

UTT/12/5970/DFO (THAXTED)

PROPOSAL: Details following outline application UTT/1562/11/OP for erection of 55 No. dwellings with approval matters reserved (access, appearance of layout & scale)

LOCATION: Land Off Wedow Road, Thaxted

APPLICANT: Croudace Homes Ltd

AGENT: Croudace Homes Ltd

GRID REFERENCE: TL 614-312

EXPIRY DATE: 12 March 2013

CASE OFFICER: Mrs K Mathieson

APPLICATION TYPE: Major

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The application site has an area of 1.93 hectares and is on the eastern edge of Thaxted and accessed via Wedow Road which terminates in a hammerhead adjacent to the site entrance. To the north and west is existing residential development in Weaverhead Close, Wedow Road and Brook View. The north eastern boundary of the site is adjacent to a field of predominantly scrubland within the ownership of the applicant. To the east is agricultural land. The southern boundary is marked by a brook with Walnut Tree Meadow to the south, an area of land used as public open space.

2.2 The site falls from north to south and land levels change by approximately 11m across the site. The site was previously covered by scrubland with some areas of brambles and self-seeded saplings but has now been cleared and fenced off. There is an official public right of way along the southern and western edges of the site. The area adjacent to the brook is covered by a Tree Preservation Order.

3. PROPOSAL

3.1 This application relates to the reserved matters following the grant of outline planning permission for the erection of 55 dwellings in December 2011. Of the 55 dwellings, 22 of these will be affordable housing with 33 market houses.

3.2 A summary of the characteristics of the proposed dwellings and plots is attached at the end of this report.

3.3 Landscaping was originally a reserved matter to be determined as part of this application however this has been withdrawn to allow for further discussions to be undertaken.

4. APPLICANT'S CASE

- 4.1 The applicant has submitted a detailed design and access statement in support of the proposals. This includes an assessment of the site, surrounding areas and site constraints with details of pre-application discussions, the proposals, design, landscaping, typical materials and design features used in Thaxted and access.
- 4.2 Other supporting documents submitted are a planning statement, affordable housing statement and a sustainability and energy statement.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0477/11/OP
- 5.2 Outline application for residential development with all matters reserved - refused June 2011. Appeal allowed January 2012.
- 5.3 UTT/1562/11/OP
- 5.4 Outline application for erection of 55 dwellings with all matters reserved – conditionally approved and subject to a legal obligation December 2011.

6. POLICIES

6.1 National Policies

National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

Policy GEN1 – Access
Policy GEN2 – Design
Policy GEN3 – Flood Protection
Policy GEN8 – Vehicle Parking Standards
Policy H9 – Affordable Housing
Policy H10 – Housing Mix

7. PARISH/TOWN COUNCIL COMMENTS

- 7.1 The houses in this development are densely crammed onto the site and are out of scale with the land available. This is reflected in:
- i) the garden sizes which are very small with 5 (10%) being below the minimum requirements;
 - ii) the roads into the development are very narrow (compared to Weaverhead Lane and Wedow Road) and cannot accommodate on-road parking;
 - iii) two and a half storey housing which is out of character with other development in the town and is not supported by the Council.
- 7.2 The design includes designated parking areas which are distant from the properties. Inevitably homeowners and their visitors will wish to park their vehicles outside their own properties at times and this will further restrict the narrow roads. This could be potentially hazardous if it restricts the movement of emergency vehicles and will be problematic for refuse collection and deliveries. Thaxted has already experienced this type of overdevelopment at Coopers Place and has seen these issues first hand.

- 7.3 The proposal includes unadopted roads with no street lighting. The Council does not support this concept.
- 7.4 The affordable housing included is densely clustered in places. The Council does not support this approach and favours the affordable properties being peppered throughout the development.
- 7.5 The Council maintains continued serious concerns about the combined impact on the foul water system of this development and application number UTT/12/5754/FUL for 60 dwellings. The Council is mindful of several flooding incidents experienced in the lower part of the town involving raw sewage. One in June 2011 saw raw sewage travelling down the Chelmer causing 421 fish deaths. Sewage from both of these developments will use these drains. The Council is gravely concerned about the conflicting information which it has received from Anglian Water regarding whether or not there is capacity for waste water treatment at the Great Easton Sewage Treatment Works.
- 7.6 The Council has serious concerns about the disposal of surface water and the increased risk of flooding to existing residents in The Tanyard and Copthall Lane. Anglian Water has identified that the water strategy/flood risk assessment submitted by the developer is unacceptable. The Council strongly supports Anglian Water's request for a condition requiring a drainage strategy. The Council also requests that it has sight of this prior to its approval.
- 7.7 The Council also notes the S106 agreement in respect of Highways works. It is disappointing that the Council was not party to this agreement. The Council requests that it is consulted prior to the installation of these works and on future occasions.
- 7.8 The Council notes the condition in the S106 agreement that the public open space is transferred to UDC or other public body. Thaxted Parish Council requests that in line with the terms of the agreement, this land is transferred to the Parish Council together with the appropriate maintenance contribution.

8. CONSULTATIONS

ECC Highways

- 8.1 The previous outline planning permission was subject to a S06 agreement dated 9 December 2011 which required the following highway related contributions:
- £24,000 towards low noise surfacing along the B184 within the village of Thaxted
 - The provision of travel packs
 - The provision of gateway features at either end of Thaxted
 - Before and after condition survey of Wedow Road

On the basis that this legal agreement is considered to be in place and the above mentioned financial contributions are forthcoming, the Highway Authority would not wish to raise an objection to this application subject to conditions relating to the prevention of surface water running onto the highway, suitable access arrangements to the site in connection with construction works, details of the estate roads and footways to be agreed and implemented, the construction of roads/footways to an appropriate standard and the public footpath to not be blocked.

Access and Equalities Officer

- 8.2 I have reviewed the plans submitted for this application; both the floor plans and the statement submitted support the requirements of the SPG on Lifetime Homes. My separate e-mail requires the Wheelchair Housing Standard to be incorporated into three of these dwellings.

Landscape Officer

- 8.3 A detailed scheme of soft and hard landscaping is required to be submitted for approval. The boundary between the development site and the open countryside beyond needs to be demarcated with a continuous broad agricultural type hedgerow interplanted with native tree species. This is to provide appropriate visual separation between the development and the open countryside. Existing sections of hedgerows on these boundaries should be incorporated where appropriate. Recommend that the new hedgerows should be planted as double staggered rows set 450mm apart with subjects planted at 450mm spacings. A suitable field hedge species mixture would be as follows:

- 60% Common Hazel
- 20% Common Hawthorn
- 10% Dogwood
- 5% Guelder Rose
- 5% Common Privet

Interplanting of the site boundary hedgerows with the following tree species: Crab Apple, and Field Maple,

The soft landscape to be provided within the development is sought to reflect the rural character of the surrounding area. The selection of species should therefore draw from a palette which includes hedging species such as Common Privet, Common Hornbeam, for plot frontages which can accommodate hedges to provide greater structure; as opposed to the more ornamental shrubs and ground cover species. Tree planting within the Public Open Space should provide native tree planting of larger growing species such as Common Hornbeam to articulate the space.

Anglian Water

- 8.4 Wastewater Treatment:
The foul drainage from this development is in the catchment of Great Easton Sewage Treatment Works that at present has available capacity for these flows.

Foul Sewerage Network:

The sewerage system at present has available capacity for these flows.

Surface Water Disposal:

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

It is recommended that a condition relating to surface water strategy/flood risk assessment be required if the Local Planning Authority is mindful to grant planning permission.

Environment Agency

- 8.5 Environment Agency position:
We have no objection to the reserved matters application. We recommend that your council considers the findings of your Detailed Water Cycle Study in respect of the

receiving sewage treatment works at Great Easton. We recommend that contact is made with Anglian Water Services Ltd for any further information they may have.

9. REPRESENTATIONS

- 9.1 14 representations have been received. These object to the proposals or make comments in relation to them. The main points are set out below:
- i. Concerns about distances between existing and proposed properties
 - ii. Overlooking and loss of privacy
 - iii. Requests that plots 23 and 24 be repositioned to prevent any impact to 44 Weaverhead Close
 - iv. Not all boundary treatments between existing and proposed properties are shown
 - v. There is a lack of infrastructure to support this development, e.g. sewerage provision, school places, local doctor surgery capacity, lack of employment in the area, roads under pressure already
 - vi. Noise and pollution from aircraft
 - vii. Wedow Road is in a poor state and needs to be repaired
 - viii. Requests that double yellow lines are extended at the junction between Wedow Road and Weaverhead Lane
 - ix. 2½ storey properties should not be permitted – they would be out of keeping with existing development
 - x. The site is outside the Development Limits for Thaxted – market housing would not be appropriate and would not protect the character of the countryside
 - xi. Contrary to the Thaxted Design Statement
 - xii. Not enough room for 55 dwellings – indicated by small gardens, poor parking layout, insufficient space for planting, bin and cycle storage
 - xiii. Roads are too narrow
 - xiv. Access is a problem with more vehicle movements than previously estimated
 - xv. There is not enough space to provide adequate landscaping and planting within the development
 - xvi. Request that plots 1, 16 & 17 do not have any windows facing Weaverhead Close or if there are any, they are obscure glazed
 - xvii. Trees or tall hedges should be planted at the end of the access road to Plots 16 & 17 to minimise noise and light from cars.
 - xviii. What boundary treatment is proposed between 26 Weaverhead Close and Plot 16?
 - xix. Concerns regarding surface water drainage and potential flooding
 - xx. The special character of Thaxted has been eroded
 - xxi. Rare plants and protected species are present on the site
 - xxii. Access to and from the site is a problem

Comments received in support of the proposals indicate that the design and placement of the houses is acceptable as is the proposed percentage of affordable houses.

- 9.2 Comments on representations:
- i. The proposals comply with distances advocated by the Essex Design Guide to prevent any loss of privacy to existing properties
 - ii. Proposed boundary treatment is shown where there is no existing fencing.
 - iii. Issues relating to the principle of the development and the ability of local infrastructure to support the development have been dealt with at the outline planning application stage.
 - iv. Issues relating to the state of Wedow Road and the provision of double yellow lines are a matter for the local highway authority.
 - v. 2½ storey properties were indicated on the submitted and approved details within the outline planning application.

- vi. The Thaxted Design Statement has little weight when determining planning applications however notwithstanding this the proposal reflects architectural features and characteristics of Thaxted and is not considered to be contrary to the aims of the Design Statement.
- vii. Issues relating to protected species have been dealt with at the outline planning application stage.

10. APPRAISAL

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

- A Access
- B Design
- C Flood Protection
- D Vehicle Parking Standards
- E Affordable Housing
- F Housing Mix

- A Access

10.1 The proposed access to the site was a reserved matter at the time of the determination of the outline application however it was indicated to be located to be from the existing turning head at Wedow Road. This location is now proposed for the access and has been considered by the Essex County Council as the local highway authority. They have no objection to the proposed access subject to the imposition of conditions and it complies with the requirements of ULP Policy GEN1.

- B Design

10.2 The design of the proposed development follows the Design Code set out in the Design and Access statement submitted with the outline application. The design code sets out particular aspects of design and features found on dwellings in Thaxted and identifies that these should be incorporated into the design of the proposed development.

10.3 The dwellings would have broadly traditional designs, form, scale and external materials and are acceptable. The layout has been designed to prevent any loss of amenity to the occupiers of existing properties adjacent to the site. The proposed dwellings situated close to existing properties are either located side-on to the site boundaries or meet the back to back distances advocated by the Essex Design Guide in order to prevent any loss of amenity to the existing properties.

10.4 First floor windows to side elevations facing existing properties are indicated to serve bathrooms and subject to a condition requiring it, would have obscure glazing to those windows. The orientation and distance of proposed dwellings in relation to existing properties would also prevent any overbearing or overshadowing impact to existing properties.

10.5 The distances between the proposed dwellings are acceptable and would not result in any loss of amenity between the proposed properties.

10.6 The majority of the plots would have private garden areas which meet the standards set out in the Essex Design Guide, i.e. 50m² for 1 or 2 bedroom properties and 100m² for properties with 3 or more bedrooms. There are some properties which would have private amenity areas that would be smaller than advocated however they would not

be so small that they would be unacceptable or unusable and would justify a recommendation of refusal. In addition, the development would provide an area of public open space and the occupiers of any dwelling with a smaller garden area would have access to this public open space.

- 10.7 Therefore the proposed garden areas are acceptable. This is subject to a condition removing permitted development rights for extensions and outbuildings from 2 bedroom properties with gardens of 50m² or under as any extension or outbuilding could result in an unacceptably small garden for the property.
- 10.8 The design code advocates the use of chimneys as does the Essex Design Guide and the applicant has submitted revised plans to address the lack of chimneys on the original plans. Not every plot would have a chimney and the majority of those proposed would be false chimneys however the revisions would now provide an acceptable mix of chimneys within the development.
- 10.9 The proposed dwellings would comply with Lifetime Homes Standards and there are 3 allocated units which would be fully wheelchair accessible. AS such the proposals would meet the requirements of the “Accessible Homes and Playspace” Supplementary Planning Document.

C Flood Protection

- 10.10 The outline planning permission includes a requirement within the legal obligation for a scheme of improvements to the adjoining watercourse and culvert and the payment of £50,000 for the flood works scheme. As a result drainage works have largely been addressed through the grant of the outline planning permission. In addition the Environment Agency and Anglian Water have been consulted and have provided comments on this application.
- 10.11 The Environment Agency has no objections to the proposals and Anglian Water has requested that a condition be imposed relating to surface water strategy/flood risk assessment. Subject to such a condition being imposed, the proposals would not result in flooding within or outside the site. The proposal therefore complies with the requirements of ULP Policy GEN3.

D Vehicle Parking Standards

- 10.12 Each dwelling and flat would have sufficient numbers of parking spaces with the required dimensions to meet the adopted parking standards. In addition, within the site there would be 14 unallocated visitor spaces. The proposed parking provision and layout complies with the requirements of ULP Policy GEN8.

E Affordable Housing

- 10.13 The amount of affordable housing provision required is specified in the legal agreement associated with the outline permission. The proposal complies with the requirements set out in the legal agreement and spreads out the affordable housing in three groups of no more than eight affordable units in each group. The proposed affordable housing provision complies with the requirements of ULP Policy H9.

F Housing Mix

- 10.14 The plans indicate that 15 of the 33 market houses proposed would have 4 bedrooms or more, this would equate to just over half of the market housing being 2 or

3 bedroom properties. This proportion of small market properties complies with the requirements of ULP Policy H10.

11. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A The proposed access is acceptable and complies with the requirements of ULP Policy GEN1
- B The design of the proposed development respects the Design Code set out as part of the outline planning permission and complies with the Essex Design Guide and ULP Policy GEN2
- C The outline planning permission, in addition to the recommended condition from Anglian Water, adequately addresses the matter of flood prevention and surface and foul water drainage.
- D The proposed development would have sufficient parking provision with an acceptable layout that would comply with the adopted parking standards and ULP Policy GEN8
- E The proposed affordable housing would comply with the specifications set out in the legal obligation and would be spread out among the market housing.
- F The proposed development would have an acceptable mix of small market housing of 2 or 3 bedrooms and larger properties in compliance with ULP Policy H10.

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.
REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions shall be constructed (other than any expressly authorised by this permission or any other grant of express planning permission) or freestanding buildings erected on any part of Plots 1, 2, 5, 8 or 9 without the prior written permission of the local planning authority.
REASON: The gardens for these plots are the minimum size that would be acceptable and extensions or outbuildings may result in an unacceptable reduction in their size in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
3. The first floor windows in the side elevations of Plots 1 (western elevation), 23 and 24 (northern elevation to both plots) that facing existing dwellings outside the application site shall be obscure glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in those windows.
REASON To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
4. Before the commencement of development a surface water strategy/flood risk assessment shall be submitted to and approved in writing by the Local Planning

Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved surface water strategy.

REASON: In order to prevent environmental and amenity problems arising from flooding in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

5. Before the commencement of the development details showing the means to prevent the discharge of surface water from the development onto the highway shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety prior to the access becoming operational and shall be retained at all times.

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. Before the commencement of development, details of the estate roads and footways (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the Local Planning Authority. The development shall subsequently be implemented in accordance with the approved details.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety efficiency and accessibility in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. The carriageway of the proposed estate road shall be constructed up to and including at least road base level, before the commencement of the erection of any dwelling intended to take access from that road. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.

Reason: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Highways Informatives:

A. All works affecting the highway to be carried out by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority and application for the necessary works should be made to Essex County Council on 0845 603 7631.

B. The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

C. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

Characteristics of Plots for Land off Wedow Road, Thaxted

Plot	No of bedrooms	Parking spaces	Garden area (m ²)	Affordable/market
1	2	2	50	Affordable
2	2	2	46	Affordable
3	3	2	83	Affordable
4	4	2	90	Market
5	2	2	50	Market
6	3	2	86	Market
7	2	2	54	Affordable Rental
8	2	2	48	Affordable Rental
9	2	2	48	Affordable Rental
10	2	2	53	Market
11	2	2	70	Market
12	2	2	69	Market
13	3	2	73	Market
14	3	2	97	Market
15	3	2	94	Market
16	3	2	106	Market
17	2	2	141	Market
18	2	2	72	Market
19	2	2	69	Market
20	2	2	62	Affordable Rental
21	2	2	71	Affordable Rental
22	2	2	72	Affordable Rental
23	3	2	118	Affordable Rental
24	3	2	123	Affordable Rental
25	3	2	99	Affordable Rental
26	3	2	98	Affordable Rental
27	3	2	100	Affordable Rental
28	3	3	95	Market
29	3	3	101	Market
30	3	2	94	Market
31	4 (5/6)	3	225	Market
32	4 (5)	3	98	Market
33	5	4	132	Market
34	5	4	114	Market
35	3	2	93	Market
36	3	2	75	Market
37	3	2	79	Market
38	1	1	160 (combined)	Affordable Rental
39	1	1	160 (combined)	Affordable Rental
40	1	1	160 (combined)	Affordable Rental
41	1	1	160 (combined)	Affordable Rental
42	2	2	51	Affordable
43	3	2	98	Affordable
44	3	2	99	Affordable
45	3	2	79	Affordable
46	4	3	111	Market
47	4 (5/6)	3	98	Market
48	4 (5/6)	3	114	Market
49	5	4	141	Market

50	4 (5/6)	3	129	Market
51	4 (5)	3	110	Market
52	4	2	100	Market
53	4	4	240	Market
54	4	4	200	Market
55	5(6)	2?	255	Market

Figures in brackets indicate rooms which are not identified on the plans as bedrooms but could be used as such.