	4	4	55m ²
22 / D	5	4	86m ²
23 / D	5	4	44m ²
24 / D	5	4	54m ²
25 – 29 / Block B Affordable Housing	2	4 (including lower grd flr area)	
30 – 35 / Block A Affordable Housing	1	3	

It is noted that the plans do contain inaccuracies regarding the floor plans and elevations relating to House Type C. There are windows to the side elevations which are indicated on the floor plans which are not shown on the corresponding elevation drawings.

APPLICANT'S CASE: A detailed design and access statement has been submitted with the application. Some of the relevant pages are attached at the end of this report.

RELEVANT HISTORY: In 1965 planning permission for residential development was refused (DUN/0285/65). In 1968 planning permission for residential development was refused (DUN/0233/68). In 1976 planning permission was refused for the erection of three detached dwellings to the eastern sector of the current application site (UTT/0204/76). Immediately to the north of the application site, outline planning permission was granted in 2001 (0548/01/OP) for the erection of three dwellings on land to the south of Nos. 60 and 67 Springfields.

In January 2007 outline planning permission (UTT/9000/04/OP) was granted at appeal for residential development with all matters reserved except means of access. The position of the access was not finalised by the appeal decision however the principle of all vehicular access to the site being via a new access from the B1256 and not from Springfields or New Street Fields has been established. This application does not challenge this decision.

CONSULTATIONS: Anglian Water: If planning permission is granted, requests a condition relating to foul and surface water drainage is imposed. Advisory comments are also made for the applicant.

Natural England: No objection.

ECC Archaeology: Recommends a condition requiring a programme of archaeological work and recording.

Environment Agency: Makes comments regarding the submitted ecological survey and methods of minimising the potential biodiversity impacts of the proposal. Also provides advice to the application regarding drainage and sustainable construction.

Building Surveying: Cannot scale from electronic version of site plan and therefore unable to measure or ascertain B5 Fire Access. Also an accessible WC must be provided on the entrance storey not the first floor. Lifetimes Homes Standards: 24 units will require that at

least 5% should be built to wheelchair accessible standards. There is no design for this. There are no Lifetime Homes Standards drawings or commitments in the deposit copy.

Environmental Services: No adverse comments.

Ramblers: The site layout drawing shows that the existing pathway at the north and west of the site is to be retained. This is shown on the location plan in pictures 9, 14, 26 and 11. Could it be confirmed that this is correct? If this is confirmed and the path is to be tarmaced its entire length, the ramblers have no problem with the proposed development. If this is not the case, the ramblers vigorously oppose the development.

Engineer: No comments to make as outline permission already has a condition requiring details of foul and surface water disposal arrangements to be submitted and approved prior to the commencement of development.

Landscaping: The applicant has provided details of a tree survey undertaken at the end of August 2007. As the access already has consent, the loss of the trees in this area cannot be avoided. There are no arboricultural objections to the proposed development.

ECC Highways: Comments initially received recommends refusal on the basis that there is insufficient information provided with regards to vehicle movements and visibility splays that can be achieved; 4.5 x 215m is required. It needs to be demonstrated that the visibility splays can be reached with either no alterations to the existing highway or any modifications that may be required in respect of the foot bridge abutment in order to determine the application.

N.B. Since receipt of the original comments, further discussions and examinations of the outline permission have been undertaken. The Highways Authority has indicated that their original recommendation would be revised to no objections (with conditions regarding the estate layout) on the basis that the principle of an access to the site from the B1256 was approved at outline stage. The precise location was not determined and is subject to condition no. 9 of the appeal decision requiring details to be submitted to and approved in writing prior to the commencement of development. It is noted however that the reserved matters indicate a particular layout for the development on the site, and as a result, a particular position for the access is indicated. Therefore, there is the possibility that if this layout is approved but the access details are subsequently not agreed, the layout of the site may need to be revised.

There has been no formal revision of their recommendation however it is understood that this is due to staff illness and staff shortages and a formal response could still be forthcoming.

Housing Strategy:

1. We cannot see the reason as to why only 31.5% affordable housing is being provided in the proposed application especially as Great Dunmow has one of the highest affordable housing needs in the district.
2. A tenure mix has not been discussed with the Council's enabling team. We would require details of how any shared equity units are going to be affordable to our residents and would expect to be included in discussions as to how this can be achieved.
3. Item 46.7c) of the appeal decision (involvement of a Registered Social Landlord) has not been secured to our knowledge. We are able to advise on which RSL's are currently working in the district, we would also need to be involved in the development of the scheme.
4. The affordable housing mix does not meet the need as shown by the Housing Register. For 11 units we would require the following mix:
 - 3 x 1 bedroom flats
 - 2 x 1 bedroom elderly
 - 2 x 2 bedroom flats
 - 2 x 2 bedroom houses
 - 2 x 3 bedroom houses

N.B. – we would require some of the 2 bedroom properties to be houses as they are likely to be allocated to small families requiring more space. There is also a fairly high

requirement for elderly accommodation, so 2 units of ground floor accommodation (bungalows or flats) would be necessary to help meet this need.

5. The flats appear to be in 3-storey blocks. As some of these will be 3-bedroom properties expected to house families, this is likely to create a problem when allocating.
6. There looks to be a lack of safe play-space for the flats. As stated above, it is probable that families will reside in the larger properties, so this will need to be considered.
7. The provision of 12 spaces (one for visitors) is not acceptable. We would expect at least 1.5 spaces per dwelling for the proposed mix but further spaces for larger units.

ECC Built Environment Branch: There should be a thorough analysis of the local context with a visual assessment of the impact of the proposals on views of the site from the surrounding area such as from the B1256, New Street Fields and Springfields.

- Layout: Generally a poor layout. The frontages will be dominated by garage doors or hardstandings / parked vehicles. It is creating backs onto the cycleway – unsupervised and potentially unsafe behind the retaining wall. Instead the footpath / cycleway should go through the middle of the development. The layout is lacking legibility – the development should try to knit into the existing street pattern – it is completely turning its back on New Street Fields. Even if there are reasons why vehicular access cannot be from New Street Fields, frontages could address a road / parking area which is aligned with this street.

Loss of trees at entrance – these trees seem to be the largest on the site. Is this the most appropriate entrance to the site?

The private road is gated – we should not encourage gated communities. This is socially divisive.

The position of the pumping station also seems an after thought being in a rather prominent location at the end of the turning head.

- Buildings: I do not wish to discourage a more contemporary approach to the design of new housing, however development should be responsive to the context and local vernacular otherwise we are in danger of generating ‘anywhere’ buildings. For example, why are terracotta tiles used as a facing material? Building forms and roof spans are deep and pitches shallow. Flank elevations seem very bulky and bland with little articulation.
- Sustainability: No mention of renewables, SUDS and rain water harvesting? The development should meet the requirements of the Urban Place Supplement. What level of Code for Sustainable Homes will the units achieve? Social housing will have to meet level 3 and I see no reason why the private housing should not achieve this.

For the reasons specified above, we would recommend refusal of these proposals.

UDC Design Advice: The site subject of this application is a remaining parcel of land along the old bypass on the south side of Great Dunmow. It is very prominent and open to the wider countryside. The northern boundary of the site is adjacent to Dunmow’s outstanding Conservation Area (CA).

The special quality of the CA is greatly contributed to by a combination of curving streets, gradients, buildings of good proportions, juxtaposition of traditional materials and roofscapes, mature trees, open spaces and water features.

It is fair to say that most of the nearby 20th century housing displays little architectural sympathy with the central part of the historic town and this is why it is all the more important that the countryside setting of this area is not further compromised.

The submitted design statement reiterates the sentiment of PPG15 that ‘*new buildings do not have to copy their older neighbours in detail*’ and that ‘*variety of building styles, materials and forms still may form a harmonious group*’. I feel that in this instance not a single element of the proposal could be considered harmonious with the local character of Great Dunmow. The scale, massing and height of the proposal drastically disregard the proportions of nearby housing and the historic buildings in the CA.

The topography of the site is poorly reflected in the height of the buildings, especially in the context of block E which is lower along the site, but an additional floor makes it as tall as the block of 4 houses higher up.

The wide span building forms, very shallow mono-pitched floating roofs and garish colours do not respond to local vernacular and do not reinforce a sense of place. On this prominent site the proposal would stand out as an anomaly totally unrelated to the historic Dunmow and one which would fail to reinforce local distinctiveness.

The principal aspect of the 'gated community' would be a substantial area of tarmac dominated by parked cars. The block B would be especially oppressing with a total absence of domestic elements like front doors or windows on the ground floor, but over 30m of garage doors.

Finally in my view the development would have very poor pedestrian links with the established community of the town. The indicated cycle path (presumably to be used by pedestrians also) would be defined by high timber fences and therefore not overlooked. This would be visually unsightly and potentially unsafe. Also one of the drawings appears to indicate high timber fence along the frontages of early cottages along New Street Fields, this sort of treatment would be defacing and not acceptable within the CA.

In conclusion and in principle I feel that a 'modern' development need not be out of the question in this location. However it would have to relate to Dunmow's local distinctiveness in a greater degree. The applicant's drawing entitled 'Typical Materials' indicate some principles of design which in my view would positively contribute to the enriching of our building stock (first photo top left, third photo down). I therefore suggest further negotiations.

TOWN COUNCIL COMMENTS: Application drawings: Due 30 September – to be reported.
Arboricultural details: No comment.

REPRESENTATIONS: This application has been advertised and 16 representations have been received. Period expired 10 October.

Main concerns relate to:

- Drainage
- Heights of proposed dwellings
- Security issues
- Overlooking
- Access issues
- Lack of parking

COMMENTS ON REPRESENTATIONS: The principle of access to the site has been approved from the B1256 and no vehicular access is proposed to be taken from New Street Fields or Springfields. For other matters please see Planning Considerations below.

PLANNING CONSIDERATIONS including Design & Access statement: The main issues are

- 1) the principle of residential development on this site (ULP Policies S1, GD4);**
- 2) the proposed design of the development and impact on the adjacent Conservation Area (ULP Policies GEN2, & SPD Essex Design Guide and Accessible Homes & Playspace);**
- 3) affordable housing provision (ULP Policy H9);**
- 4) parking provision (ULP Policy GEN8);**

1) This site is located within the development limits for Great Dunmow and is also allocated under ULP local policy GD4 as suitable for residential development with a minimum capacity of 23 dwellings. In addition, in 2007 outline planning permission for

residential development was granted at appeal with the principle of access from the B1256 also agreed. Therefore this site is acceptable for residential development.

2) Design advice has been provided regarding this proposal from both the County Council's Built Environment Branch and UDC's Conservation Officer. Comments received from both indicate that the design and layout of the proposal is unacceptable for this site and fails to respond to the existing development surrounding the site and the local vernacular. The form of the proposed development would be that of three and four storey buildings with shallow roof pitches and wide spans. The overall appearance of the development would have no relationship with the adjacent Conservation Area (CA) or the local character of Great Dunmow.

The boundary treatment of 1.8m high close boarded fencing along the eastern site boundary would represent a poor form of development adjacent to the CA. The impact of this on the CA has been described by the Council's Conservation Officer as "defacing" and would be unacceptable through its failure to protect or enhance the character of the CA.

The proposal fails to comply with the requirements of criterion c) of Policy GEN2 regarding the requirement to provide an environment which meets the reasonable needs of all potential users. The Supplementary Planning Document (SPD) relating to Accessible Homes and Playspaces sets out 16 Lifetime Homes standards which new residential developments are required to comply with. In addition, in developments of over 20 units, at least 5% are required to be fully wheelchair accessible. With regard to this proposal, this would amount to at least one unit being fully wheelchair accessible. There are none.

The aim of the SPD is that new residential properties are designed and constructed in a manner which would enable them to be long term accessible properties and also provides for the properties to be adapted to meet the changing needs of users without it being necessary to undertake significant building works. The following details indicate examples of how the proposal would fail to comply with the Lifetime Homes Standards:

- Units 11 and 12 would have no provision for a ground floor area which could be converted for a bedspace or provision for a future shower.
- House type C – there is no suitable area where a lift could be provided to access all floors without the internal layout of the units having to be redesigned. The entrance level is at the upper ground floor however the kitchen areas are at lower ground floor – significant adaption works and reorientation of the internal layout would be required in order to provide living accommodation on one level.
- House type D – there is insufficient ground floor space which could be converted to a level entrance bedspace.
- Affordable housing Block B is a three storey building with no lift provision.
- A fully wheelchair accessible unit should have rooms on one level or be accessible by a wheelchair accessible lift. None of the proposed units would comply with this requirement.

Criterion f) requires development to have regard to guidance on layout and design adopted as Supplementary Planning Guidance (SPG) to the Development Plan. In addition to the Accessible Homes SPD, the Council has adopted the Essex Design Guide (EDG) and Urban Place Supplement as SPG. The proposal indicates that the affordable housing provision would not only consist of blocks of flats when the market housing is intended to be entirely townhouses, but it would also be segregated from the market housing by a gated entrance to further differentiate between the two types of housing. This would indicate a clear differentiation and divide between the housing and fails to achieve socially inclusive development.

The EDG specifies that for two-bedroom flats, communal residents' gardens of 25m² per flat should be provided. This should not be formed from unusable strips of space between car parks or roads or buildings. The application plans do not show any provision for the occupiers of the flats which would be screened by above-eye-level walls or hedges and would contain a sitting-out-area which would receive sunshine during at least part of the day contrary to the requirements of the EDG. The size of the private amenity areas proposed for the market housing differs depending on the Plots. Considering that the entire element of market housing would be made up of four and five bedroom houses, there is no consistent provision for the garden areas proposed for the properties. The areas would vary in size from as small as approximately 40m² for a five-bedroom property to 113m² for a four-bedroom property. The EDG specifies that a minimum garden size of 100m² should be provided for three-bedroom properties and above. There is no public open space proposed within this site and while in appropriate circumstances, where properties are located close to areas of open space it may be acceptable to provide smaller sized gardens, it is unacceptable in this instance to provide 40m² as the garden area for a five-bedroom dwelling. In addition, the landscaping masterplan submitted with the application indicates that almost half the length of the north facing rear gardens to Plots 2 – 5 would have substantial planting located on them further reducing the already poor level of amenity area available. Overall, the majority of the garden areas proposed would be inadequate and would fail to meet the requirements of the EDG.

House Type B would be the only market housing which has provision for its own bin storage area. The Council has a requirement for three bins per dwelling and although two communal bin stores are indicated for use by the occupiers of the market housing, their sizes mean that they would not be able to accommodate the provision of 54 bins required for the 18 dwellings without their own bin storage area. The layout of the proposed dwellings would also make it impossible for the mid-terrace properties to store their bins anywhere other than to the front of their properties unless the occupiers manoeuvred the bins from the rear gardens to the front, through their properties. As a result, it is likely that bins would remain outside to the front of properties with no allocated area to store them.

The affordable housing would appear to have adequate bin storage areas.

The development would result in a loss of privacy and give rise to overlooking of both existing dwellings surrounding the site and between units of the proposed properties. The back to back distance of 16m between flats within Block A and existing properties (the EDG requires 25m) at Woodview Road would be insufficient to prevent overlooking of the rear gardens of the existing properties to the northwest and north of the site. The position of dwellings on Plots 11 and 12 would result in their rear elevations being located only 7.5m from the boundary with No. 7 New Street Fields. This would result in the private amenity space located to the rear of that existing property being overlooked from the proposed balconies and windows in the rear elevations of the proposed dwellings, in addition to the possibility of neighbouring gardens further along the terrace in New Street Fields also being overlooked.

With regard to the relationships between proposed dwellings, the following would occur:

- The private amenity area to the rear of Plot 21 would be overlooked by the occupiers of Plot 22 as the rear elevation to 22 would be positioned at a maximum distance of only 9m from the side boundary of 21.
- The north facing bedroom windows to the flats in Block B would face the southern living room windows to the flats in Block A.

- The bedroom and living room windows to the flats in Block A would face bedroom and living room windows in the side elevation of the dwelling on Plot 1 with only 14m separating them.
- Windows and balconies proposed to the southern elevation to Plot 12 would be located only 11m away from the front elevations of the dwellings on Plots 13 – 15 allowing views between the living and bedroom areas of these properties.
- Views between the dwelling and garden on Plot 6 and those on Plots 7 – 10 would occur due to the positioning of windows and the distance of only 14m between the dwellings.
- The dwellings on Plots 1 and 2 would have views into the rear gardens of Plots 24 and 23.

The proximity of four storey properties adjacent to the eastern site boundary, with higher ridge heights than the existing properties, would result in these units being overbearing when viewed from New Street Fields.

The proposal therefore fails to comply with criterion i) in that it would have a materially adverse effect on the reasonable occupation and enjoyment of a residential property as result of a loss of privacy.

3) The outline permission has a condition attached which requires a scheme of affordable housing to be submitted to and approved by the Local Planning Authority prior to the commencement of development. An element of affordable housing is proposed as part of this application in the form of 11 flats. The application documents make no reference to the housing needs survey or the involvement of a Registered Social Landlord (RSL) as would be required for an acceptable scheme to be approved by the LPA under the terms of the condition.

The Council's Housing Strategy section has also indicated that this scheme is unacceptable for a number of reasons. If this proposal were to be approved, the affordable housing provision would be established as set out in this application and would not represent an acceptable scheme under the terms of the condition. The proposal is unacceptable in the following ways:

- The number of units, below the 40% that ULP Policy H9 aspires to attain, has not been justified;
- The mix of units would not reflect that required to meet the local housing need;
- The proposed flats would not meet the requirements of the housing needs survey as some family houses would be required rather than flats;
- There would be a lack of safe Playspace available for use by families.
- Insufficient parking provision would be provided as a minimum of 1.5 spaces per unit would be required with some larger units requiring further spaces.

The proposal would fail to provide adequate affordable housing provision and the scheme indicated would not comply with the requirements of the Housing Needs Survey or the criteria of condition 7 attached to the outline permission.

4) As detailed in the description of the proposal above, the proposed numbers of car parking spaces is unclear. However taking the provision indicated on the submitted plans of a maximum of 41 spaces, the car parking provision for both the affordable housing units and the open market housing would be inadequate. It is recognised that a realistic approach must be taken however the proposal relates to the erection of four and five bedroom houses and one and two bedroom affordable flats.

The site is located in an area where it is possible to walk into the centre of Great Dunmow however there are limited facilities and employment opportunities available in the town centre and public transport provision within the District as a whole is limited. There is a high reliance on the use of private vehicles and it is unlikely that the occupiers of these units would have only one vehicle per unit which is the assumption made by the application. Therefore the visitors' spaces would frequently be used by the occupiers of the units as 'overflow' parking and if each market housing unit had two vehicles, there would regularly be a shortfall of eight spaces. This would exacerbate the already car dominated appearance of the site layout and lead to problems for vehicles manoeuvring within the site due to the limited additional space within the site to park vehicles without blocking accesses or parking spaces.

The proposed parking provision would therefore be inappropriate for this site and would be contrary to the ULP Policy GEN8.

CONCLUSIONS: The proposal is unacceptable and fails to comply with the requirements of ULP Policies GEN2, GEN8, H9 and the provisions of adopted SPG – the Essex Design Guide and SPD – Accessible Homes and Playspace.

RECOMMENDATION: REFUSAL REASONS

1. The proposed design of the buildings would be unacceptable as through their size, form, shallow roof pitches, wide spans and use of materials would fail to have regard to the local vernacular, the adjacent Conservation Area or the existing buildings surrounding the site.

The layout of the proposal would also be unacceptable, failing to provide a socially balanced scheme, which would segregate the affordable housing from the market housing. There would be no relationship with the existing housing surrounding the site as a result of the units adjacent to the northern and eastern site boundaries facing into the centre of the site with their rear elevations facing the existing housing. The properties in general have not been designed to Lifetime Homes Standards and no units are fully wheelchair accessible as required by adopted SPD – Accessible Homes and Playspace. The proposal would therefore fail to provide an environment which meets the reasonable needs of all potential users.

The proposed garden areas to the majority of the market housing would be insufficient in size in relation to four and five-bedroom properties and in relation to some units, would be poor in terms of usability as they would be north facing with significant areas of planting. The proposed two-bedroom flats would have inadequate amenity areas provided for them with only areas of land between the buildings, roads and parking areas available contrary to the provisions of the Essex Design Guide.

The proposed units would result in the loss of privacy by virtue of the overlooking of private garden areas to both existing properties and between proposed properties on the site. In addition the layout of the units on the site would enable views between a number of the proposed properties resulting in a loss of privacy to the occupiers of these units.

The four-storey properties located adjacent to the eastern site boundary would have an overbearing impact when viewed from the existing neighbouring properties at New Street Fields.

In sufficient bin storage areas have been indicated on the plans to accommodate the three bins per unit required for the market housing. This would lead to bins being left out to the front of the units to the detriment of the visual appearance of the development.

For the above reasons the proposal is contrary to the requirements of ULP Policy GEN2 and adopted Supplementary Planning Document – Accessible Homes and Playspace and the Essex Design Guide which has been adopted as Supplementary Planning Guidance.

2. The proposed design and form of the proposal would represent inappropriate development adjacent to the Conservation Area which would fail to protect or enhance its character. This would be contrary to the requirements of ULP Policy ENV1.
3. The proposal would fail to provide an affordable housing scheme which would meet the local need. It would not comply with the requirements of the Housing Needs Survey or the criteria of condition 7 attached to the outline permission and would be contrary to the requirements of ULP Policy H9.
4. The level of parking provision for the overall development is unclear due to conflicting information contained in the application however the highest level, which is that indicated on the drawings, is insufficient given the constraints regarding the provision of public transport within the District and the restricted services and employment opportunities available within the Town Centre. The low level of parking provision is not appropriate for this location and would fail to comply with ULP Policy GEN8.

Background papers: see application file.
