

**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 25 SEPTEMBER 2013**

Present: Councillor J Cheetham – Chairman.
Councillors C Cant, J Davey, R Eastham, K Eden, E Godwin, E
Hicks, K Mackman, J Menell, V Ranger, J Salmon and L Wells.

Officers in attendance: N Brown (Development Manager), M Cox
(Democratic Services Officer), M Jones (Planning Officer), C Oliva
(Solicitor), M Tourvas (Development Manager Team Leader –
North) and S Wellard (Planning Officer).

PC23 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors J Loughlin and D
Perry.

Councillor Eden declared a pecuniary interest in application 13/1618/OP
Stansted as he was part owner of the Bishop Stortford Rifle Club which was
located in the vicinity of the site. Also in application 13/1937/OP Saffron
Walden as Mayor of Saffron Walden as the Town Council had issued a
public statement on this matter and he could be regarded as having
predetermined the application.

Councillor Davey declared a pecuniary interest in application 13/2121/OP
Great Dunmow as the owner of the property.

Councillor Mackman declared that he had previously circulated a statement
in relation to applications 13/1618/OP Stansted and 13/1790/OP Elsenham
as he thought he would be absent for the meeting.

PC24 MINUTES OF THE PREVIOUS MEETINGS

The Minutes of the meetings held on 28 August 2013 were received,
confirmed and signed by the Chairman as a correct record.

PC25 PLANNING APPLICATIONS

(a) Approvals

RESOLVED that the following applications be approved, subject to
the conditions set out in the officer's report.

13/2197/FUL Henham – change of use from agricultural to light industrial
B1/B8 use – Parsonage Bury Farm for JF Pimblett & Sons.

Mr Chapman spoke in support of the application.

13/1848/HHF Great Chesterford – erection of rear extension, front first floor extension and carport – High Green, Rose Lane for Mrs Elfreda Tealby-Watson.

Mr Coston spoke in support of the application.

(b) Refusals

RESOLVED that the following applications be refused for the reasons set out in the officer's report.

13/2113/OP Takeley – outline application for the erection of 4 dwellings with all matters reserved – land adj Belstock, Cricketfield Lane, Molehill Green for Mr A Salmon.

Ray Gray, Robert Salmon and James Salmon spoke in support of the application. Richard Cheetham (Takeley PC) spoke against the application.

(c) District Council Development

13/2268/DC Takeley – conversion of existing dwelling to form 1 ground floor flat and 1 first floor studio flat. Creation of hardstanding and dropped curb – 1 Coopers Villas, Coopers End Road for Uttlesford District Council.

RESOLVED that pursuant to the Town and Country Planning General Regulations 1992, permission be granted for the above application subject to the conditions set out in the officer's report

(d) Planning Agreements

13/1937/OP Saffron Walden – outline application for up to 52 dwellings with all matters reserved except access – land behind the Old Cement Works Thaxted Road for Tamcourt Ambit Ltd.

RESOLVED that conditional approval be granted for the above application

1 subject to the conditions set out in the report and the an amendment to condition 9 first line to read ' An assessment must be undertaken in accordance with the requirements of part (a) of condition 8'

2 A legal obligation as follows

(l) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 18 October 2013 of being invited to do so the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990,

as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive - Legal, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Payment of contribution to education provision.
 - (ii) Provision of 40% for affordable housing
 - (iii) Payment of contribution towards Health Provision.
 - (vi) Pay Councils reasonable costs
- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (i) No contribution to education provision..
 - (ii) No provision of 40% affordable housing
 - (iii) No contribution to health provision

A statement was read of behalf of Councillor J Ketteridge. Councillor Redfern and Peter Clayden spoke in support of the application. Richard Freeman, Paul Gadd, Dan Starr and Councillor Balliger (Saffron Walden Town Council) spoke against the application.

Councillor Eden left the meeting for the consideration of this item.

13/1618/OP Stansted - outline application with all matters reserved (except for access) for the redevelopment of site to provide approximately 160 house dwellings, up to 600 square metres of commercial (B1) floorspace, approximately 0.45ha reserved for educational uses, seven full size allotments, paddock and community woodland area with associated open space, landscaping, access, parking and drainage – Land at Walpole Farm Cambridge Road for Bloor Homes/Martin Grant Homes.

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions set out in the report and the following amendments
- i) Condition 2 part B – ‘the development hereby permitted shall be begun **no** later than the expiration of.....’
 - ii) Condition 4 A) i) all **known** previous cases.
 - iii) Condition 5 ‘no occupation of any part of the development or of each phase of development shall take place until a verification report **which shall include a verification plan** demonstrating completion of works.....’
 - iv) Condition 5 Reason -delete the following words

'If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved'

- v) Condition 12 – 'a post-evacuation **archeological** assessment...'
- vi) Condition 13 – 'the proposed drainage/sewage disposal works **strategy**...'
- vii) Condition 20 – Footpath 12, Stansted Mountfitchet shall **be surfaced**.....'
- viii) Condition 30 – delete the word 'only' from the first line.

2 A legal obligation as follows

- (l) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 4 October 2013 of being invited to do so the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive - Legal, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Contribution payment for education
- (ii) Provision and transfer of land for education use (0.45ha);
- (iii) Provision of 40% affordable housing; or an agreed proportion of gifted units to be offered to the Council;
- (iv) Provision and transfer of open space, community woodland, play area and 7 allotments - to be offered to Stansted Parish Council in first instance if they are not prepared to take the land on then the land to be managed and maintained by a Management Company;
- (v) Contribution towards the maintenance of open space for 20 years if the land is to be maintained by the Parish Council;
- (vi) Wheelchair accessible dwellings contribution or 5% of dwelling on site to be wheelchair accessible and provided on site;
- (vii) Off-site highway works;
- (viii) £48,000 contribution towards healthcare facilities;
- (ix) Option of providing the 600m² Class B1 office space units to the UDC for a period of 10 years;
- (x) The Assistant Chief Executive – Legal to negotiate with the applicant regarding the number of years that the Paddock should be retained.
- (xi) Contribution for monitoring S106
- (xii) Pay councils reasonable costs

- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an obligation the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
 - (i) No contribution payment for education
 - (ii) No provision and transfer of land for education use
 - (ii) No provision of 40% affordable housing
 - (iv) No provision and transfer of open space
 - (v) No contribution towards maintenance of open space for 20 years
 - (vi) No wheelchair accessible dwellings
 - (vii) No off-site highway works
 - (viii) No contribution of £48,000 towards healthcare facilities.
 - (ix) The option of providing 600m² Class B1 office space units to the UDC for a period of 10 years.
 - (x) Failure to negotiate a period for the retention of the paddock.

Speakers against the application: Councillors J Rich, A Dean and E Evans, Alan Storah, Ray Woodcock, John Davidson, Gail Hogg and Alison Thompson, Geoffrey Sell (Stansted PC), Nick Shutes (Ugley Parish Council)
Speakers in support of the application: (Pegasus Group) Nicky Parsons, Phil Cooper, Julian Cooper, Stephen Clyne.

Councillors Eden and Mackman left the meeting for the consideration of this item.

13/1790/OP Elsenham – outline application for a development of up to 165 homes, open space and allotments. All matters reserved except for access – Land South of Stansted Road Elsenham for Gleeson Developments Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report and the following amendments

- i) Condition 2 (B) - The development hereby permitted shall be begun **not** later than the expiration of 2 years from the date of approval.....'
- ii) Condition 16 – Prior to the commencement of the development details shall be submitted to and approved by the Local Planning Authority for the provision of a footway from the frontage of the site to Gilbey Cottages.

2 A legal obligation as follows

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III)

unless by the 2nd October 2013 of being invited to do so the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive - Legal, in which case he shall be authorised to conclude such an agreement to secure the following:

- (i) Community payment for education and health care services
 - (ii) Provision of 40% affordable housing
 - (iii) Provision and transfer of open space and play equipment
 - (iv) Contribution towards off-site play equipment and maintenance of open space for 20 years
 - (v) Contribution towards provision of a Community Centre
 - (vi) Provision and transfer of allotments
 - (vii) Contribution towards the provision of off-site highway works
 - (viii) Pay Monitoring Cost
 - (ix) The provision of cycle parking at the station.
 - (x) Pay Councils reasonable costs
- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (i) No community payment for education and health care services
 - (ii) No provision of 40% affordable housing
 - (iii) No provision and transfer of open space and play equipment
 - (iv) No contribution towards off-site play equipment and maintenance of open space for 20 years
 - (v) No contribution towards provision of a Community Centre
 - (vi) no provision and transfer of allotments
 - (vii) no contribution towards the provision of off-site highway works
 - (ix) no provision of cycle parking at the station.

Councillor Parr, Dr Mott and Raymond Franklyn spoke against the application. Marie Nagy spoke in support of the application.

Councillors Eden and Mackman left the meeting for the consideration of this item.

13/2121/OP Great Dunmow – outline application for up to 5 dwellings and associated garages with all matters reserved except access – land adjacent to Tower House, St Edmunds Lane for Mr J Davey.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report and a legal obligation as follows:-

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 27th September 2013 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an obligation to secure the following:
 - (i) Provision of 40% Affordable Housing
 - (ii) Pay Councils reasonable costs
- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
 - (i) No affordable housing provision.

It was also agreed to send an informative note in relation to protective species.

Michael Foster and James Eyre spoke against the application. Brian Christian spoke in support of the application.

Councillor Davey left the meeting for the consideration of this item.

PC26

APPEAL DECISIONS

The Committee noted the appeal decisions that had been received since the last meeting.

The meeting ended at 6.30pm

**EXTRAORDINARY PLANNING COMMITTEE held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN at 10.00 am on 2 OCTOBER 2013**

Present: Councillor J Cheetham – Chairman.
Councillors J Davey, R Eastham, K Eden, E Godwin, J Loughlin
K Mackman, J Menell, D Perry, V Ranger, J Salmon and L Wells.

Officers in attendance: N Brown (Development Manager), M Cox
(Democratic Services Officer), M Perry (Assistant Chief Executive
– Legal), K Denmark (Development Manager Team Leader –
South) and A Taylor (Assistant Director Planning and Building
Control).

PC27 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors C Cant and E Hicks.

PC28 PLANNING APPLICATIONS

(a) Authority to Assistant Director Planning and Building Control

UTT/13/0808/OP Elsenham, Henham and Ugley - outline application with all matters reserved, except access, for up to 800 dwellings; up to 0.5ha of Class B1a and B1c employment uses; up to 1,400 sqm of retail uses; a primary school; up to 640 sqm of health centre use; up to 600sqm of community buildings; changing rooms; access roads including access points to B1051 Henham Road and Old Mead Road, a construction access and haul road from B1051 Henham Road, a waste water treatment works access from Bedwell Road, a provision of a link road at Elsenham Cross between the B1051 Henham Road and Hall Road; a waste water treatment works and other associated infrastructure, landscaping and boundary treatment works. Demolition of all existing buildings - Fairfield Site, Station Road, Elsenham for Fairfield (Elsenham) Ltd.

RESOLVED that the Assistant Director Planning and Building Control in consultation with the Chairman of the Committee have delegated authority to refuse the following application after the advertisement period has expired on 17 October 2013.

Reasons: Policies S3, S7, S8, ENV3 and ENV5 of the Uttlesford Local Plan were quoted.

*Speakers against the application: Councillor Morson, Councillor Parr, Councillor Dean (statement read), Nick Edwards, Maria Jasper, Geoff Gardener (on behalf of Elsenham and Henham Parish Councils).
Speaker in support of the application: Phil Copsey (David Lock Associates)*

The meeting was adjourned at 11.30am and reconvened at 1.00pm.

(b) Planning Agreements

13/1769/OP Newport - outline application for the erection of up to 84 houses of which 40% will be affordable, together with the provision of associated open space, a local area equipped for play (LEAP) and allotments and incorporating alterations to the width and alignment of Bury Water Lane, the provision of a new footway to the north of the Lane and alterations to the junction of the Lane with Whiteditch Lane and the provision of two passing places and a footway to School Lane - land at Bury Water Lane, Bury Water Lane for Mr and Mrs D & MA Hill.

RESOLVED that conditional approval be granted for the above application

- 1 Subject to the conditions set out in the report and an amendment to condition 16 to require the footway to be constructed at grade with the road.
- 2 A legal obligation as follows
 - (I) The applicant be informed that the Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 1 November 2013 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive - Legal, in which case he shall be authorised to conclude such an obligation to secure the following:
 - (i) Community payment for education and health care services.
 - (ii) Provision of 40% affordable housing.
 - (iii) Provision of landscape buffer, open space and play equipment
 - (iv) Contribution towards maintenance of open space for 20 years
 - (v) Provision of allotments
 - (vi) Pay monitoring costs
 - (vii) Pay Councils reasonable costs
 - (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set in the report
 - (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons
 - (i) No community payment for education and health care services
 - (ii) No provision of 40% affordable housing

- (iii) No provision of landscape buffer, open space and play equipment
- (iv) No contribution towards maintenance of open space for 20 years
- (v) No provision of allotments

*Speakers against the application: Councillor Rose, Councillor Parry, John Smith, Neil Hargreaves, David Mayle, Judy Emanuel, Cecile Gravier, Julia Collins, Tony White, Bill Bampton, Mr Ryan, Ted Denyer (parish council).
Speaker in support of the application: Angus Hudson.*

13/1817/OP Newport -Outline application for redevelopment with a mix of a residential care facility (for illustrative purposes, for 120 persons), separate assisted living units for people over 65 years of age (40 units); associated medical and recreation facilities in a Care Support Facilities block (including mobile medical treatment, hairdresser, etc); the construction of 5 no. respite care bungalows; and 5 no. detached dwellings (open market housing separate to the care facility) fronting Bury Water Lane. Vehicular access to the site would be secured from Bury Water Lane following the demolition of the dwellings known as No. 1 & 2 Hillside, Bury Water Lane, Newport, Essex CB11 3UA. - Hillside and Land to the Rear Bury Water Lane for Mr & Mrs A I and B I Barba and Brampton

RESOLVED that conditional approval be granted for the above application

- 1 subject to the conditions set out in the report and the following amendments
 - i) condition 4(i) to read 'persons over the age of 65'
 - ii) An additional condition for wheelchair accessibility as follows
Before the development hereby permitted commences, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The buildings shall be designed as 'Lifetime Homes' and shall be adaptable for wheelchair use. All the measures that are approved shall be incorporated in the development before occupation.
REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.

- 2 A legal obligation as follows
 - (I) The applicant be informed that the Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 9th October 2013 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the

Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive - Legal, in which case he shall be authorised to conclude such an agreement to secure the following:

- (i) Community payment for health care services
 - (ii) Provision of off-site highway works
 - (iii) Pay monitoring costs
 - (iv) Pay Councils reasonable costs
- (II) In the event of such an agreement being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (i) Lack of community payment for health care services
 - (ii) Lack of provision of off-site highway works

Speakers against the application: Councillor Rose, Councillor Parry, Peter Ascot, Neil Hargreaves, Susan Cameron, Jeremy Reed, Ted Denyer (parish council).

Speaker in support of the application: Bill Bampton.

13/1959/OP Stansted Outline application for the demolition of existing livery buildings and construction of a residential development with access from Church Road and comprising circa 53 new residential units together with flood alleviation works and land and landscape re-profiling. As well as wider proposals in the adjoining Stansted Park to improve public access and management, including; the provision of 2.99 hectares of public open space, community allotments, and new public footpath routes, cycleways and bridleways -Elms Farm, Church Road, Stansted for Knight Developments & Gemmill Bros Ltd.

RESOLVED that conditional approval be granted for the above application subject to the conditions set out in the report, the application being referred to the Secretary of State as contrary to policy and a legal obligation as follows:

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 23 October 2013 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive - Legal, in which case he shall be authorised to conclude such an agreement to secure the following:
- (i) Community payment for education
 - (ii) Provision of 40% affordable housing
 - (iii) Provision of open space
 - (iv) Provision of allotments

- (v) Provision of footpath link
 - (vi) Provision of Permissive Footpaths
 - (vii) Contribution towards maintenance of open space for 20 years
 - (viii) Revocation of the Lawful use for the office development.
 - (ix) Pay monitoring costs
 - (x) Pay Council's reasonable costs
- (II) In the event of such an agreement being made, the Assistant Director of Planning and Building Control shall be authorised to grant permission subject to the conditions set out below
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director of Planning and Building Control shall be authorised to refuse permission for the following reasons:
- (i) Lack of community payment for education
 - (ii) Lack of provision of 40% affordable housing
 - (iii) Lack of provision of open space
 - (iv) Lack of provision of allotments
 - (v) Lack of provision of footpath link
 - (vi) Lack of provision of Permissive Footpaths
 - (vii) Lack of contribution towards maintenance of open space for 20 years
 - (viii) Lack of revocation of the Lawful use for the Office development.

Speakers in support of the application: Councillor Dean (statement read), Geoffrey Sell (parish Council), Will Gemell.

Speakers against the application: Councillor Evans, Ray Woodcock, Jonathon Fox

(c) Site Visits

RESOLVED to visit the site of the following application on Wednesday 23 October 2013.

13/1828/FUL Stansted – erection of detached dwelling with associated garaging involving demolition of outbuilding – land at the Yews. Bentfield Road for Mr and Mrs Langer.

Reason: to assess the impact on the neighbouring property.

Nigel Collingwood spoke against the application. Timothy Langer spoke in support of the application.

The meeting ended at 4.40 pm

UTT/13/1684/OP – GREAT DUNMOW

MAJOR

PROPOSAL: **Redevelopment to provide a mixed use scheme comprising 370 new residential units to include 70 extra care units (Class C3), 1.4ha of land for a new retail food store (Class A1), 2.1ha of employment land (Class B1, B2 and/or B8), 1.7ha of land for a new primary school and pre-school facility (Class D1), together with associated highway works, open space and landscaping, car parking and related infrastructure works. To be delivered in two phases: Phase 1 with no matters reserved and Phase 2 with all matters reserved except access**

LOCATION: **Land at Smiths Farm, Chelmsford Road, Great Dunmow**

APPLICANT: **Crest Nicolson (Eastern) + Great Dunmow Estates Ltd**

AGENT: **Savills**

EXPIRY DATE: **19 November 2013**

CASE OFFICER: **Karen Denmark**

1. NOTATION

1.1 Part within and part outside Development Limits/Employment Land Policy GD6/Landscaped Areas Policy GD6/Protected Lane ENV9/part in Poor Air Quality Zone ENV13

2. DESCRIPTION OF SITE

2.1 The application site lies to the south of Great Dunmow on the western side of the Chelmsford Road. The A120 lies to the south. The site wraps around the Hoblongs Industrial Estate, Dunmow Police Station, Travelodge, Hoblongs Cottages, Ambulance Station and the site allocated as a Civic Amenity Point. To the east are the Chelmsford Road and Oak Industrial Estates. Ongar Road is to the north with residential development abutting the northern boundary. Clapton Hall Lane runs along part of the western boundary and there is further residential development abutting this boundary.

2.2 The site area is 20.6ha and is made up of 3 parcels of land. The southern parcel wraps around Hoblongs Cottages, the Ambulance Station and the site allocated for a Civic Amenity Point. It is bounded by the A120 to the south and Hoblongs Brook to the north. This area of land is rough land which appears to have been re-graded, possibly in connection with the construction of the A120. There is dense hedging along the boundary with Hoblongs Industrial Estate. There is patchy vegetation along the boundary with the A120. The second parcel is on the western boundary and is accessed via Clapton Hall Lane. There is a field gate just before the lane is separated by the A120. This field is grassland and has dense vegetation along the boundaries. The main parcel of land is the field accessed from the Chelmsford Road. This site slopes from the north west to the south east. This field has been unused for a long period of time but appears to have been regularly ploughed. It would appear that some site clearance works have been carried out at some point. There is a mixture of treatment to the boundaries including vegetation and fencing.

3. PROPOSAL

- 3.1 The proposal is an outline application in two phases. Phase 1 relates to the construction of 115 dwellings and the construction of a new access with all matters to be considered. Phase 2 relates to 185 dwellings, a 70 bed care home, a new retail foodstore, 2.1ha of employment land and 1.7ha of land for a new primary school and pre-school facility. Phase 2 is an outline application with all matters reserved except access. The residential development would be on an area of 9.26 hectares and this would represent a development of 40 dwellings per hectare.
- 3.2 In relation to Phase 1, full details of the proposed house types have been given, together with a detailed layout plan indicating the sizes of gardens and the car parking spaces. Building heights would range from single storey to 2 storey and includes some chalet bungalows. It is proposed to use a mixed palette of materials including render, brick, boarding, slate and plain tiles.
- 3.3 A landscaping Masterplan has been submitted in relation to Phase 1. This indicates new planting throughout the site, together with additional planting along the boundaries. A pond is proposed at the northern side of the entrance to the site and a naturalised SuDS pond is proposed on the southern side of the entrance to the site.

4. APPLICANT'S CASE

- 4.1 The planning application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Ecological Assessment
- Phase II Protected Species Survey Report
- Retail Assessment
- Air Quality and Odour Assessment
- Archaeological Assessment
- Energy and Sustainability Strategy
- Flood Risk Assessment
- Landscape Visual Assessment
- Noise Assessment
- Statement of Community Consultation
- Transport Assessment
- Travel Plan
- Tree Survey
- Utilities Statement

Summary of Planning Statement

- 4.2 The proposals will deliver a high quality sustainable new neighbourhood within the existing boundary of Great Dunmow to provide a range of compatible uses (each of which responds to an identified need) delivered in a comprehensive masterplan for the site.
- 4.3 The illustrative masterplan has been developed to provide a substantial amount of new housing, a suitable proportion of which will be suitable for families, whilst affordable housing and 'extra care' units are proposed to ensure an appropriate mix of housing types is delivered. A detailed application has been submitted for Phase 1 which will deliver 115 new residential units in the north eastern part of the site at an early stage in the

development process. This will assist the Council in delivering their 5 year land supply and enable the extensive site to be put in place so that the remainder of the site can be brought forward. Crest Nicholson and Great Dunmow Estates are committed to developing the site and have a track record of delivering high quality residential accommodation, despite the current economic climate.

- 4.4 A range of commercial uses are proposed including a new retail store that will meet existing demand within Great Dunmow, and employment floorspace that will provide new employment opportunities for existing and future residents. A site for a new primary school is proposed, which will assist the growing community of Great Dunmow in meeting its educational needs. These non-residential uses will complement the housing proposed and assist in ensuring that a vibrant neighbourhood is created which contributes towards the long term vitality of the town.
- 4.5 The statement has assessed the material considerations arising from the proposals against the prevailing planning policy framework and has demonstrated that the scheme complies with the detailed objectives of planning policy guidance set out in the NPPF, the existing Local Plan and the emerging Local Plan.
- 4.6 The proposals have been developed in accordance with emerging Local Plan policy and seek to accord with the requirements of draft Great Dunmow Policy 2. In this regard, the application proposals will deliver significant planning benefits to the local community and wider area including:
- The delivery of a design-led masterplan for the comprehensive redevelopment of the site to provide a high quality scheme on a currently unutilised site within the built-up area of Great Dunmow;
 - The delivery of 370 dwellings which will significantly contribute to the Council's housing supply;
 - Provision of 148 new affordable dwellings, including a range of dwelling and tenure types to assist in meeting local housing need;
 - Provision of a sustainable mix of dwelling types and tenures which will assist in creating a balanced community;
 - The delivery of high quality extra care accommodation (Class C3);
 - Provision of 1.7 ha of land to provide a primary school and nursery to address future educational needs of Great Dunmow;
 - Provision of new employment floorspace which will facilitate the delivery of new jobs and investment into Great Dunmow;
 - The provision of a new food store to meet local need and prevent leakage to surrounding areas;
 - A high quality design led masterplan which will assist in integrating the proposed scheme with the surrounding built form and provide an attractive place to live and work;
 - Provision of high quality landscape, playspace, public open space and residential amenity space across the site;
 - Provision of a range of sustainable measures, including energy efficient building techniques, sustainable drainage and renewable energy provision which will assist in reducing carbon dioxide emissions from the proposed masterplan scheme;
 - Improvements to Hoblong's Junction immediately to the south east of the site which will assist with improving the surrounding local highway network;
 - Improved streetscape along the Chelmsford Road and enhancement of the gateway into Great Dunmow; and
 - Delivery of wider benefits to the local community through a package of contributions secured through the section 106 agreement and the new homes bonus which will benefit existing and future residents
- 4.7 Overall, the proposals represent an exciting opportunity to deliver a sustainable mixed use neighbourhood at an underutilised site which has long been identified for redevelopment. A

high quality scheme is proposed with a mix of complementary uses each of which responds to an identified need and will together provide significant planning benefits to the local area. Accordingly, we respectfully request the application proposals be recommended for approval.

5. RELEVANT SITE HISTORY

- 5.1 UTT/1625/03/REN: Renewal of planning permission UTT/0056/96/OP - outline application for the development of business premises for use within Class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access. Approved 2005.
- 5.2 UTT/0911/01/FUL: Removal of Condition C3.1.3. from (UTT/0056/96/OP (outline application for the development of business premises for use within Class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access. Approved 2001.
- 5.3 UTT/0056/96/OP: Outline application for the development of business premises for use within class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access. Approved 1998.
- 5.4 UTT/0516/92: Renewal of outline permission for development of a business park & creation of public open space with associated roads & landscaping, construction of new access. Approved 1993.
- 5.5 UTT/0476/90: Proposed infrastructure work to include roads, drainage & landscaping. Construction of vehicular & pedestrian access. Approved 1990.
- 5.6 UTT/2173/89: Earthworks and planting to eastern boundary of amenity area (outline approved under reference UTT/0564/89). Approved 1990.
- 5.7 UTT/0564/89: Outline for development of a business park & create public open space with associated roads & landscaping, construction of new access. Approved 1989

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S1: Development Limits for the Main Urban Areas
- S7: The Countryside
- GEN1: Access
- GEN2: Design
- GEN3: Flood Protection
- GEN4: Good neighbourliness
- GEN6: Infrastructure Provision to Support Development
- GEN7: Nature Conservation
- GEN8: Vehicle Parking Standards
- E1: Distribution of Employment Land
- E3: Access to workplaces
- ENV4: Ancient Monuments and Sites of Archaeological Importance
- ENV5: Protection of Agricultural Land

- ENV8: Other Landscape Elements of Importance for Nature Conservation
- ENV10: Noise Sensitive Development and Disturbance from Aircraft
- ENV11: Noise Generators
- ENV13: Exposure to Poor Air Quality
- H3: New Houses within Development Limits
- H9: Affordable Housing
- H10: Housing Mix
- RS1: Access to Retailing and Services
- Great Dunmow Policy GD6

6.3 Uttlesford District DRAFT Local Plan

- Great Dunmow Policy 2: Land west of Chelmsford Road
- SP1: Development within Development Limits
- SP2: Employment Strategy
- SP4: Retail Strategy
- SP5: Meeting Housing Need
- SP6: Housing Strategy
- SP8: Environmental Protection
- SP9: Minimising Flood Risk
- SP10: Natural Resources
- SP11: Renewable Energy and Energy Efficiency
- SP14: Protecting the Natural Environment
- SP15: Accessible Development
- SP17: Infrastructure
- SP18: Open Space
- HO5: Affordable Housing
- HO6: Housing Mix
- EN1: Sustainable Energy
- EN2: Environmental and Resource Management
- EN4: Surface Water Flooding
- EN5: Pollutants
- EN6: Air Quality
- EN8: Noise Sensitive Development and Disturbance from Aircraft
- DES1: Design
- HE3: Scheduled Ancient Monuments and Sites of Archaeological Importance
- HE4: Protecting the Natural Environment
- TA1: Vehicle Parking Standards
- INF1: Protection and Provision of Open Space, Sports Facilities and Playing Pitches

7. TOWN COUNCIL COMMENTS

- 7.1 Object. Object to project being in two phases. Does not safeguard the only large scale employment land in Great Dunmow. Draft Local Plan requires 3ha of employment land, application only provides 2.1ha. Will provide more houses than are necessary to fulfil the housing need identified. Noted that 40% of the housing will be affordable, but this figure includes the 70 units in the extra care home. This concept is not explained. Contrary to Policies 26 and 36 of the NPPF. Supermarket would have a negative effect on the town centre's viability. School should be built at same time as phase 1. A more central location away from the A120 and the proposed Waste Recycling Centre would be a more appropriate location for a school. Contrary to Policy 72 of the NPPF as no secondary school provision made. Contrary to Policies 126 and 131 of the NPPF as does not make a positive impact on the character or distinctiveness of the town. Buffer zone should be reinstated and landscaped. Misleading statements about public

transport and walking distances to services. Concerned about lack of infrastructure plan for the town.

- 7.2 Further letter. Taken note of the revisions, however none of them affect our decision in our previous letter.

8. CONSULTATIONS

Anglian Water

- 8.1 Great Dunmow STW has available capacity. Development will lead to an unacceptable risk of flooding downstream and mitigation will be required. Request condition relating to foul water strategy.

Environment Agency

- 8.2 No objection. Hoblongs Brook has a catchment area less than 3km upstream of the site and therefore may not have been assessed for the purpose of the Flood Map. Therefore, there may be areas near to the site where fluvial flood risk is equivalent to Flood Zone 3 or Flood Zone 2. The modelled flood outlines show areas of potential flooding as a direct result of floodwater coming from a watercourse and no direct effects of surface runoff or surface flooding are included. The FRA suggests that flows will be attenuated to Greenfield runoff and will discharge to Hoblongs Brook. We would wish to see further investigation into infiltration prior to considering discharge to Hoblongs Brook, this is in line with the SuDS hierarchy. Need further information for the FRA. A protective buffer zone should be provided for the Hoblongs Brook.
- 8.3 Further letter: Still have concerns about potential flooding. Applicant states that modelling the watercourse will be not be a worthwhile exercise. Do not agree with this view. If minded to approve the application we would expect to see the modelling carried out as part of the drainage strategy required as a condition.

ECC Archaeology

- 8.4 No objections subject to conditions. An archaeological desk based assessment has been submitted with the planning application. This has identified that there is potential for archaeological deposits to be located within the study area,. The Historic Environment Characterisation Study has identified that the development area and its surrounding area are in a potentially significant area of multi period deposits ranging from the later prehistoric through to the medieval period. The requirement for archaeological field investigation has been identified in the desk based assessment. The position close to the Roman settlement of Great Dunmow and the sites immediate location next to a Roman road junction increases the potential for archaeological deposits being present.

ECC Ecology

- 8.5 Holding objection – insufficient information. The provided information is not sufficient to assess the impact of the proposals on Great Crested Newts. Without full survey the likely impact on Great Crested Newts is not clear and adequate mitigation cannot be proposed. A full reptile survey is required.
- 8.6 Further letter (9 August): No objections subject to conditions.

- 8.7 Further letter (13 August): The Biodiversity Mitigation and Enhancement Plan should be a holistic plan covering all impacts of both phases of the development. Hoblongs Brook is the highest-value part of the site in ecological terms. Mitigation of impacts upon and enhancement of, the Hoblongs Brook corridor will therefore be key. Would expect a 10m development buffer to be in place.

ECC Highways

- 8.8 No objections subject to conditions and/or planning obligations. Requirement for new 3 arm roundabout, amendments to speed limits, provision of crossing points, details of estate roads and footpaths in accordance with the Essex Design Guide. Improvements to the Hoblongs junction, bus stop on Chelmsford Road and bus stops at Gatehouse Villas, provision of pedestrian links. Provision of access road to commercial development. Provision of bridleway link between the Flich Way and Clapton Hall Lane.

ECC Education

- 8.9 A housing development of the mix indicated can be expected to generate the need for up to 26 Early Years and Childcare; 86 primary school and 57 secondary school places. The non-residential uses will generate additional demand for Early Years and Childcare. Request the transfer of 1.7ha of land and a pro-rata contribution of £4,338,000, which would equate to £2,159,853 (in relation to the current proposed mix), for the design and build of the school. A financial contribution towards secondary education will be required. A youth shelter should be provided as well as skateboarding facilities.

ECC Archaeology

- 8.10 An archaeological desk based assessment has been submitted with the planning application. This has identified that there is potential for archaeological deposits to be located within the study area,. The Historic Environment Characterisation Study has identified that the development area and its surrounding area are in a potentially significant area of multi period deposits ranging from the later prehistoric through to the medieval period. The requirement for archaeological field investigation has been identified in the desk based assessment. The position close to the Roman settlement of Great Dunmow and the sites immediate location next to a Roman road junction increases the potential for archaeological deposits being present.

ECC Flood and Water Management Team

- 8.11 Informal comments. It is proposed that oversized underground pipes or alternative underground and open surface water attenuation storages are introduced. Our preference would always be for above ground attenuation areas to be provided. Encourage the use of permeable paving. Expect a flow routine exercise to be carried out at the detailed design stage to show the extent and depths of water during an exceedence flood event.

Highways Agency

- 8.12 Holding Directive – local authority cannot determine the application until 30 August 2013 to allow the Secretary of State time to consider the proposals.

- 8.13 Further letter: The proposal is unlikely to have a material impact upon the A120 or M11 Junction 8, on its own. However, Junction 8 is near capacity and the cumulative impact of this and other small developments could be enough to result in the junction going over capacity. Negotiations are ongoing regarding the location of a noise fence on highway land. Highways Agency offers no objection.

National Grid

- 8.14 Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

Natural England

- 8.15 No objections in relation to statutory nature conservation sites. No objections in relation to bats. Further surveys are required in respect of Great Crested Newts.

NHS Property Services

- 8.16 This level of development has the potential to have a significant impact on the NHS funding programme for the delivery of healthcare provision within the local area, and specifically within the health catchment area of the development, which would require appropriate mitigation. The Healthcare Impact Assessment indicates that a developer contribution of £110,400 would be required to mitigate the capital cost to the Trust for the provision of additional health services arising directly as a result of the development proposal.

Sustrans – West Essex Group

- 8.17 Write to ask that a bridleway is included in the development. This to form part of the Great Dunmow Flitch Way Link that is planned to go through the area of the site to link the severed east and west sections of the Flitch Way. The documents provided by the developer do not include a bridleway.

Access and Equalities Officer

- 8.18 The layout and design of the site will need to meet the requirements of the SPD on Accessible Homes and Playspace. This must ensure that parking provision is near to the dwelling and access is level throughout the site. All dwellings are to meet the requirements of the Lifetime Homes Standard and the developer needs to note that 5% of the dwellings on site will need to meet the requirements of the Wheelchair Accessible Homes Standard as set out in that document. This must be provided across all tenures to meet the demographic need of the community. Bungalows with a suitable design and footprint would be acceptable to meet this. Accessible open space and playspace will also need to be designed to meet need.

9. REPRESENTATIONS

- 9.1 The application has been advertised and 38 letters of representation have been received. Notification period expired 1 August 2013.

- 9.2 Dunmow Society:

- Cannot be considered as a serious or sustainable development proposal
- Employment will be low-level except for a small number of teachers or nurses

- Number of houses increased as is the density – problems with parking and access for service vehicles
- No allowance for public transport
- Railway should be built between Braintree and Stansted Airport
- Hoblongs junction has not been properly planned – would encourage traffic through the town
- Another supermarket on the fringes of the town centre would have an adverse effect on the town's existing retail outlets
- No provision for additional GP services – existing at capacity
- Site for school is too close to A120 and noise suppression would add to construction costs
- Site topography indicates risk of flooding
- Proposal for 40% affordable housing should not include 708 beds from the extra care units
- Noise and traffic pollution from A120 would not provide acceptable living conditions
- Buffer zone between any new housing and existing should be restored
- Site should have archaeological survey to meet NPPF standards
- Should be aiming for greater than Code Level 3
- This non-conforming application should be rejected

9.3 Great Dunmow Neighbourhood Plan Steering Group – 5 letters raising the following points:

- Support principle of providing high quality employment opportunities
- Employment potential does not meet objectives in scale or type of employment offered
- Housing numbers exceed total in position statement
- Affordable units in extra care does not meet requirement of town
- Housing mix does not meet profile of housing need
- Design not sympathetic to character of Dunmow
- Fails to specify the range and hierarchy of open space necessary to meet needs of development and to remedy deficiency in area
- Loss of what was to be buffer zone between housing and Ongar Road/Clapton Hall Lane is a serious failing and should be reinstated and incorporated as part of the green infrastructure
- Speculative, unappraised and uncosted options for improvements to Hoblongs junction are not appropriate
- Footpath and cycleway network needs to be designed in the context of the town-wide network
- Site is 1.6km from Market Place – not 10 minute walk from town centre
- Site should not rely on the notional bus stop required as part of Ongar Road North
- Site does not and cannot meet the sustainable development criteria in the NPPF
- Retail store will pose a distinct and significant risk to trade in town centre
- Retail appraisal is completely inadequate
- Would be a disaster if Dunmow town centre were to be undermined by this additional retail space
- Would generate significant cross-town traffic
- Not clear will provide sufficiently for infrastructure requirements
- Primary care services are at or above capacity in Dunmow
- Water cycle study made it clear this part of Dunmow is particularly susceptible to surface water flooding

- Impacts and implications of the increased risk not convincingly assessed in application
- A120 imposes a very substantial noise footprint
- Regrettable that residential development is contemplated that would require special measures including mechanical ventilation resulting in sub optimal living conditions
- Noise impact on school will be unacceptable
- Noise environment in the so-called park will preclude any peaceful enjoyment
- Park should be excluded from any open space calculation
- Predictive air quality modelling should be required to justify the conclusion that the site is not subject to any decrease in air quality in the medium and long term
- Meeting Code 3 of the CSH is modest in the extreme
- Site fails to meet several criteria for sustainable development

9.4 Additional points:

- Number of dwellings excessive for site and when added to other proposals and unbuilt houses results in 62% increase to Dunmow
- Application anticipates provision of 400 additional jobs but a total of 2170 may be required for new housing
- Proposed retail store is not welcome
- Housing immediately on boundaries at existing dwellings – maximum impact on these dwellings
- Scant use of single storey dwellings or significant landscaping
- Chelmsford Road already busy, adding a potential 300 additional cars cannot be wise
- Inappropriate that this application should include full plans for phase 1. Completely precludes any possible retrospective adjustment to the plans when final details are submitted on the outline section
- Southern Parklands amenity area surrounds our property on 3 sides
- Object to proposed bridleway
- Horses on Ongar Road would be extremely dangerous
- Would prevent width barriers preventing horses, quad bikes or motor bikes
- Strongly object to any use of Clapton Hall Lane
- No strengthening of our boundary is proposed
- Proposed acoustic fence should be extended
- Main pathway very close to the southwestern corner of our property – object
- Unclear whether the access to Clapton Hall Lane between The Groves and Crofters will remain closed off. Officially closed when new A120 was opened. If intended to be re-opened would cause serious disturbance to adjoining properties
- In principle in favour of development of this site but have some concerns
- Southern parklands must be regularly patrolled and properly maintained for the benefit of the public otherwise it will degenerate into an untidy, unkempt venue with potential for antisocial behaviour, public disturbance and petty crime
- If it is proposed to join this site with the Ongar Road South site there must be no access into Clapton Hall Lane as this will encourage vehicle parking and serious congestion
- Inadvisable to site a residential home in the vicinity of an industrial site
- More land should be provided for the proposed industrial area
- Supermarket would provide jobs – would welcome one sooner rather than later
- Roads appear too narrow. People will park in roads which will cause congestion

- Neighbourhood preference is that land is designated for employment opportunities
- Ask that a maximum number of houses is presented in the developers plan to ensure developers are not allowed to deviate from the proposal
- Suggestion for cycleway would be to avoid crossing the road at Hoblongs and to continue the cyclepath by the side of the B1256, crossing via a safe footbridge before the roundabout and pass to the back of the Flitch industrial site before rejoining the Flitch Way
- Would invade privacy of 11-33 Ongar Road due to their small gardens
- Query how an new site that ignores the needs of the existing immediate residents can be considered inclusive when it alienates them
- Playing fields/recreational space should be created to the rear of 11-31 Ongar Road. Allow existing residents to maintain level of privacy and provide much needed parkland for community use
- School should be built at north end of site
- Buildings along northern edge should be no more than 1 storey
- Trees planted as a buffer zone to the previously approved employment land have been demolished by the developer
- Dunmow desperately needs a secondary school and sixth form college
- Location of amenity space is not easily accessible by existing residents in south Dunmow
- Will result in the irreversible loss of open land and countryside and severely impact on the rural character of the area and would be out of character of the town
- Development on the fringes will lead to coalescence of communities
- Roads in immediate vicinity already extremely busy and dangerous
- Retail Assessment is generic and real impact can only be measured once a retailer has been identified
- A drop in footfall to the town centre food retailer would have a great knock on effect onto the viability of other small retailers
- We should be ensuring plenty of play areas and attractive amenity sites in amongst the housing
- This side of town has no open space for residents to informally play football, cricket etc. We need recreational space as previously proposed
- Pleased to see developer has included a bridleway within the site. Will serve as part of the wider scheme to link the Flitch Way via a safe off road route through Dunmow
- Will obstruct our rural view and restrict the amount of light in our garden
- Concerned the volume of traffic coming from Chelmsford Road and turning onto the B1256 will become unmanageable
- Why are there traffic lights shown just as you come off the A120 roundabout – I can see this is an accident waiting to happen
- Feel Barnston will be a suburb on Dunmow
- Welcome more affordable housing for local people and not just more commuting families from London or further afield
- Maybe a S106 should be considered to provide a roundabout at the Hoblongs Junction as earmarked years ago and money provided from Police Station and new Travelodge
- No holistic view on what is right for the area
- Sound vibration from Hoblongs could exceed the required levels
- Concerned proposed alterations to the junction of Chelmsford Road/Dunmow bypass will not materialise
- See no solar panels or plans of better eco constructed houses

- Council has mis-managed the Local Plan process resulting in no planning
- Town already unable to cope with current volume of traffic
- Demand the Council act in an accountable and community-focused way and reject this application as unsustainable
- Emerging Core Strategy is subject to unresolved objections and this application is premature
- Planning decisions should be plan-led as set out in the NPPF
- Lack of 5 year land supply does not necessarily amount to a sufficient material consideration to outweigh the current Adopted Local Plan
- Does not require the level of employment land set out in Position Statement
- Would be contrary to advice within the NPPF, particularly the 'economic' role of sustainable development
- 40% affordable housing is required. Whilst this scheme will provide 40% it includes the extra care home which is Class C2 and not C3. The 70 extra care units cannot be classed as affordable dwellings.
- More suitable location for the school within the centre of the site away from noise generating uses and the A120 would be more appropriate
- Sequential test has not been submitted in respect of retail store and the allocation for a supermarket has not been tested by a Local Plan Inspector
- Should be refused on grounds of prematurity or impact on town centre

10. APPRAISAL

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

- A The principle of development in this location (NPPF; ULP Policies S1, S7, Great Dunmow Policy GD6, H3, E1, ENV5; Draft Local Plan (DLP) Policies Great Dunmow Policy 2, SP1, SP2, SP4, SP5, SP6)
 - B Mix of housing and affordable housing (ULP Policies H9, 10; DLP Policies HO5, HO6)
 - C Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice, updated by Uttlesford Local Residential Parking Standards, 2013; DLP Policies SP15, TA1)
 - D The proposed layout, scale and form of the development (ULP Policies GEN2, E3, RS1, DLP Policy DES1, EN1, EN2, SP11, SP18, INF1)
 - E Infrastructure provision to support the development (ULP Policy GEN6; DLP Policy SP17)
 - F Drainage, noise and pollution issues (ULP Policies GEN3, GEN4, ENV10, ENV11, ENV13; DLP Policies SP8, SP9, EN4, EN5, EN6, EN8)
 - G Impacts on biodiversity and archaeology (NPPF; ULP Policy GEN7, ENV8, ENV4; DLP Policy SP14, HE4, HE3)
 - H Other material considerations
- A The principle of development in this location (NPPF; ULP Policies S1, S7, Great Dunmow Policy GD6, H3, E1, ENV5; Draft Local Plan (DLP) Policies Great Dunmow Policy 2, SP1, SP2, SP4, SP5, SP6)**

- 10.1 The application site is located partially within and partially outside the development limits for Great Dunmow in the adopted Local Plan. A large proportion of the site is covered by Policy GD6 which allocated a 9.61ha site for employment uses together with a substantial peripheral landscaping and open space provision adjacent to properties in Ongar Road and Clapton Hall Lane. Planning permission for employment uses was initially granted in 1989 and the consent was last renewed in 2005 and has now lapsed. The applicants state that despite marketing no viable commercial users

were identified, partially due to the infrastructure costs associated with redevelopment of the site, including the need to relocate a high pressure gas main.

10.2 NPPF Paragraph 22 states:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

10.3 The Draft Local Plan (DLP) identifies a 16.5ha site in Great Dunmow Policy 2 for a mixed use scheme for a minimum of 300 dwellings and 3 ha of employment land with the aim of securing comprehensive development over the whole site. The Position Statement, March 2013, increases the size of the land under this policy to 20.4ha, including some land previously included in the area covered by Great Dunmow Policy 3. The other additional land is to the south of Hoblongs Brook and a field accessed from Clapton Hall Lane. The position statement also amends the number of dwellings from 300 to 350 and includes provision of land for a supermarket.

10.4 It should be noted that the DLP is still a draft document and has yet to be considered by an Inspector as part of the adoption process. Notwithstanding this, the NPPF has a presumption in favour of sustainable development, particularly where Council’s don’t have a 5 year supply of housing land.

10.5 The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that it has a shortfall, and that it should consider favourably applications for residential development which will make a positive contribution towards meeting housing need.

10.6 The 5-year land supply update statement (published Wednesday 9 October 2013) considers the supply of housing against the Council’s objectively assessed need which is based on the SNPP-2010 projections of 523 dwellings a year.

10.7 Since April 2013 an additional 505 dwellings have been granted planning permission on sites of 6 or more dwellings; 308 dwellings have been granted planning permission on sites proposed in the Draft Local Plan June 2012; and planning permission on land south of Ongar Road, Great Dunmow for 100 dwellings is currently quashed.

10.8 The estimated number of completions each year is shown in the table below.

Year	13/14	14/15	15/16	16/17	17/18	18/19
	Current Year	Year 1	Year 2	Year 3	Year 4	Year 5
Dwellings on committed Sites	391	228	347	527	698	495

10.9 It is estimated that 2295 dwellings on committed sites will be built during the 5 year period, whilst the requirement is for 2746 dwellings to be built. This relates to 84% of

the requirement which is equivalent to just over 4 years. There is therefore a shortfall of 451 dwellings as set out in the table below.

	Housing Requirement
Annual requirement	523
Total supply on deliverable committed sites	2295
Requirement years 1-5 plus 5% frontloading	2746
% of requirement available on deliverable sites years 1-5	84%
Supply in Years	4.2
Shortfall (dwellings)	451

10.10 As a consequence the Council still remains without a deliverable 5 year supply of housing land and therefore applications have to be considered against the guidance set out in Paragraph 49 of the NPPF. The Council has accepted this previously and has considered and determined planning applications in this light. As a consequence, planning permission has been granted for residential development outside development limits where appropriate, on sites that are identified for potential future development in the emerging Local Plan and on sites which are not identified but which are considered to be sustainable.

10.11 The site performed well in the SHLAA with the main negative points being loss of agricultural land and loss of land allocated for employment. Noise was not considered an issue, but it should be noted that the land allocated for potential housing was a smaller site than forming part of this application.

10.12 Following consultation, the following conclusions were made. Based on the evidence base, the consultation on the preferred options for the Core Strategy identified land to the west of Great Dunmow as the most suitable location for new housing. The results of the consultation in January 2012 seem to confirm that this is still the preferred direction for any growth in the town. The need to maintain a supply of employment land is recognised but simply allocating the land for employment has failed to deliver any employment floorspace to date. Continuing with this allocation would be contrary to advice in the National Planning Policy Framework. A mixed scheme, regulated to make sure that the employment land is delivered in association with the residential element would seem to be a more appropriate way of securing additional employment floorspace in the town. Discussions with Essex County Council have highlighted the need for a new primary school to serve the southern and eastern part of the town (all current primary provision is to the north of the town) and this site could accommodate this. Proposals for a draft Local Plan June 2012 therefore proposed this site for 300 dwellings, employment, Primary school, and open space. Action: amend assessment to reflect proposed draft policy.

10.13 As previously stated some of the site falls within the development limits in the adopted local plan. The development of this area is acceptable in principle and, given the stance of paragraph 22 of the NPPF, development for residential purposes would be acceptable. However, these proposals go beyond residential development in that the scheme also proposes a site allocation for a primary school and early years and childcare provision, a 70 unit affordable extra care facility, site for a retail store and 2.1ha of land for proposed employment uses. These are broadly in line with the revised draft Great Dunmow Policy 2, as set out in the Position Statement.

10.14 The proposal would result in the loss of former agricultural land and Policy ENV5 seeks to protect the best and most versatile land. Notwithstanding this, the majority of the site has been allocated for development purposes for a significant period of time. No agricultural activity appears to have been carried out on the site for many years.

Therefore it is considered that the principle of development is acceptable on this site and should be supported.

B Mix of housing and affordable housing (ULP Policies H9, 10; DLP Policies HO5, HO6)

10.15 The revised draft policy states that the site is proposed to deliver 350 units, including the 70 bed affordable extra care unit. The proposals relate to provision of 370 residential units, including a 70 unit affordable extra care facility. The application is submitted as two phases with phase 1 requiring all details to be considered and phase 2 being an outline application with only access to be considered.

10.16 The proposal includes a mix of 1, 2, 3, 4 and 5 bedroom properties together with the extra care flats for older residents. The mix for phase 2 would be a reserved matter and in this instance the principle of development would be acceptable subject to an appropriate mix.

10.17 Phase 1 relates to the erection of 115 residential units. These would be a mix of 3 x 1 bed, 36 x 2 bed, 51 x 3 bed and 25 x 4 bed. The mix includes 3 x 2 bed bungalows and 3 x 1 bed bungalows. A total of 6 units would be wheelchair accessible and this would satisfy the requirements for 5% of the units to comply with this standard. The proposed mix is in accordance with Policy H10.

10.18 The application proposes the provision of the 70 extra care units and a further 30 general needs affordable houses.

10.19 The Councils adopted Housing Strategy, Older Persons Strategy and Strategic Housing market Assessment highlight the growing need for additional tailored housing for the aging population. As a result of this the requirement for an Extra Care facility was included in this, and other, draft Local Plan allocations. Officers have been working with developers, Essex County Council and the Homes and Communities Agency to ensure the delivery of the scheme.

10.20 The developer has proposed the provision of all the Extra Care Units as affordable provision which is strongly welcomed by officers. The developer has also proposed that within the S106 a series of delivery milestones are included to give certainty of delivery of this part of the proposal. This is welcomed by officers and is considered to be an essential element in ensuring delivery. They have accordingly been included within the draft heads of terms.

10.21 Given the associated higher costs involved in the provision of the Extra Care facility officers have had detailed negotiations regarding the level of general needs affordable housing. This has resulted in an agreement to provide an additional 30 units, 15 in each phase, which meet the mix requirements of the Housing section. These will be secured through the S106 legal obligation.

10.22 The application provides a highly needed housing facility for the district, the delivery of which is being secured through this application. The further provision of 30 general needs affordable houses is considered appropriate and the requirements of policy H9 are therefore met.

C Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice, updated by Uttlesford Local Residential Parking Standards, 2013; DLP Policies SP15, TA1)

10.23 It is proposed that the development would have two access points. The main access point would be in the form of a roundabout on the Chelmsford Road. It is envisaged that this would serve the majority of the development, with the exception of the commercial land. The commercial land would be accessed via a separate access adjacent to Hoblongs Cottages. This access currently serves the ambulance station and the land allocated for a civic amenity point. ECC Highways raise no objections to the proposed access points, subject to conditions.

10.24 Representations have been made about the suitability of the Hoblongs junction to accommodate this development. The DLP Policy stipulates a requirement to carry out improvement works in conjunction with the development of this site. Proposals have been put forward to amend the Hoblongs junction at the point where the Chelmsford Road meets the B1256. It is proposed to transform the junction into a roundabout system. Traffic leaving the A120 would have the options of two lanes – one into the town centre or one to carry on along the B1256. Traffic on the B1256 would also have two lanes – one to continue along the highway and one to turn left towards the town centre. This traffic would be required to give way to traffic coming from the direction of the A120. Traffic coming from the town centre direction towards the B1256 would have to give way to traffic from the right and would again have two lanes. This would not be a traditional roundabout but a reconfiguration of the junction. ECC Highways raise no objections to the proposals subject to them being completed prior to the development being occupied.

10.25 The parking requirements for phase 2 would be a reserved matter. In respect of phase 1 the proposals would satisfy the adopted parking standards. Please see the table attached at the end of this report giving the property sizes, number of parking spaces and the type of provision made.

D The proposed layout, scale and form of the development (ULP Policies GEN2, E3, RS1, DLP Policy DES1, EN1, EN2, SP11, SP18, INF1)

10.26 In relation to phase 2 the scale, layout and design are reserved matters, as is landscaping. Therefore only indicative drawings are submitted for this phase. These show a proposed food store with car park, a proposed extra care facility with car parking and communal gardens, a proposed site for a school and the indicative layout for 185 dwellings. In addition an indicative layout is shown for the proposed commercial area and the open space. The principle of these facilities is acceptable for an outline application.

10.27 In respect of phase 1, the details of layout, scale, design and landscaping are matters to be considered now, similar to a full planning application. The plans indicate the layout for 115 dwellings, a proposed lap and a proposed village green. Phase 1 is located on the northern part of the site adjacent to properties located on Ongar Road and fronting onto Chelmsford Road. The proposals would be to the north of the main access point and the proposed spine road would pass through the middle of the village green.

10.28 As stated above, phase 1 would comprise 3 x 1 bed, 36 x 2 bed, 51 x 3 bed and 25 x 4 bedroom units. This would include 3 x 1 bed and 3 x 2 bedroom bungalows which are shown adjacent to the properties fronting onto Ongar Road. The existing properties on Ongar Road at this point have very short back gardens and the erection of bungalows would help to maintain the privacy of those properties. The distance from the boundary would range between 12m and 20m. Plots 68-75 also back onto existing properties, but in these cases the existing properties have more extensive back gardens and the separation distances would be greater. These plots would be between 13m and 15m

from the boundary. Given the orientation of the properties and the separation distances, it is considered that no material loss of privacy would result from overlooking. Loss of residential amenity is unlikely to arise due to overshadowing.

10.29 Within the development the layout of the properties is considered appropriate and no adverse loss of amenity would result within the proposed scheme. All garden sizes would meet the required standards, with the exception of plots 6 and 38 which would be flats above garages. These two plots would have balconies to provide for their private amenity space. Please see the table attached at the end of this report giving the property sizes and garden sizes.

10.30 DLP Great Dunmow Policy 2 requires open space provision to be incorporated into the development, including the provision of LEAPs and NEAPs. DLP Policy INF1 requires the provision of 0.8ha of amenity greenspace per 1000 people and 0.2ha of LAPs, LEAPs and NEAPs.

10.31 Phase 1 of the proposed development incorporates a LAP and a LEAP. The LEAP would be located at the central "Village Green" and would have railings to provide a defensible barrier to the road network. A proposed schedule of play equipment has been submitted indicating the use of a jungle swing, slide, spinning cup, see saw, play log, stepping logs and the provision of timber carved benches and seating boulders.

10.32 The provision of open space for Phase 2 will be covered by the reserved matters. Notwithstanding this, two LAPs are shown on the indicative plans and an area of open space would be provided adjacent to the A120. This would be made up of 1.5ha of amenity land and play space and 4.2ha of buffer zone to the A120 and Hoblongs Brook. The proposals comply with the policies.

E Infrastructure provision to support the development (ULP Policy GEN6; DLP Policies Great Dunmow Policy 2, SP17)

10.33 Draft Local Plan Great Dunmow Policy 2 requires certain infrastructure provisions to be included within the application. These are junction improvements to Hoblongs junction, public transport contributions, 1.7ha of land for a pre/primary school and the construction of the school facility.

10.34 The application includes the provision for improvements to the Hoblongs junction, as described in paragraph 10.16 above. This element of the proposals can be secured by S106 Obligation. It is not proposed to amend the existing bus routes given the location of existing bus tops in relation to the site. Improvements to the existing bus stop on the western side of the B184 Chelmsford Road and the bus stops at Gatehouse Villas are required as part of the package of improvements required by ECC Highways. These can be secured by way of a S106 Obligation.

10.35 The proposals include the provision of a 1.7ha of land for a pre/primary school. ECC Education has also requested the pro-rata sum of £4,338,000 to construct the school which is proposed to be a 210 place primary school with a 28 place Early Years and Childcare element. Given the estimated pupil yields expected from the proposed development this would amount to a sum of £2,159,853 from the current proposed mix. In addition to the requirements relating to pre and primary school, a financial contribution will be required for secondary education provision. These can be secured by way of a S106 Obligation.

10.36 In addition to the above a financial contribution towards additional health service provision will be required. NHS Property Services has requested a sum of £110,400 and this can be secured by way of a S106 Obligation.

F Drainage, noise and pollution issues (ULP Policies GEN3, GEN4, ENV10, ENV11, ENV13; DLP Policies SP8, SP9, EN4, EN5, EN6, EN8)

10.37 The application is accompanied by a Flood Risk Assessment (FRA) and identifies that the site is located within Flood Zone 1 where there is a low probability for flooding. Nearby water features include a balancing pond associated with the A120 to the west of the site and a ditch to the northern boundary. Hoblongs Brook runs west-east on the southern part of the site. The River Chelmer is located some 200m to the east of the site.

10.38 The FRA concludes that the proposed development, once implemented in accordance with the details in the FRA, would not result in any detrimental impact on the existing floodplain and any of the surrounding properties. It is also concluded that the proposed development is protected from flooding. The proposed drainage scheme is not considered to result in an increase in flood risk to surrounding properties or the development site due to the use of sustainable drainage techniques.

10.39 The Environment Agency has assessed the FRA and has raised concerns in relation to Hoblongs Brook and the fact that this has not been modelled for flood risk and therefore there is the potential for fluvial flood risk equivalent to Flood Zone 3 or 2. Concerns were also raised in relation to run-off rates and whether the Great Dunmow water treatment works has sufficient capacity to accommodate the development.

10.40 Additional information has been provided to the EA by the applicant clarifying certain issues. No modelling of Hoblongs Brook has been undertaken and the EA has again expressed concern in relation to this. Notwithstanding this, the EA has stated that outline planning permission could be granted subject to a condition being imposed relating to the submission of a surface water drainage scheme.

10.41 Turning now to noise, the site is located adjacent to two main noise generators, namely the A120 and the Chelmsford Road. The application is accompanied by two noise surveys, one in relation to Phase 1 and one in relation to Phase 2. The NPPF seeks to protect development from noise and refers to the Noise Policy Statement for England. This document refers to the World Health Organisation observed adverse effect noise levels. The current British Standard (BS8233:1999) suggests that an internal noise level of 30 $\text{dBL}_{\text{Aeq,T}}$ within bedrooms is a 'good' standard, whilst 35 $\text{dBL}_{\text{Aeq,T}}$ is a 'reasonable' standard. For living areas in the daytime, the standard recommends 30 $\text{dBL}_{\text{Aeq,T}}$ as a good standard and 40 $\text{dBL}_{\text{Aeq,T}}$ as being a reasonable standard. BS8233 also states that individual noise events should not exceed 45 dBL_{Amax} in bedrooms at night.

10.42 The noise surveys were carried out over a weekend from around midday Friday 12 April to around midday Monday 15 April 2013. Three noise monitoring reports were used for phase 1 and the wind was blowing from the south which ensured noise from the A120 was blown into the site.

10.43 The results of the survey indicate that the internal noise predictions will require some plots on Phase 1 closest to Chelmsford Road and further south towards the A120 will require enhance glazing and acoustic ventilation to ensure that internal criteria in accordance with BS8233:1999 and the WHO guidelines are met in habitable rooms.

- 10.44 In relation to phase 2, a further noise survey was undertaken over the same time frame as above. In this survey 11 monitoring locations were used. This followed an initial noise survey on 20 June and 1 July 2012 and a further 3 days of monitoring in November 2012. The results of the survey show that aircraft noise from Stansted Airport was noticeable at times but was not the most dominant noise source affecting the site. Road traffic along Chelmsford Road could not be heard across most of the site unless at least within 70m of the road. The A120 could be heard as continuous noise across the whole site.
- 10.45 Mitigation is required to reduce internal noise levels to habitable rooms and is likely to be in the form of enhanced glazing and acoustic ventilation. Orientation of the dwellings would also assist in ensuring that the appropriate standards can be met. Similar means of mitigation would be required for the proposed extra care facility.
- 10.46 Phase 2 would also include potential noise generators in the form of the proposed retail and commercial elements. These could include plant which would have both a noise and tonal characteristic. It would be essential to ensure that noise sensitive properties would not be affected. Full details would need to be included in the reserved matters applications for these elements.
- 10.47 Part of the site falls within a Poor Air Quality zone associated with the A120. It is proposed that this area would provide an area of open space or a buffer zone. The application is accompanied by an Air Quality and Odour Assessment. This identifies air quality sensitive receptors for both the construction and operation phases of the proposals. These were tested for potential impacts from dust emissions during construction works and for pollutants from road traffic associated with the development. The Assessment concludes that there would be a slight adverse impact on amenity and properties during construction works as a result of earthworks and construction. This would require the employment of good site works practices and these could be secured by a condition requiring a Construction Management Plan. The emissions resulting from road traffic would have a negligible increase and therefore imperceptible impact significance.
- 10.48 The site is located within 300m of an existing waste water treatment plant where there is the potential for odour to affect the development. There are existing residential properties closer to the facility than the proposed development. Discussions with the Environmental Health Officer have confirmed that whilst historically there were complaints about odour, there have been no complaints for several years. As such it is concluded that the presence of the waste water treatment works is unlikely to have a significant impact on the proposed development.

G Impacts on biodiversity and archaeology (NPPF; ULP Policy GEN7, ENV8, ENV4; DLP Policy SP14, HE4, HE3)

- 10.49 The application is accompanied by an Ecological Assessment and a subsequent Phase II Protected Species Survey. This assesses the impacts on habitats, ecological features and protected species such as bats, badgers, otters, birds, amphibians, reptiles and invertebrates.
- 10.50 The site supports a low population of common reptile species and common birds make use of the site for foraging and nesting. A limited number of bats use the site for foraging and commuting. Medium populations of great crested newts were found in ponds to the west of the site.

- 10.51 Impacts on great crested newts are considered to be negligible but enhancement measures are proposed as part of the development including the creation of new waterbodies and landscape planting. Phase 2 will require a licence to enable the development to proceed but similar enhancements are proposed in phase 2 to ensure no loss of favourable conservation status.
- 10.52 Mitigation measures in respect of reptiles will include a trapping and capture exercise and relocation of any reptiles into surrounding vegetation. Enhancement measures including the creation of new habitat to benefit wildlife are also proposed.
- 10.53 A small number of bats utilise the site within Phase 1 of the development and are unlikely to be a restraint on the proposed development. Mitigation measures in relation to proposed lighting and the installation of bat boxes are proposed.
- 10.54 Natural England initially objected to the proposals due to further survey work being required in relation to great crested newts. This has been undertaken and Natural England has not responded to the further consultation. Taking into account the standing advice it is considered that the proposals are acceptable. ECC Ecology has responded to the original survey with a holding objection on the same grounds as Natural England. They have lifted this objection following the submission of the additional report and are satisfied that the proposals would not adversely affect protected species.
- 10.55 The application is also accompanied by an Archaeological Assessment which indicates that the site has a moderate potential for early Bronze Age to early Iron Age remains and a good potential for Roman remains, along the Roman Road frontages on the north and east of the study site and a moderate potential elsewhere. A programme of archaeological mitigation measures is proposed to be implemented in advance of construction works. This is supported by ECC Archaeology who have recommended that the application be approved subject to a condition requiring archaeological works to be undertaken.

H Other material considerations

- 10.56 As discussed above, the application includes a proposed retail food store. Significant numbers of representations have made reference to this element of the proposals and the impact that this would have on the town centre. Reference is also made to the fact that a sequential test is required and that this has not been undertaken. The application is supported by a Retail Assessment and includes a sequential assessment. Sites investigated include the former Post Office Sorting Office, the Council Depot in New Street and Perkins Garage on Stortford Road. None of these sites were found to be suitable to deliver the proposed retail element. No other sites on the edge of the centre were identified which would meet the tests of suitability and availability.
- 10.57 The delivery of a retail store on this site helps to deliver a more sustainable package. This element of the scheme has been identified within the Position Statement as being a requirement for the site. There are no suitable sites within the town centre or on the edge of the centre to deliver a retail store of this size. The proposals are therefore considered appropriate.
- 10.58 Included within Phase 2 of the scheme is a proposal to provide a Bridleway link to complete part of the missing link along the Flitch Way. This is proposed to run from Clapton Hall Lane, through the proposed amenity area and then run west-east adjacent to Hoblongs Brook and connecting to the Chelmsford Road adjacent to the existing

highway access which currently serves the ambulance station. In the future this access is proposed to serve a waste facility and the proposed commercial development. Full details would form part of the reserved matters application but this can be secured as part of the S106 Obligation.

11. CONCLUSION

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

- A The site is allocated in the adopted Uttlesford Local Plan for employment uses but despite planning permission being granted in 1989 for commercial development no commencement has been made on site. The NPPF advises against retaining employment allocations where there is no reasonable prospect of this being delivered. As such the site is identified in the Draft Local Plan as Great Dunmow Local Policy Area 2. This proposes a mixed use development including up to 350 residential units, including 70 extra care units, land for a school, a retail unit and 3ha of land for employment uses. This application is broadly in line with those principles. The early delivery of the site would also assist in the Council meeting its required 5 year supply of land for housing.
- B The application is a hybrid application with Phase 1 being all matters to be considered now and Phase 2 with all matters reserved except for access. The proposals indicate a mix of units from 1-5 bedrooms. The details for phase 1 show a good mix of properties in accordance with Policy H10. The scheme provides a highly needed extra care housing facility for the district, together with 30 additional general needs affordable housing units. This is considered appropriate and the requirements of Policy H9 are met.
- C The Highways Authority raises no objections to the proposals in terms of impacts on the highway. The proposed access arrangements are considered appropriate and the proposals include alterations to the Hoblongs junction as mitigation for the development which can be secured by a legal agreement. The parking provision for phase 1 is in accordance with the adopted standards and that for phase 2 will be part of the reserved matters.
- D The scale, layout and design of phase 1 are to be considered now and the submitted details indicate that a satisfactory form of development can be achieved. No loss of residential amenity would result due to overlooking or overshadowing. These details would be part of the reserved matters for phase 2. The scheme also includes the provision of LAPs and LEAPs and these are considered acceptable.
- E The proposals include the provision of land and a financial contribution in relation to education requirements arising from the proposals. In addition a financial contribution will be made in relation to increasing health care provision. The proposals therefore make satisfactory infrastructure provision.
- F The EA is broadly happy with the details contained within the FRA and is happy for conditions to be imposed. Noise will be an issue within the development and mitigation measures through the use of enhanced glazing and acoustic ventilation will be required. A Construction Management Plan will be required in relation to the development to mitigate adverse effects on existing residential properties during the construction phase. No adverse effects in terms of pollution will result from the increased traffic associated with the proposals.

- G The proposals would not adversely affect protected habitats or species and mitigation measures and enhancements are proposed. These have been assessed as being acceptable by ECC Ecology. Impacts on archaeological deposits would be mitigated through a programme of archaeological works and this is acceptable to ECC Archaeology.
- H The provision of a retail store on this site is considered acceptable. It would help to deliver a more sustainable package of development, is identified as being required in the draft policy and no suitable sites within or on the edge of the centre have been identified. The provision of a bridleway to complete part of a gap in the existing Fritch Way is welcomed and can be secured by S106 Obligation.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 OBLIGATION

- (I) **The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by 15 November 2013 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:**
- (i) **Affordable housing provision including a 70 bed extra care facility and 15 general needs affordable housing in Phase 1 and 15 affordable houses in the subsequent phase or phases**
 - (ii) **Phased delivery of Extra Care Unit**
 - (iii) **Contribution to education provision**
 - (iv) **Provision and transfer of land for primary school**
 - (v) **Contribution to healthcare provision**
 - (vi) **Provision of LEAPs and LAPs**
 - (vii) **Payment of sum for preparation and implementation of TROs**
 - (viii) **Improvements to Hoblongs Junction**
 - (ix) **Improvements to bus stops**
 - (x) **Provision of bridleway link between the Fritch Way and Clapton Hall Lane**
 - (xi) **Payment of monitoring fee**
 - (xii) **Pay Councils reasonable costs**
- (II) **In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below**
- (III) **If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:**
- (i) **No affordable housing provision**
 - (ii) **No phased delivery of Extra Care unit**
 - (iii) **No contribution to education provision**
 - (iv) **No provision and transfer of land for primary school**
 - (v) **No contribution to healthcare provision**
 - (vi) **No provision of LEAPs and LAPs**
 - (vii) **No payment of sum for preparation and implementation of TROs**
 - (viii) **No improvements to Hoblongs Junction**

- (ix) No improvements to bus stops**
- (x) No provision of bridleway link between the Flitch Way and Clapton Hall Lane**

CONDITIONS RELATING TO PHASE 1

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the erection of the development on Phase 1 hereby approved (not including footings and foundations) samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. No works or development shall take place on Phase 1 until a full specification of all proposed tree planting has been approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be protected and the proposed time of planting.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. No development shall take place in relation to Phase 1 until there has been the provision of a new 3 arm roundabout on the B184 Chelmsford Road providing access to the site, as shown in principle on the submitted drawing no 1212-35 PL01 Rev C. Such works shall include but not be restricted to the realignment of the B184 Chelmsford Road, provision of crossing points including refuge islands, provision of a 3 metre minimum shared footway/cycleway on the western side of the B184 Chelmsford Road between the Ongar Road/B184 Chelmsford Road mini roundabout junction and the existing footway at the junction of the B184 Chelmsford Road and the Police Station access road, drainage, signing, lining and street lighting as deemed appropriate by the Highway Authority. Details shall be submitted to and approved in writing by the local planning authority and subsequently carried out as approved.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. No development shall take place in relation to Phase 1 until there has been the provision of pedestrian crossing points, including tactile paving, at the junctions of the B184 Ongar Road/Chelmsford Road mini roundabout junction and the B184 Ongar Road/Chelmsford Road priority junction.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. No occupation of Phase 1 shall take place until there has been the provision of 3 pedestrian links between that phase and the B184 Chelmsford Road, one of which shall be opposite the Chelmsford Road Industrial Estate. Details of the pedestrian links shall be submitted to and approved in writing by the local planning authority and subsequently implemented as approved.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. Prior to the commencement of the development hereby permitted a foul water strategy shall be submitted to and approved in writing by local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the local planning authority.

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

9. Prior to the commencement of the development of phase 1 hereby permitted a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall:
 - include an ReFH Flood flow assessment and a single 1D routing Model;
 - be fully implemented and subsequently maintained, in accordance with the arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

10. 1. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

2. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

3. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

CONDITIONS RELATING TO PHASE 2 (OR ANY SUBSEQUENT PHASES)

11. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

12. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.

(B) The development hereby permitted shall be begun later than the expiration of 1 year from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

13. The details to be submitted in accordance with condition 11 shall include:

- Details of the open space, including details of LAPs and LEAPs as appropriate to be in accordance with the Landscape Masterplan and the Design and Access Statement
- Details of hard, soft and water landscaping, in accordance with the Landscape Masterplan and the Design and Access Statement
- Details of protection measures of retained trees
- The use of native species in planting plans
- Details of lighting using low light pollution installations
- Updated ecological surveys
- Detailed design of SuDS including use of infiltration and interceptors
- Details of finished site levels
- Details of parking spaces to the adopted standards pertaining at that time
- Details of estate roads and footways including layout, visibility splays, radii, turning, levels, gradients, surfacing, means of surface water drainage, lighting and any necessary Road Safety Audits
- Details of recycling and refuse storage and collection provision

REASON: To ensure the development is carried out in accordance with the principles of the development as set out in the outline planning application, in accordance with Uttlesford Local Plan Policies GEN1, GEN2, GEN3, GEN7, ENV10 and ENV11.

14. The details required in relation to condition 11 above shall include full details of the access road to serve the commercial aspect of the development at the southern end of the site. This road shall be constructed to tie in with the existing access road

currently serving the ambulance station. Subsequently the road shall be constructed prior to the commencement of this element of the development in accordance with the approved details.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

15. The details required in relation to condition 11 above shall include full details of a scheme for the provision and management of a 10 metre wide buffer zone alongside the Hoblongs Brook. Thereafter any development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:
- Plans showing the extent and layout of the buffer zone
 - Details of any proposed planning scheme
 - Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
 - Details of any proposed footpaths, fencing, lighting etc

REASON: Development that encroaches on the Hoblongs Brook has a potentially severe impact on its ecological value and land alongside is particularly valuable for wildlife and therefore a buffer zone is necessary to ensure the protection of wildlife and supporting habitat, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

16. Prior to the commencement of the development of phase 2 (or any subsequent phases) hereby permitted a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall:
- include an ReFH Flood flow assessment and a single 1D routing Model;
 - be fully implemented and subsequently maintained, in accordance with the arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

GENERAL CONDITION RELATING TO PHASE 1 AND 2 (OR ANY SUBSEQUENT PHASES)

17. Prior to the commencement of development a Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted and in accordance with the general principles outlined in the Ecological Assessment (dated June 2013) and the Phase II Protected Species Survey Report (dated July 2013) and, without prejudice to the foregoing, shall include:
- (i) Aims and objectives of mitigation;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed;
 - (iv) Sources of habitat materials;
 - (v) Timing of the works;

- (vi) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation including the specific seed mix and native species that will be used for planting;
 - (vii) Details of the location, height, design and luminance of all fixed lighting for both construction and occupation phases of the development to minimise impacts on foraging bats;
 - (viii) Detailed descriptions of biodiversity enhancement measures that will be taken on-site;
 - (ix) Prescriptions for management actions, both short and long-term;
 - (x) Provisions for the long-term management of the area demonstrating the feasibility of delivery of biodiversity enhancement and long-term management, including details of funding for the management.
- The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

18. Should the development hereby approved not have been commenced within 3 years of the date of existing surveys, a further biodiversity survey of the site shall be carried out to update the information previously submitted with the application, together with an amended Biodiversity Mitigation and Enhancement Plan to mitigate/compensate the impact of the development upon any identified priority or protected species. The new biodiversity survey and Biodiversity Mitigation and Enhancement Plan shall be submitted to and be approved in writing by the Uttlesford Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved biodiversity survey and Biodiversity Mitigation and Enhancement Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

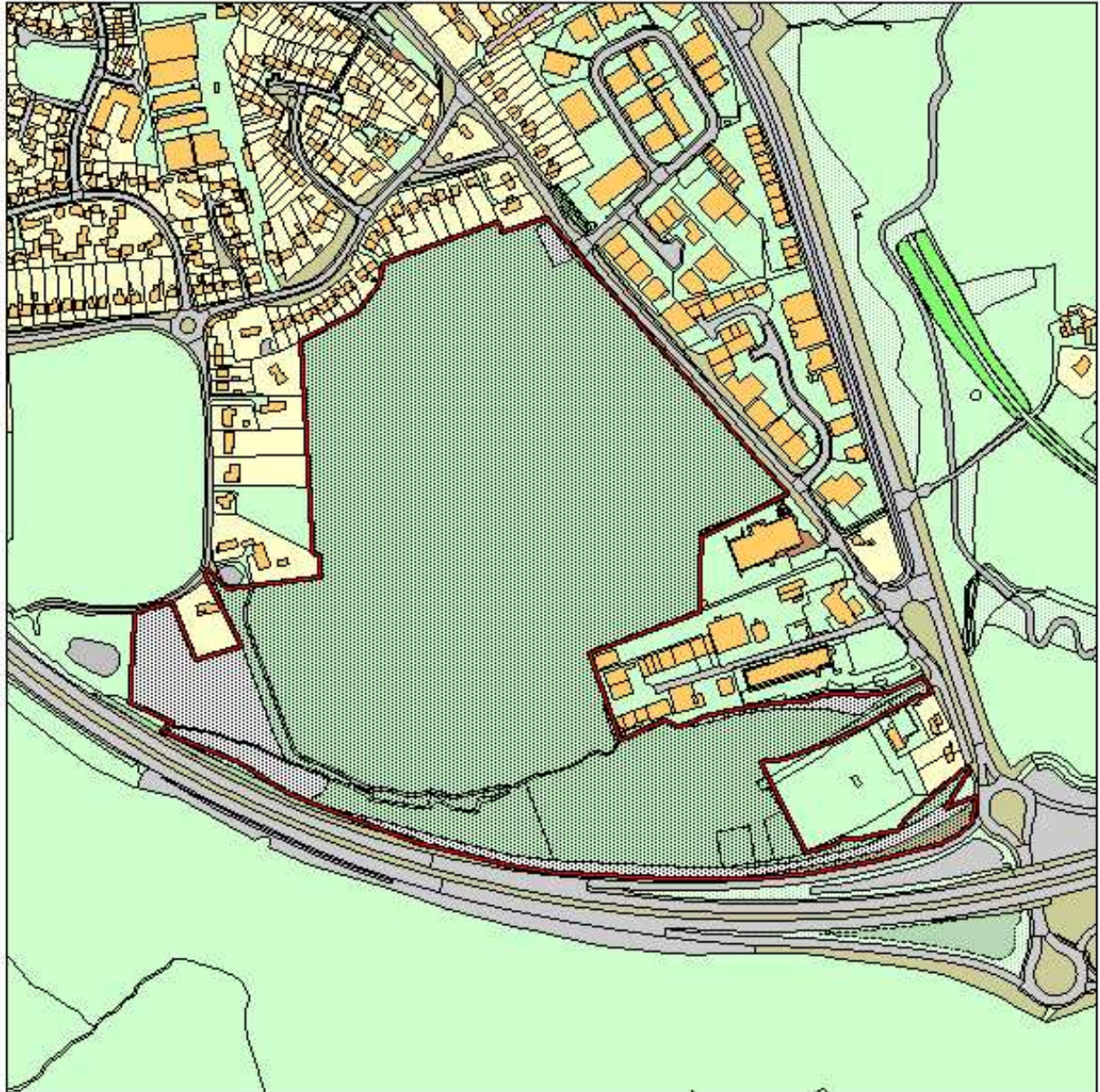
Unit	Unit Size (no beds)	Amenity Space Required (sqm)	Amenity Space Proposed (sqm)	Compliant	Number of Car Parking Spaces Required	Number of Car Parking Spaces Proposed
1	2	50	93	Yes	2	2
2	2	50	69	Yes	2	2
3	2	50	68	Yes	2	2
4	2	50	56	Yes	2	2
5	3	100	101	Yes	2	2
6	2	50	N/A (FOG)	Yes	2	2
7	2	50	61	Yes	2	2
8	2	50	61	Yes	2	2
9	2	50	61	Yes	2	2
10	2	50	52	Yes	2	2
11	2	50	51	Yes	2	2
12	2	50	65	Yes	2	2
13	3	100	122	Yes	2	2
14	3	100	111	Yes	2	2
15	4	100	171	Yes	3	3
16	2	50	75	Yes	2	2
17	3	100	106	Yes	2	2
18	4	100	166	Yes	3	3
19	4	100	161	Yes	3	3
20	4	100	111	Yes	3	3
21	4	100	109	Yes	3	3
22	3	100	100	Yes	2	2
23	3	100	119	Yes	2	2
24	3	100	102	Yes	2	2
25	3	100	130	Yes	2	2
26	3	100	124	Yes	2	2
27	3	100	101	Yes	2	2
28	3	100	104	Yes	2	2
29	4	100	157	Yes	3	3
30	3	100	116	Yes	2	2
31	3	100	120	Yes	2	2
32	4	100	112	Yes	3	3
33	4	100	185	Yes	3	3
34	4	100	106	Yes	3	3
35	3	100	103	Yes	2	2
36	3	100	149	Yes	2	2
37	3	100	102	Yes	2	2
38	2	50	N/A (FOG)	Yes	2	2
39	2	50	70	Yes	2	2
40	2	50	50	Yes	2	2
41	2	50	52	Yes	2	2

42	2	50	51	Yes	2	2
43	2	50	50	Yes	2	2
44	2	50	69	Yes	2	2
45	3	100	103	Yes	2	2
46	3	100	101	Yes	2	2
47	2	50	52	Yes	2	2
48	2	50	57	Yes	2	2
49	2	50	62	Yes	2	2
50	2	50	91	Yes	2	2
51	4	100	128	Yes	3	3
52	3	100	109	Yes	2	2
53	3	100	105	Yes	2	2
54	3	100	110	Yes	2	2
55	3	100	150	Yes	2	2
56	4	100	113	Yes	3	3
57	4	100	140	Yes	3	3
58	2	50	51	Yes	2	2
59	2	50	52	Yes	2	2
60	3	100	123	Yes	2	2
61	3	100	115	Yes	2	2
62	3	100	109	Yes	2	2
63	3	100	104	Yes	2	2
64	4	100	247	Yes	3	3
65	4	100	103	Yes	3	3
66	3	100	103	Yes	2	2
67	3	100	105	Yes	2	2
68	4	100	157	Yes	3	3
69	4	100	155	Yes	3	3
70	4	100	229	Yes	3	3
71	3	100	211	Yes	2	2
72	3	100	140	Yes	2	2
73	3	100	181	Yes	2	2
74	3	100	156	Yes	2	2
75	3	100	196	Yes	2	2
76	2	50	238	Yes	2	2
77	2	50	204	Yes	2	2
78	2	50	120	Yes	2	2
79	1	50	113	Yes	1	1
80	1	50	120	Yes	1	1
81	1	50	104	Yes	1	1
82	3	100	101	Yes	2	2
83	3	100	135	Yes	2	2
84	2	50	55	Yes	2	2
85	2	50	62	Yes	2	2
86	3	100	136	Yes	2	2

87	4	100	101	Yes	3	3
88	4	100	113	Yes	3	3
89	3	100	141	Yes	2	2
90	4	100	140	Yes	3	3
91	4	100	115	Yes	3	3
92	4	100	103	Yes	3	3
93	3	100	134	Yes	2	2
94	4	100	161	Yes	3	3
95	3	100	103	Yes	2	2
96	3	100	109	Yes	2	2
97	3	100	127	Yes	2	2
98	3	100	118	Yes	2	2
99	3	100	118	Yes	2	2
100	3	100	108	Yes	2	2
101	2	50	60	Yes	2	2
102	2	50	55	Yes	2	2
103	2	50	54	Yes	2	2
104	2	50	54	Yes	2	2
105	3	100	102	Yes	2	2
106	2	50	57	Yes	2	2
107	2	50	63	Yes	2	2
108	3	100	155	Yes	2	2
109	3	100	100	Yes	2	2
110	3	100	105	Yes	2	2
111	3	100	129	Yes	2	2
112	3	100	108	Yes	2	2
113	4	100	117	Yes	3	3
114	4	100	103	Yes	3	3
115	3	100	116	Yes	2	2

UTT/13/1684/OP

Land at Smiths Farm Chelmsford Road Dunmow



Scale: 1:5000

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	11 October 2013
SLA Number	Not Set

UTT/13/1663/DFO (GREAT DUNMOW)

(MAJOR APPLICATION)

PROPOSAL: Details following outline application UTT/2507/11/OP for demolition of derelict former Brookfield Farmhouse and construction of up to 125 No. dwellings and associated estate roads, garages, car parking spaces, footpaths, cycleways, cycle stores, refuse storage, public open space, landscaping and foul and surface water drainage with pumping station, foul sewer along the B184 and dry balancing pond .Access to the development will be obtained from the un-constructed northern section of the Great Dunmow North West By-pass of approximately 0.55km in length (approved under Ref. No. UTT/0084/01/FUL but amended by this application to incorporate a right hand turn lane). Removal of existing spur from roundabout - Details of appearance, landscaping, layout and scale

LOCATION: Sector 4 Woodlands Park, Great Dunmow

APPLICANT: Wickford Development Company Ltd

AGENT: Melville Dunbar Associates

EXPIRY DATE: 24 September 2013

CASE OFFICER: Mrs K Mathieson

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The site is former agricultural land and has a quoted area of 11.1 hectares. The land is enclosed by the approved route of the bypass and 5.5 hectares is proposed for residential development. It has a curving, almost crescent shape and its northern and western edges are defined by the line of the uncompleted North-West ByPass (NWBP).

2.2 From the line of the NWBP the site slopes down towards Hoglands Brook on the south eastern boundary and there is an overall slope down from west to east. The changes in level are significant. For example, along the line of the bypass the existing levels rise up from the south west by about three metres to the point of the proposed T-junction into the residential part of the site before descending by fourteen metres to the roundabout on the B184. From the line of the bypass to the south eastern corner of the site there is a drop of about ten to twelve metres. To the south and outside the site are areas of woodland and the playing fields of the Helena Romanes secondary school.

2.3 Since the outline planning permission was granted works to complete the NWBP have continued and the bypass is substantially complete.

3. PROPOSAL

- 3.1 This application relates to the reserved matters following the grant of outline planning permission for the construction of up to 125 dwellings and associated development in August 2012. Of the 125 dwellings proposed, 50 of these would be affordable housing.
- 3.2 Access to the development was approved as part of the outline application and the reserved matters for consideration now relate to Appearance, Landscaping, Layout and Scale. A summary of the characteristics of the proposed dwellings and plots is attached at the end of this report.
- 3.3 The outline planning permission required the provision of a youth shelter. This is indicated to be located to the north of the site on an area of landscaped public open space.

4. APPLICANT'S CASE

- 4.1 The application is accompanied by an accessibility statement, affordable housing statement, landscaping details, a statement relating to proposed scheme of water efficiency and a statement relating to drainage maintenance. Correspondence from the agent on behalf of the applicant has also been received following consultation replies and discussions with Officers leading to revisions to the proposed layout, the design of the apartments and some house types.

5. RELEVANT SITE HISTORY

- 5.1 UTT/2507/11/OP
- 5.2 Outline planning application for "Demolition of derelict former Brookfield Farmhouse and construction of up to 125 No. dwellings and associated estate roads, garages, car parking spaces, footpaths, cycleways, cycle stores, refuse storage, public open space, landscaping and foul and surface water drainage with pumping station, foul sewer along the B184 and dry balancing pond. Access to the development will be obtained from the un-constructed northern section of the Great Dunmow North West By-pass of approximately 0.55km in length (approved under Ref.No. UTT/0084/01/FUL but amended by this application to incorporate a right hand turn lane). Removal of existing spur from roundabout" approved subject to conditions and a S106 agreement August 2012.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S7 – The Countryside
- GEN1 – Access
- GEN2 – Design
- GEN8 – Vehicle Parking Standards
- H9 – Affordable Housing
- H10 – Housing Mix

7. GREAT DUNMOW TOWN COUNCIL COMMENTS

- 7.1 The Town Council objects to the planning application and wishes to bring the following to your attention:

Height, Design and Number of 2.5 Storey Houses

The development is situated at the entrance to this rural town and on the edge of the village of Little Easton and the number of 2.5 storey houses will give an overbearing impression in the countryside. It is considered unacceptable to place such a number of 2.5 storey houses on rising ground on the approach from Thaxted and close to the bypass. Some of the designs would be acceptable in an urban setting but not in this rural area. The 'impact on the settlement character – the approaches to the settlement and the historic core' will contravene Policy SP6 (Draft Local Plan 2012).

UDC's Housing Strategy 2012-2015 requires that 5% of houses are bungalows (i.e. 3). There are no bungalows in the proposal. We understand that the outline permission was granted in 2011, before the Housing Strategy, but this application for layout and scale is within the life of the Strategy.

Building Design of Apartment Blocks

The Council objects to the design of the four apartment blocks housing affordable units, as being suited to an urban setting rather than a rural one. They are considered to be totally inappropriate in housing estate in the countryside as they are three storeys high. The Town Council would want to see them reduced to 2 storeys.

Youth Shelter

The developer stated at our meeting that the youth shelter was a planning condition imposed by UDC when outline permission for planning application UTT/2507/11/OP was granted. The reason given by UDC in its letter to Melville Dunbar Associates dated 2 August 2012 was that it was required 'to enhance the sustainability of the development through better use of energy and materials in accordance with Policy ENV15 of the Uttlesford Local Plan (2005). We do not understand how a youth shelter would accomplish this aim.

It can be seen in other parts of the district (e.g. Oakwood Park at Flich Green) that youth shelters attract vandalism and undesirable behaviour and putting it on the edge of the development would be likely to have the same effect, Young people will have to cross the busy bypass to access it and there are no safe crossing points.

We understand that the police recommended this location as the most suitable, but we question the need for a youth shelter at all and request its removal from the scheme and replacement with landscaping. The current proposal conflicts with Policy GEN2 d).

Affordable Housing

It is noted from the UDC Housing Enabling Officer in her response to the application that affordable housing should be indistinguishable from the market housing, and in clusters of no more than ten. They should be predominantly houses with parking spaces and three bungalows are required as part of UDC's Housing Strategy 2012-2015.

This application features four large apartment blocks for affordable housing (i.e. not predominantly houses with parking spaces), three of which are clustered together. The affordable housing has its own distinct house type. There are no affordable bungalows in the proposal.

Footpath along the Bypass

The Town Council objects to the need for pedestrians and cyclists to cross the bypass in order to travel the length of it and would suggest that the path is continuous along the eastern edge of the road for reasons of road safety.

LITTLE EASTON PARISH COUNCIL COMMENTS

- 7.2 The Parish Council (LEPC) appreciates that some consideration has been given to create a well-landscaped and attractive development, with buildings facing outwards to the surrounding countryside. LEPC is generally happy with the density, variety of house types and landscaping in the proposal.

There has been an opportunity to consult with the applicant but the following objections remain unresolved:

1. LEPC objects to 2.5 storey buildings in the most elevated location nearest to the B184 and roundabout as they would be too imposing and would not be in-keeping with the character of the surrounding area. The proposal conflicts with Policy GEN2 – Design in that it is not “compatible with the scale, form, layout, appearance and materials of surrounding buildings...” and by having 2.5 storey buildings on the highest and most prominent location, it is not “helping to reduce the visual impact of new buildings or structures where appropriate”.
2. There is too high a proportion of red brick buildings and the homes should better reflect the character of properties in the locality of Little Easton and along the B184. The site is surrounded by countryside in Little Easton and replaces a farmhouse. The external appearance of those most clearly viewed from the surrounding area should reflect this by introducing more weather-boarded and rendered buildings.
3. It is noted that the affordable homes are markedly different in appearance from the other houses and they are not well-dispersed in the development.
4. LEPC strongly objects to the location of the youth shelter as it will create the need for youths to frequently cross a busy road. It is the Council’s view that the remote location would encourage anti-social behaviour and so it would conflict with GEN2 as it is not “helping to reduce the potential for crime”. It should be located on the main site of the development and not isolated, across a 50mph road and adjacent to a roundabout. There is no proposed safe crossing point and youths would try to cross at various points along the road, endangering themselves and motorists. The parcel of land between the bypass and the entrance to Little Easton Village should be purely a landscaped buffer as previously intended.
5. LEPC objects to the location of the play area. The play equipment must be in an area that is not liable to flooding as the proposed location would restrict its use and give rise to significant maintenance issues for the equipment and safety surface. In the wet and wintry conditions, this location could pose a safety hazard to any child trying to use the play equipment.

8. CONSULTATIONS

Access and Equalities Officer

- 8.1 I have reviewed the Accessibility document and reviewed the plans, this meets the requirements of the Lifetime Homes Standard and the wheelchair housing requirement, provided that the Housing Enabling Officer is happy with the allocation of the plot.

ECC Highways

- 8.2 The previous outline planning application UTT/2507/11/OP was subject to a S106 agreement dated 2 August 2012 which required the following highway related contributions and conditioned works:

a) Prior to commencement of the development, a financial contribution of £50,000 towards enhancing Passenger Transport Services passing the site along B184.

Reason: In the interests of accessibility.

b) Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of Travel Information and Marketing Scheme for sustainable transport, approved by Essex County Council, for each dwelling.

Reason: In the interests of promoting sustainable development and transport.

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 the above application subject to the following amendments:

Drawing No. 2070/E/1B Engineering layout:

- Tactile paving to be removed from small turning head sections of road
- Parallel parking bays should be 2.9m x 6m

Drawing No. 2070/E/8 Cycleway layout from Sector 3, Area 6 to Sector 4:

- A minimum radius of 4m should be used at all horizontal changes in direction

If the above points are satisfied, [suggested] conditions should apply to any permission given.

Additional comments received 9 August:

I am happy with the revisions to the engineering layout as shown on Drawing No. 2070/E/1C which adequately addresses the amendments requested in our comments dated 11 July 2013.

BAA Safeguarding

- 8.3 The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

NATS Safeguarding

- 8.4 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly NATS has no safeguarding objection to the proposal.

ECC Archaeology

- 8.5 The Historic Environment Record shows that the development area has been previously archaeologically evaluated. Therefore no archaeological recommendations are being made on this application.

Environment Agency

- 8.6 We have very little to comment on other than to reiterate our comments at outline application stage regarding surface water management and advise that prior to commencement of development, the developer should contact the Lead Local Flood Authority, Essex County Council, with regards to the proposed SuDS design.

Anglian Water

- 8.7 Wastewater Treatment: The foul drainage from this development is in the catchment of Great Dunmow STW that at present has available capacity for these flows.

Foul Sewerage Network: The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. we will then advise them of the most suitable point of connection.

NHS Property Services

- 8.8 Raises a holding objection and requests a financial contribution of £40,800 for the provision of additional healthcare services arising from the development. The provision of the requested financial contribution would lift the holding objection.
[NB financial contributions cannot be required from reserved matters applications and any request for financial contributions should have been made during the course of the outline planning application]

ECC Ecology

- 8.9 I understand that some of the details in the previous ecological reports had be amended due to requirements for screening and alterations to road levels which would cause shading in areas which were supposed to be of an open nature for invertebrates. My previous advice about keeping the grassy open areas (along the road in north of balancing pond 1) rather than trees still applies. However, I appreciate that the correct balance of the many issues remains the decision of the Local Planning Authority.

Landscape Officer

- 8.10 The general disposition of proposed planting and the species mixtures are considered to be acceptable. However, I do have concern over the lack of understory planting within the tree belt at the junction of the by-pass with the Dunmow Road. I advise that the 'Copse Type B' planting [hawthorn dominant] is applied throughout the full extent of the proposed tree belt as an understory in order to strength the woodland character and screening, as opposed to just having just a stand of trees.

9 REPRESENTATIONS

- 9.1 Original Plans:
6 representations, including from the Dunmow Society and the Great Dunmow Neighbourhood Plan Steering Group, received objecting to the proposals. Period expired 19 July. Main points:
- Object to new dwellings being built as a result of the need for the bypass to be completed
 - No building on the Little Easton side of the new road should be permitted
 - The youth shelter is poorly designed, raises health and safety issues as a result of needing to cross the bypass to reach it
 - Increased housing doesn't address the infrastructure requirements.
 - Development should be rejected until the community plan and associated Development Management Document are completed, approved and published
 - Concerned that the application does not contain a reference to flood risk or foul water disposal.
 - Dunmow Water Treatment works is unable to sustain any further development.

- Youth shelter is isolated from the development

Great Dunmow Neighbourhood Plan Steering Group:

- There has been no consultation with the neighbourhood planning process. The Steering Group is approaching a position from which policies can be confidently written that will reflect the wishes of local residents. This process should be given appropriate weight – even in the absence of an approved Neighbourhood Plan – as suggested by NPPF paragraph 216.
- The number of 2.5 storey buildings will adversely impact the look and feel of that approach to Dunmow. This approach to Dunmow is identified in the Dunmow Town Design Statement as being “a collection of low buildings interspersed with a number of trees and buffered by hedges”, and the quantity of 2.5 storey buildings at this approach is not in keeping with this quality. Furthermore, the impact that this will have on the approach to “the settlement and historic core” will contravene Policy SP6 (Draft Local Plan 2012).
- Preservation of the town’s rural feel has been identified as a principal concern for residents of Dunmow, as well as preserving the character of the built environment. It is felt that the design of buildings in the Sector 4 proposal does not do this, and the design of the proposed flats and the affordable housing particularly fails in this regard, being more suited to an urban setting.
- The design of affordable housing should be indistinguishable from that of market housing and it is felt that this has not been achieved. It is also objected to the fact that the apartment blocks are 3 storeys high, and these should be reduced to 2 storeys.
- The proposed youth shelter is objected to, and should be removed entirely. In a recent meeting with the developer, which Great Dunmow Town Council attended, the developer stated that this youth shelter was a planning condition imposed by UDC at the outline planning permission stage, and that it was only included in accordance with this. We would like to see it removed as it would attract antisocial behaviour, and would be difficult to access owing to having to cross the busy bypass.

9.2 Revised Plans:

1 representation commenting on the proposals from Sustrans Ranger and 2 representations received objecting to the proposals. Period expired 4 October.

Additional points raised:

- Several hundred houses have been approved by the Council in the vicinity of the site; these have not been built or sold.
- We do not know the effects of building on a flood plain – the effect of run off is unknown at this point
- There is no co-ordinated public transport link between the several developments the Council has already given permission for.
- Support for the submission made by the Steering Group of the Great Dunmow Neighbourhood Plan

Sustrans Ranger comments:

- Disappointed to find no improvements in infrastructure for non-motorised users.
- Cycleway layout details proposed only show the same provision as on the previous application.
- Previous requests for a bridleway or cycleway/footway to be provided adjacent to the by-pass continuously from the Tesco roundabout to the junction with the B184 – these have not been considered
- Previous documents show provisional provision for cycleways/footways within the development, request that these are shown clearly on finalised drawings

10 APPRAISAL

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

- A Access
- B Design
- C Vehicle Parking Standards
- D Affordable Housing
- E Housing Mix
- F Delivery of North-West ByPass

A Access

- 10.1 The proposed access arrangements have been considered by Essex County Council, as the Local Highway Authority, and they have indicated that they have no objections subject to the imposition of conditions. The access arrangements are therefore acceptable and comply with the requirements of ULP Policy GEN1.

B Design

- 10.2 The design of the dwellings and flats reflects the local vernacular and accords with the provisions of the Essex Design Guide. The design of the flats has been revised and they are now compatible with both the proposed dwellings on the site and the character of the local area. General details of the proposed external materials have been submitted with the application. These are acceptable in principle however further manufacturer's details will be required in order to meet the requirements of condition 10 attached to the outline permission.
- 10.3 It is noted that there are concerns with regard to the height of the two and a half storey buildings proposed within the development and the visibility of these buildings when viewed from the bypass and wider views across the countryside. The applicant has provided cross sections of the proposed development which include a visual representation of the mitigation that would be achieved by the proposed planting over a period of years.
- 10.4 The proposed two and a half storey buildings are higher than the two-storey dwellings however the difference in height would not be so materially different that the higher properties would be particularly prominent. The visual prominence would be further reduced as a result of the proposed landscaping and as such the two and a half storey properties are acceptable.
- 10.5 The proposed dwellings have been designed to take into account Lifetime Homes Standards and 7 of the flats have been designed to be fully wheelchair accessible. The Council's Access and Equalities Officer has considered the submitted details and has confirmed that they comply with the required standards. The provision of fully wheelchair accessible flats is set out in the S106 and the proposal therefore complies with the requirements of the S106.
- 10.6 The proposed garden areas for the dwellings and communal areas for the flats meet the standards set out in the Essex Design Guide for residential amenity. In addition the distances proposed between the dwellings and orientation and layout of the proposed dwellings would prevent any materially detrimental overlooking or loss of privacy from occurring within the development.

- 10.7 It was a requirement of the outline planning permission that a youth shelter forms part of the development. The proposed youth shelter building would have an appropriate design and would be located within an area of public open space between the bypass and Mill End Road to Little Easton. The concerns regarding its proposed location are noted however the applicant has indicated that Officers from Essex Police have specified that this is their preferred location.
- 10.8 The Council's Landscape Officer has indicated that the majority of the structural landscaping is acceptable however he has recommended that additional planting is added within the tree belt at the junction of the bypass. If the application is considered to be acceptable this could be addressed by way of a condition.

C Vehicle Parking Standards

- 10.9 The proposed development generally accords with both the county and locally set adopted parking standards. There are 12 plots with parking which are under the requirements however 10 of these relate to the affordable flats in blocks 1 – 3 where an excess of visitor parking has been provided. Overall on the site, 41 visitor spaces have been indicated although the standards would only require 32 visitor spaces. In light of the excess number of visitor spaces in close proximity to the flats which have a deficit of parking spaces, if these visitor spaces are taken into account the development would only have an overall deficit of 3 parking spaces. On this basis, the proposal is considered to be acceptable.

D Affordable Housing

- 10.10 The S106 agreement attached to the outline planning permission specifies the number and type of affordable housing to be provided. It also states that the affordable housing should be in groups of no more than 25 units. Although the Council would normally seek groups of no more than 10 units, the larger groupings have already been agreed for this site and it is not possible to insist on smaller groupings. Notwithstanding this, the applicant has revised the originally proposed layout and split the affordable housing into three groups of 25, 18 and 7 units. The proposed affordable housing provision meets the requirements of the S106 and is therefore acceptable in this instance.

E Housing Mix

- 10.11 ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom market dwellings. The Council's stance is that "significant" will equate to approximately 50% of the dwellings. This proposal does not meet this requirement however since the original submission of the application, the applicant has increased the number of 3 bedroom market dwellings proposed and has provided justification for the lack of 2 bedroom dwellings and further 3 bedroom dwellings.
- 10.12 The applicant has indicated that the design and access statement submitted with the outline application contained a masterplan which detailed the overall form and content of the development in relation to the final section of the bypass and the northern part of Great Dunmow. This also showed, through a detailed layout relating to the number and type of dwellings, that it was possible to ensure the development would integrate satisfactorily with the surroundings and addressed the concerns of the Planning Inspector in relation to the previous appeal.

10.13 The outline permission required the provision of 40% affordable housing, a substantial amount of public open space, financial contributions for education provision and highways works and the completion of the northwest bypass. It also required the dwellings to be constructed to Level 4 of the Code for Sustainable Homes. These requirements have placed a higher financial cost on the development and, when taken in conjunction with the original indication at outline stage that the market dwellings would comprise 3, 4 and 5 bedroom dwellings, the applicant feels that it would be unreasonable to require the provision of 2 bedroom dwellings and additional 3 bedroom properties. The applicant has also provided information detailing the number of 1, 2 and 3 bedroom properties compared to 4+ bedroom properties within Sectors 2 and 3 of Woodlands Park. This information indicates that 52.03% of that development comprises 1, 2 or 3 bedroom properties. In light of the above, in this instance, the proposed mix is considered to be acceptable.

F Delivery of North-West ByPass

10.14 The Committee will be aware that the outline application approved on this site secures the delivery of the by-pass within a given timeframe. The highway works need to be completed by 29 January 2014, in accordance with the Highway Agreement with Essex Highways. The reserved matters contained within this current application contain the landscaping details for the by-pass itself. The landscaping works cannot therefore take place until the details are approved. Subject to approval the developer is confident that the landscaping works can be implemented in time for the highway to be ready to pass to Essex Highways.

11 CONCLUSION

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

- A The proposed access arrangements are acceptable
- B The design and layout of the proposal is acceptable
- C The proposed parking arrangements comply with the adopted standards
- D The affordable housing provision complies with the requirements of the S106 agreement
- E The proposed mix of units is acceptable
- F The landscaping details are acceptable and facilitate the provision of the North-West ByPass

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. Notwithstanding the submitted details relating to the external materials to the buildings, before the commencement of the development manufacturer's details of the proposed materials shall be submitted to and approved in writing. Subsequently the development shall be implemented in accordance with the approved details.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

2. Notwithstanding the submitted landscaping details contained within the application, before the commencement of development a further landscape plan shall be submitted to and approved in writing by the local planning authority. This plan shall indicate additional understory planting within the tree belt at the junction of the bypass

with the Dunmow Road. Subsequently the development shall be implemented in accordance with the approved details.

Reason: To strengthen the woodland character and screening of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to the occupation of any dwelling, two bus stops shall be provided at a location to be agreed on the B184 near to the roundabout with the northwest bypass. Details of the bus stops, including their location, carriageway markings, raised kerbs, shelter, footway connections and uncontrolled crossing point, flag and pole shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently the bus stops shall be implemented in accordance with the approved details.

REASON: In the interests of the accessibility of the development in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

4. Prior to the occupation of any dwelling, a footway/cycleway link shall be provided to connect i. Sector 3 with Sector 4, ii. Sector 4 with the B184 and iii. the Helena Romanes School site with the wider Woodlands Park site. Details of the proposed footway/cycleway links shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Subsequently the development shall be implemented in accordance with the approved details.

REASON: In the interests of highway safety, efficiency and accessibility in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Characteristics of Plots for Sector 4, Great Dunmow

Plot	No of bedrooms	Parking spaces	Garden area (m ²)	Affordable/market
1	3(4)	3 +1	156	Market
2	3(4)	3	105	Market
3	3(4)	3	127	Market
4	5	2	192	Market
5	3(4)	2 +1	123	Market
6	3(4)	4	145	Market
7	3(4)	3	121	Market
8	4	3	154	Market
9	3	3	167	Market
10	4	4	286	Market
11	4	4	151	Market
12	3	2	100	Affordable
13	3	2	109	Affordable
14	2	2	59	Affordable
15	2	2	52	Affordable
16	2	2	63	Affordable
17	2	2	84	Affordable
18	2	2	65	Affordable
19	2	2	64	Affordable
20	2	2	52	Affordable
21	1	1	Communal area for flats in blocks 1-3 = 550	Affordable
22	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
23	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
24	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
25	1	1	Communal area for flats in blocks 1-3 = 550	Affordable
26	1	1	Communal area for flats in blocks 1-3 = 550	Affordable
27	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
28	1	1	Communal area for flats in blocks 1-3 = 550	Affordable
29	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
30	2	1	Communal area for flats in blocks 1-3 = 550	Affordable

31	1	1	Communal area for flats in blocks 1-3 = 550	Affordable
32	1	1	Communal area for flats in blocks 1-3 = 550	Affordable
33	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
34	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
35	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
36	2	1	Communal area for flats in blocks 1-3 = 550	Affordable
37	5	4	210	Market
38	5(6)	4	112	Market
39	2	2	101	Affordable
40	2	2	105	Affordable
41	3	2	115	Affordable
42	3	2	103	Affordable
43	2	2	105	Affordable
44	2	2	78	Affordable
45	2	2	65	Affordable
46	2	2	68	Affordable
47	3	2	171	Affordable
48	3	2	157	Affordable
49	3	2	100	Affordable
50	3	2	103	Affordable
51	3	2	103	Affordable
52	3	2	104	Affordable
53	3	2	102	Affordable
54	3	2	101	Affordable
55	3	2	100	Affordable
56	3	2	100	Affordable
57	3(4)	2	134	Market
58	4(5)	4	165	Market
59	4(5)	4	239	Market
60	4(5)	4	342	Market
61	3	3	167	Market
62	5(6)	3	119	Market
63	4(5)	4	166	Market
64	4	4	160	Market
65	5	4	271	Market
66	3(4)	6?	173	Market
67	4(5)	4	276	Market
68	5(6)	4	271	Market
69	4(5)	4	268	Market
70	5	4	235	Market
71	4(5)	3	195	Market

72	4(5)	4	205	Market
73	4	3	126	Affordable
74	2	2	72	Affordable
75	2	2	76	Affordable
76	1	1	Communal area for flats in block 4 = 195	Affordable
77	1	1	Communal area for flats in block 4 = 195	Affordable
78	1	1	Communal area for flats in block 4 = 195	Affordable
79	1	1	Communal area for flats in block 4 = 195	Affordable
80	4(5)	3	121	Market
81	3	4	214	Market
82	4	2	205	Market
83	3(4)	3	178	Market
84	4	4	184	Market
85	3(4)	3	126	Market
86	4(5)	4	246	Market
87	5	4	360	Market
88	5(6)	4	246	Market
89	5(6)	4	306	Market
90	5(6)	4	230	Market
91	4(5)	4	156	Market
92	4(5)	4	154	Market
93	5	4	180	Market
94	3(4)	4	232	Market
95	4(5)	3	178	Market
96	4(5)	4	211	Market
97	3(4)	5	110	Market
98	3(4)	3	130	Market
99	4	4	202	Market
100	4(5)	3	257	Market
101	3(4)	4	178	Market
102	5	4	211	Market
103	5	4	209	Market
104	4(5)	4	133	Market
105	4(5)	3	272	Market
106	5(6)	4	297	Market
107	5	4	150	Market
108	4(5)	4	231	Market
109	5	4	300	Market
110	4	4	148	Market
111	4(5)	5?	295	Market
112	3(4)	5?	260	Market
113	4	4	236	Market
114	5	4	327	Market
115	4(5)	4	223	Market
116	5(6)	4	162	Market

117	5(6)	4	203	Market
118	4(5)	4	224	Market
119	4(5)	4	225	Market
120	5	4	300	Market
121	4(5)	4	230	Market
122	4(5)	4	197	Market
123	4(5)	4	249	Market
124	3(4)	3	121 (garden including area outside application site area = 290)	Market
125	5	4	196 (garden including area outside application site area = 326)	Market

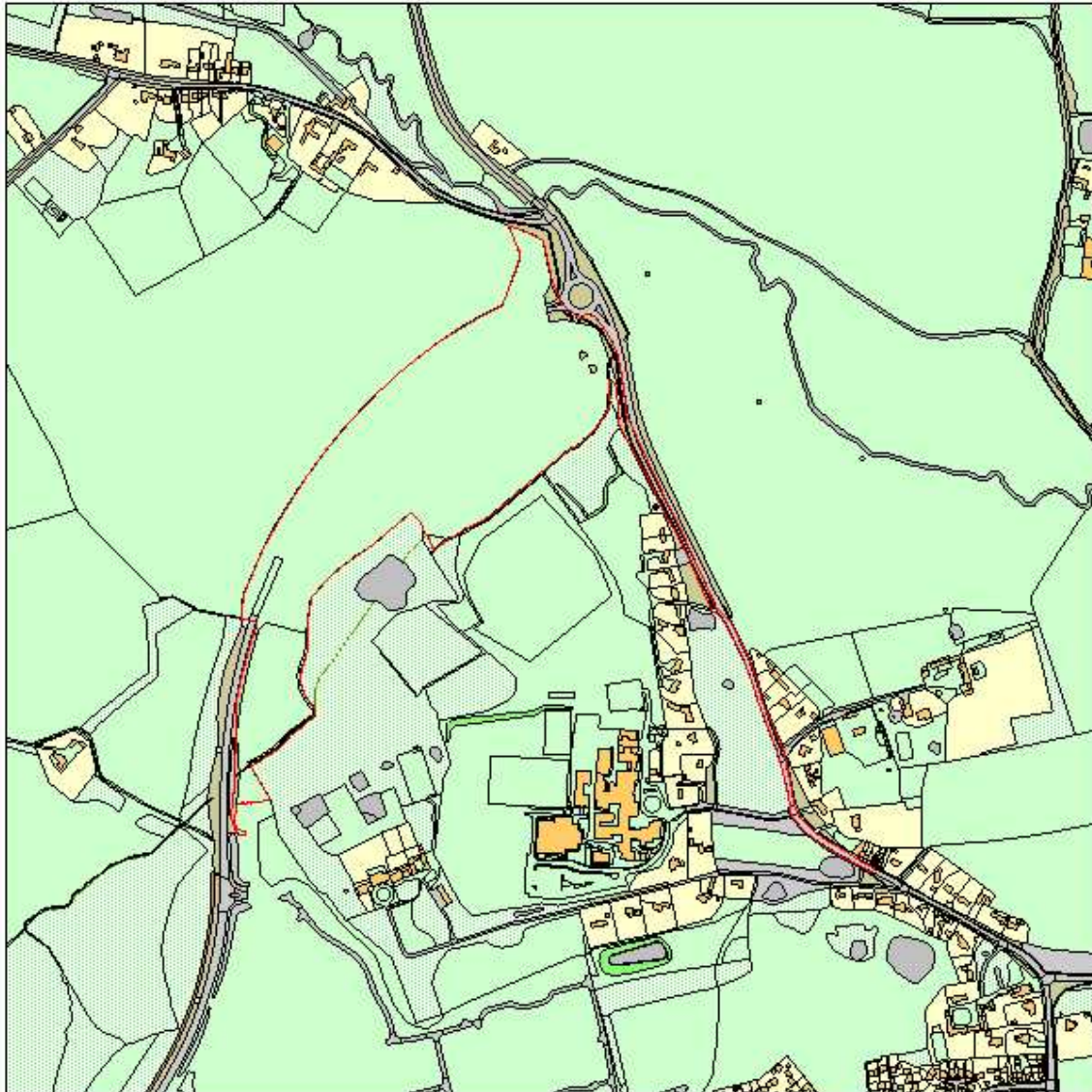
Figures in brackets indicate rooms which are not identified on the plans as bedrooms but could be used as such.

UTT/13/1663/DFO

Sector 4 Woodlands Park Gt Dunmow



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Organisation	Uttlesford District Council
Department	Planning & Building Control
Comments	
Date	11 October 2013
SLA Number	N/A

UTT/13/1767/FUL (HIGH RODING)

(MAJOR APPLICATION)

PROPOSAL: Demolition of existing dwelling and storage and mushroom sheds and erection of No. 31 dwellings, improvements to existing junction onto the B184 The Street, estate roads, footpaths, garages, car parking spaces, amenity space, allotments, foul and surface water drainage and landscaping.

LOCATION: Land at Meadow House Nursery, Dunmow Road, High Roding

APPLICANT: Mr Rex Coxeter

AGENT: Melville Dunbar Associates

EXPIRY DATE: 7 October 2013

CASE OFFICER: Katherine Mathieson

1. NOTATION

- 1.1 Half of site within Development Limits / Half of site Outside Development Limits / Access to site within Conservation Area / Listed Buildings adjacent

2. DESCRIPTION OF SITE

- 2.1 Meadow house Nursery is located in High Roding with access onto the B184 'The Street'. The application site comprises 1.2ha with a detached two-storey modern dwelling set back from but near the site entrance and a range of storage and former mushroom sheds along a track to the east and extending south.
- 2.1 To the north are dwellings fronting 'The Street' both detached and semi-detached and their rear gardens. Both Rose Cottage and Mount View as well as Swifts Cottage are grade II listed. To the west is 'Ways End Cottage' and its rear garden which is also Grade II listed. There is a Public Right of Way that bounds its rear garden running from 'The Street' towards a recreation ground further south. A small part of the site lies within the Conservation Area but most of it is outside and its the boundary runs along the northern site boundary with properties along 'The Street' to the north and west and there is also mature hedging and trees alongside these boundaries.
- 2.2 Land to the south (outside of the application site but owned and controlled by the applicant) comprises the garden of Meadow House with a large pond and further agricultural buildings. To the south and east are agricultural fields.

3 PROPOSAL

- 3.1 The application relates to the demolition of the existing dwelling on the site and the former mushroom farm buildings which have consent for B8 use and the erection of 31 new dwellings and the creation of 6 allotments. 12 of the units would be allocated as affordable housing with the remainder being market housing.

- 3.2 The development would be primarily in the form of two storey dwellings with 1 bungalow and 6 two and a half storey properties. The block of 4 flats would be two-storey.
- 3.3 Two areas of public open space would be provided as part of the development amounting to 625m² (284m² and 341m² respectively).

4 APPLICANT'S CASE

- 4.1 The application is accompanied by a Design and Access Statement, Great Crested Newt and Bat Survey, Ecological Appraisal Report, Environmental Risk Assessment, Flood Risk Assessment and Tree Survey and Arboricultural Implications Assessment.
- 4.2 The Design and Access statement provides information in relation to the site and its surroundings, planning history, the proposal including design principles, mix, density, provision of affordable housing, parking provision, access and pre-application discussions.

5 RELEVANT SITE HISTORY

5.1 UTT/1823/08/OP

- 5.1 Outline planning application for the erection of 25 dwellings including access conditionally approved subject to a S106 20 October 2010.

5.2 UTT/1387/02/FUL

- 5.2.1 Continued use of buildings for B8 use (Storage and Distribution) conditionally approved 2002.

6 POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S3 – Other Development Limits
- S7 – The Countryside
- GEN1 – Access
- GEN2 – Design
- GEN6 – Infrastructure Provision to Support Development
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- ENV2 – Development affecting Listed Buildings
- H3 – New Houses within Development Limits
- H9 – Affordable Housing
- H10 – Housing Mix

7 PARISH COUNCIL COMMENTS

- 7.1 An extraordinary meeting of High Roding Parish Council was held to consider the application. Thirty members of the public attended and the majority opposed the application on the following grounds:

1. The vehicular access to and from the site was considered to be dangerous, especially in view of the number of vehicles that ignore the 30mph speed restriction through the village.
2. The plan proposes to increase the parish boundary; if this was to happen it would set a precedent for future development.
3. An increase in the number of residents would add increased demand for services like schools and doctors in an area that is already stretched and overloaded.
4. There is a lack of amenities in the village, an increase in population would increase the need for such facilities as an adequate bus service, entertainment for young people who are not old enough to drive and are unable to travel outside the village and a post office for older people who do not drive.
5. To add another 31 dwellings in the village would incur an increase in size of almost 20%; it would completely change the character of the village.
6. As approval has been given for circa 25 dwellings that should not be increased to 31.

7.2 Concerns were expressed about:

1. Drainage – there is already poor drainage in the village, would any development exacerbate this?
2. Electricity supply – this is often disrupted would additional demand cause even more problems?
3. Water Pressure – already inadequate would greater demand be provided for?
4. Nature and style of building – would any consideration be given to the use of sustainable materials and the effect on the environment when appointing a developer?
5. Poor phone connection – would a better service be provided or would the additional load make the situation worse?
6. In view of the lack of public transport new residents will need cars – will sufficient parking spaces be made available?

7.3 I trust this is sufficient to enable the Parish Council's and residents' objections to be registered.

8 CONSULTATIONS

Thames Water

8.1 Part of the site lies within the licensed area of Thames Water however the drainage of the site will generally be to Anglian Waters' assets. The Flood Risk Assessment identifies the drainage issues as being resolved in conjunction with Anglian Water. As such Thames Water have no input other than to seek an assurance from the Planning Authority that Anglian Water have been consulted and are indeed dealing with all drainage issues relating to this site.

ECC Ecology

8.2 No objection subject to the imposition of appropriately worded conditions.

Hedgerows

The boundary hedgerows on site have the potential to support breeding birds, and the applicant's ecologist feels it could support birds of conservation concern. The hedgerows are likely to be locally important for invertebrates. The hedgerows are also a Priority habitat and should be retained.

Unimproved Grassland

Small areas of unimproved grassland, an Essex BAP Habitat, will be lost to the development and should be replaced.

Ponds

The site previously supported Great Crested Newts, but due to altered hydrology the supporting ponds dried up, and the main pond was filled in by the applicant. The remaining water bodies are shallow. I agree with the recommendation of the applicants' ecologist that a new, artificially lined, pond is created to ensure there is no net loss of amphibian ponds.

Bats

Common Pipistrelle were recorded foraging on site during the bat surveys in May 2013. Site lighting will need to be designed to avoid impacts on bats.

The following condition is recommended:

Biodiversity Mitigation and Enhancement Plan

No development shall take place until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, as outlined in the Ecological Appraisal Report (dated 4th March 2013) and shall, without prejudice to the foregoing, include:

- (i) Aims and objectives of mitigation and enhancement;
- (ii) Extent and location of proposed works;
- (iii) A description and evaluation of the features to be managed, including but not limited to the hedgerows, new planting and the new pond;
- (iv) Sources of habitat materials including the seed mix for the new wildflower planting;
- (v) Timing of the works;
- (vi) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation;
- (vii) Prescriptions for management actions;
- (viii) Details of the location, height, design, sensors, and luminance of all fixed lighting. The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals.

The development hereby permitted shall be implemented in accordance with the approved plan in all respects.

Reason: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with local plan policies.

Anglian Water

8.3 Wastewater Treatment

The foul drainage from this development is in the catchment of High Roding STW that at present has available capacity for these flows.

Foul Sewerage Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991.

Surface Water Disposal

The surface water strategy/flood risk assessment submitted with the planning application is not relevant to Anglian Water and therefore this is outside our jurisdiction for comment and the Planning Authority will need to consider which is the appropriate body to comment.

We request that the agreed strategy is conditioned in the planning approval.

ECC Education

- 8.4 According to our forecasts there should be sufficient early years and childcare provision to meet the needs of the development.

This development falls in the priority admissions area of Rodings Primary School which has permanent capacity for 210 pupils. In the academic year of 2011-2012 there were 218 pupils on roll at the school and forecasts published in the document "Commissioning School Place in Essex 2013-2017" show that a deficit in places will remain until the end of the forecast period

With regard to secondary provision the priority admissions area school for this development would be The Helena Romanes School and Sixth Form Centre (HRS) which has a net capacity of 1563 pupils. Forecasts show that by 2015 year 7 will reach the school's Planned Admissions Number of 270 pupils and as a consequence by 2018 HRS is likely to have 1584 pupils on roll. Further, ECC Schools, Children and Families Directorate – School Census January 2012 should 1725 children of secondary /sixth form age living in the HRS priority admissions area. This means that there would be insufficient capacity at HRS should all the children in the priority admissions area choose to apply for a place at the school. With rising cohort sizes in many parts of Essex, there will be pressure on 'net exporters' such as HRS, with children 'pushed back' to their priority admissions area school.

Although HRS is over 3 miles from the proposed development, there is likely to be sufficient places on a school bus for the secondary children generated by the development.

In view of the above, I request on behalf of ECC that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on primary and secondary education. For information purposes only, should the final development result in the net increase of dwellings as stated above with two or more bedrooms the primary school contribution sum would be £78,195 and the secondary school contribution would be £79,195 making a total contribution of £157,390.

Access and Equalities Officer

- 8.5 There are 31 dwellings planned for this site. The house types A-O meet the requirements of the SPD on Accessible Homes and Playspace, you will require confirmation of the plots (2) which will be required to meet the Wheelchair Accessible Homes Standard (Unit C) which should be across all tenures.

Access to the allotments, amenity space etc should be inclusive and meet the needs of disabled residents.

Housing Enabling Officer

- 8.5 The delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units; 20% on schemes 5-14 units and a commuted sum on schemes of 1-4 units.

The affordable housing provision on this site will attract the 40% policy requirement as the site is for 31 (net) units. This amounts to 12 affordable housing units and it is

expected that these properties will be delivered by one of the Council's preferred Registered Providers.

The mix and tenure split of the properties is given below; this mix should be indistinguishable from the market housing, in clusters of no more than 10 with good integration within the scheme and be predominately houses with parking spaces.

S106 Figures					
Tenure mix	1 bed	2 bed	3 bed	4 bed	
affordable Rent non bungalows	3	4	1	0	8
affordable Rent bungalows		1	0		1
SUB TOTAL A/R	3	5	1	0	9
shared ownership non bungalows	1	2	0	0	3
shared ownership bungalows	0	0	0		0
SUB TOTALS/O	1	2	0	0	3
GRAND TOTAL AFFORDABLE UNITS	4	7	1	0	12
MARKET BUNGALOWS		1			

It is also the Councils' policy to require all units delivered to the Lifetimes Home Standard with 5% being wheelchair accessible as well as 5% of all units to be bungalows delivered as 1 and 2 bedroom units. This would amount to 1 bungalow across the site delivered as an affordable unit and 1 for open market.

Uttlesford Ramblers

- 8.6 The application covers an area where existing footpaths and other rights of way run. It is essential that these are maintained. It will also be unacceptable for these to be incorporated into new roads erected on the site.

I am not in favour of the application as it will add to the traffic in an already high used road. However any support for this will only be given if the above is provided.

ECC Highways

- 8.7 The applicant's agent Melville Dunbar has arranged for a Transport Statement to be produced in support of the proposal for 31 dwellings and this demonstrates that there will be no impact on the highway network from the additional 6 dwellings over and above the consent UTT/1823/08/OP for 25 dwellings. Consequently this proposal will not have any detrimental effect upon highway safety or capacity at this location.

The Highway Authority would not wish to raise an objection to the above application as shown in principle on Drawing no. 1412-P101 dated July 2013 subject to the imposition of conditions.

ECC Flood and Water Management Team

- 8.8 Further to my letter dated 22 July 2013 giving our informal comments on the proposed surface water drainage strategy for planning application UTT/13/1767/FUL for the proposal at Land at Meadow House Nursery, following discussions with the applicant and the Environment Agency we have now reviewed our response with respect to discharge rates.

Whilst, as previously mentioned, the selected rainfall intensity (197mm/hour) and discharge rates (267 litres/sec) do appear to be high, the proposed reduction in impermeable areas will result in a significant proportional reduction in run-off volume and rate. Therefore, we would not look to raise an issue with the proposed surface water drainage, as it fits with NPPF principles of reducing flood risk.

Conservation Officer

- 8.9 The current scheme does not diminish the setting of the adjacent listed buildings or the character or views into the Conservation Area in any greater degree than the previous scheme.

In terms of detailing, design and choice of materials, the proposal responds well to the local vernacular and is likely to positively contribute to the character of the area.

9 REPRESENTATIONS

- 9.1 Six objections have been received. Period expired 13 August. Main points raised:

- Site is within Conservation Area
- Will adversely affect the character of the village
- Design of dwellings is dull and unimaginative
- Materials proposed are inappropriate
- Fails to create a development with energy standards above standard building regulations
- Density is too high
- Sets a precedent for further development
- The locality cannot sustain an increased population – impact on doctors surgeries, school places and lack of public transport
- Insufficient parking spaces for the development
- Detrimental to road safety and dangerous access to the site
- Too many properties proposed
- No need for smaller properties
- Insufficient visibility at the access as a result of the position of historic dwellings
- Telephone services and water and electricity supplies are not adequate and further houses in the village will exacerbate this
- Landscaping plan would be required to soften the impact of the development
- Properties adjacent to the site have protected species within them – concerns regarding protected species as a result of the proposals
- Increase in noise and traffic with congestion and pollution
- Loss of privacy to existing properties

- 9.2 Comments on representations:

- Only a small area of the site is within the Conservation Area
- There is no requirement for residential development to exceed Level 3 of the Code for Sustainable Homes
- The provision of telephone, internet or water and electricity supplies is a matter for the suppliers and statutory undertakers of these services

- Ecological surveys have been submitted with the application and these have been considered by the Council's Ecologists
- See also Appraisal below.

10 APPRAISAL

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

- A Principle of development
- B Access
- C Design
- D Infrastructure
- E Nature Conservation
- F Vehicle Parking Standards
- G Affordable Housing
- H Housing Mix

A Principle of development

- 10.1 Approximately two thirds of the site is located within the Development Limits for High Roding and has previously been subject to an outline application for the erection of 25 dwellings which was conditionally approved and subject to a S106 legal agreement. This planning permission is extant and is a material consideration for the consideration of the current planning application. As such the development of the area of the site within Development Limits for residential use is acceptable in principle.
- 10.2 The remaining area of the site is located outside of the Development Limits and is therefore within the countryside. The site is no longer used for agriculture and planning permission has previously been granted in 2002 for change of use of the agricultural buildings for B8 uses, this area of land is therefore now brownfield land. The previous application would have resulted in new dwellings being located adjacent to B8 uses which would be likely to lead to conflict between the occupiers of those properties and the businesses using the former agricultural buildings. The current application would remove that potential for conflict and would in addition to providing an additional 6 dwellings, it would provide an area of public open space and allotments, thereby providing benefits to the local residents.
- 10.3 It should also be noted that the Council is currently unable to demonstrate a five year land supply of deliverable sites for residential development. In such circumstances the NPPF specifies that "*Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites*".
- 10.4 The Council recognises that it has a shortfall in a deliverable 5 year supply of housing land, and that it should consider favourably applications for residential development which will make a positive contribution towards meeting housing need.
- 10.5 The 5-year land supply update statement (published Wednesday 9 October 2013) considers the supply of housing against the Council's objectively assessed need which is based on the SNPP-2010 projections of 523 dwellings a year.
- 10.6 Since April 2013 an additional 505 dwellings have been granted planning permission on sites of 6 or more dwellings; 308 dwellings have been granted planning permission on

sites proposed in the Draft Local Plan June 2012; and planning permission on land south of Ongar Road, Great Dunmow for 100 dwellings is currently quashed.

10.7 The estimated number of completions each year is shown in the table below.

Year	13/14	14/15	15/16	16/17	17/18	18/19
	Current Year	Year 1	Year 2	Year 3	Year 4	Year 5
Dwellings on committed Sites	391	228	347	527	698	495

10.8 It is estimated that 2295 dwellings on committed sites will be built during the 5 year period, whilst the requirement is for 2746 dwellings to be built. This relates to 84% of the requirement which is equivalent to just over 4 years. There is therefore a shortfall of 451 dwellings as set out in the table below.

	Housing Requirement
Annual requirement	523
Total supply on deliverable committed sites	2295
Requirement years 1-5 plus 5% frontloading	2746
% of requirement available on deliverable sites years 1-5	84%
Supply in Years	4.2
Shortfall (dwellings)	451

10.9 As a consequence the Council still remains without a deliverable 5 year supply of housing land and therefore applications have to be considered against the guidance set out in Paragraph 49 of the NPPF. The Council has accepted this previously and has considered and determined planning applications in this light. As a consequence, planning permission has been granted for residential development outside development limits where appropriate, on sites that are identified for potential future development in the emerging Local Plan and on sites which are not identified but which are considered to be sustainable.

10.10 High Roding has limited services however there is a farm shop to the north of the site and there is a shop at Leaden Roding. In light of the previous grant of planning permission, the benefits of the current planning application, the brownfield status of the site (in particular the area of land outside Development Limits) and the lack of 5 year land supply, it is considered that the proposed development is sustainable and complies with the aims of the NPPF.

B Access

10.11 The proposed development would use the existing site access and the application has been considered by the Essex County Council as the local highways authority. They have not raised an objection to the proposal and the development complies with the requirements of ULP Policy GEN1.

C Design

- 10.12 The site is adjacent to the Conservation Area but only part of the access is within it however the proposed dwellings have been designed to reflect the traditional and historic nature of the existing properties, many of which are listed, located on either side of The Street. The proposed materials detailed on the application form and within the Design and Access statement reflect the local vernacular and are acceptable for this location. The general design of the proposed dwellings is acceptable and reflects the local area and design principles advocated by the Essex Design Guide. The Council's Conservation Officer has no objections to the proposals and they would not have a detrimental impact on the setting of the adjacent listed buildings or the character of the Conservation Area.
- 10.13 Each dwelling would have an amenity area which would meet the standards set out in the Essex Design Guide. If the proposal is considered to be acceptable, it is recommended that permitted development rights for extensions and outbuildings should be removed by way of a condition for plots 12 and 13 as their amenity areas are at the lower end of the Essex Design Guide standards.
- 10.14 The proposed development has been designed to have sufficient distance between the dwellings and the existing neighbouring properties in order to prevent any loss of amenity as a result of loss of privacy, loss of light, overlooking, overshadowing or overbearing impacts. The distances meet the standards set out in the Essex Design Guide and as a result there would be no materially detrimental impact from the development to neighbouring properties or between the proposed properties.
- 10.15 The development has been designed to meet Lifetime Home Standards and the dwelling on Plot 3 would be a fully wheelchair accessible bungalow.

D Infrastructure

- 10.16 The applicant has indicated that they are prepared to enter into a S106 legal obligation in order to provide affordable housing, maintenance of public open space and financial contributions towards education provision. Subject to this agreement being completed, the proposal would comply with the requirements of ULP Policy GEN6.

E Nature Conservation

- 10.17 The application is accompanied by an ecological appraisal report and great crested newt and bat surveys. This information has been considered by the Council's Ecologists who have no objections subject to the imposition of conditions. The proposed development would not therefore have a detrimental impact on any protected species and complies with the requirements of ULP Policy GEN7 and the NPPF.

F Vehicle Parking Standards

- 10.18 The submitted plans and design and access statement indicate that the proposed development would incorporate sufficient parking spaces to meet the requirements of the adopted parking standards, both locally set and county wide. There would also be 8 unallocated parking spaces within the development to provide visitor parking. The spaces, including garages and car ports, would all meet the dimensions set out in the adopted parking standards and as such the proposal would comply with ULP Policy GEN8 and the adopted parking standards.

G Affordable Housing

10.19 The proposal incorporates 40% affordable housing and is in line with the size and mix of units identified by the Housing Enabling Officer. The proposed development therefore complies with the requirements of ULP Policy H9.

H Housing Mix

10.20 The proposed development would comprise a mix of eight x 2/3 bedroom and eleven x 4+ bedroom market dwellings. ULP policy H10 requires a significant mix of small 2 and 3 bedroom market dwellings and the proposal would result in just over 40% of the market housing meeting this requirement. It is considered that the proposed mix is appropriate and would meet the aims of ULP Policy H10.

11 CONCLUSION

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

- A The proposal comprises sustainable development and is acceptable in accordance with the NPPF.
- B The proposed access is acceptable and complies with the requirements of ULP Policy GEN1.
- C The design of the proposed development complies with the Essex Design Guide and ULP Policy GEN2.
- D The applicant has agreed to enter into a S106 agreement to provide affordable housing provision, contributions to education provision and public open space in accordance with ULP Policy GEN6.
- E The application has demonstrated that there would not be any harm to protected species as a result of the proposals in accordance with ULP Policy GEN7 and the NPPF.
- F The proposed development would have sufficient parking provision with an acceptable layout that would comply with the adopted parking standards and ULP Policy GEN8
- G The proposed mix and layout of the affordable housing meets the local needs and the requirements of ULP Policy H9
- H 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 - SUBJECT TO A SECTION 106 LEGAL OBLIGATION

(I) The applicant be informed that the committee would be mindful to refuse planning permission for the reasons set out in paragraph (III) unless by 6 November 2013 the owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Financial contribution towards primary and secondary education provision**
- (ii) Provision of affordable housing**
- (iii) Maintenance of public open space**
- (iv) Pay the Council's reasonable costs**
- (v) Pay monitoring charge**

(II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant planning permission subject to the conditions set out below:

(III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:

- (i) Lack of education provision**
- (ii) Lack of affordable housing provision**
- (iii) Lack of provision of open space**

Conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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 12, 13 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 which would be contrary to Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. Prior to the erection of the development hereby approved (not including footings and foundations) details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:-
 - i. proposed finished levels or contours;
 - ii. means of enclosure;
 - iii. car parking layouts;
 - iv. other vehicle and pedestrian access and circulation areas;
 - v. hard surfacing materials;
 - vi. minor artefacts and structures (e.g. refuse or other storage units, signs, lighting, etc.);
 - vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.);

viii. details of the management of the landscape buffer along the western site boundary.

Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

6. No development shall take place until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the local planning authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, as outlined in the Ecological Appraisal Report (dated 4th March 2013) and shall, without prejudice to the foregoing, include:
- (i) Aims and objectives of mitigation and enhancement;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed, including but not limited to the hedgerows, new planting and the new pond;
 - (iv) Sources of habitat materials including the seed mix for the new wildflower planting;
 - (v) Timing of the works;
 - (vi) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation;
 - (vii) Prescriptions for management actions;
 - (viii) Details of the location, height, design, sensors, and luminance of all fixed lighting.
- The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals.
The development hereby permitted shall be implemented in accordance with the approved plan in all respects.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

7. Prior to occupation of any dwelling, the provision of an access formed at right angles to Dunmow Road as shown in principle on Drawing No. 1412-P101 dated July 2013. This access shall include:
- a) Visibility splays with dimensions of 90m x 2.4m x 90m, as measured from and along the nearside edge of the carriageway, such visibility splays shall be retained free of any obstruction in perpetuity.
 - b) 7.5m junction radii.
 - c) 4.8m carriageway width with two x 2m footways.
- Details of the above shall be submitted to and approved in writing by the local planning authority prior to the commencement of development.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of the users of the highway and the access in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Characteristics of Plots for Land at Meadow House Nursery, High Roding

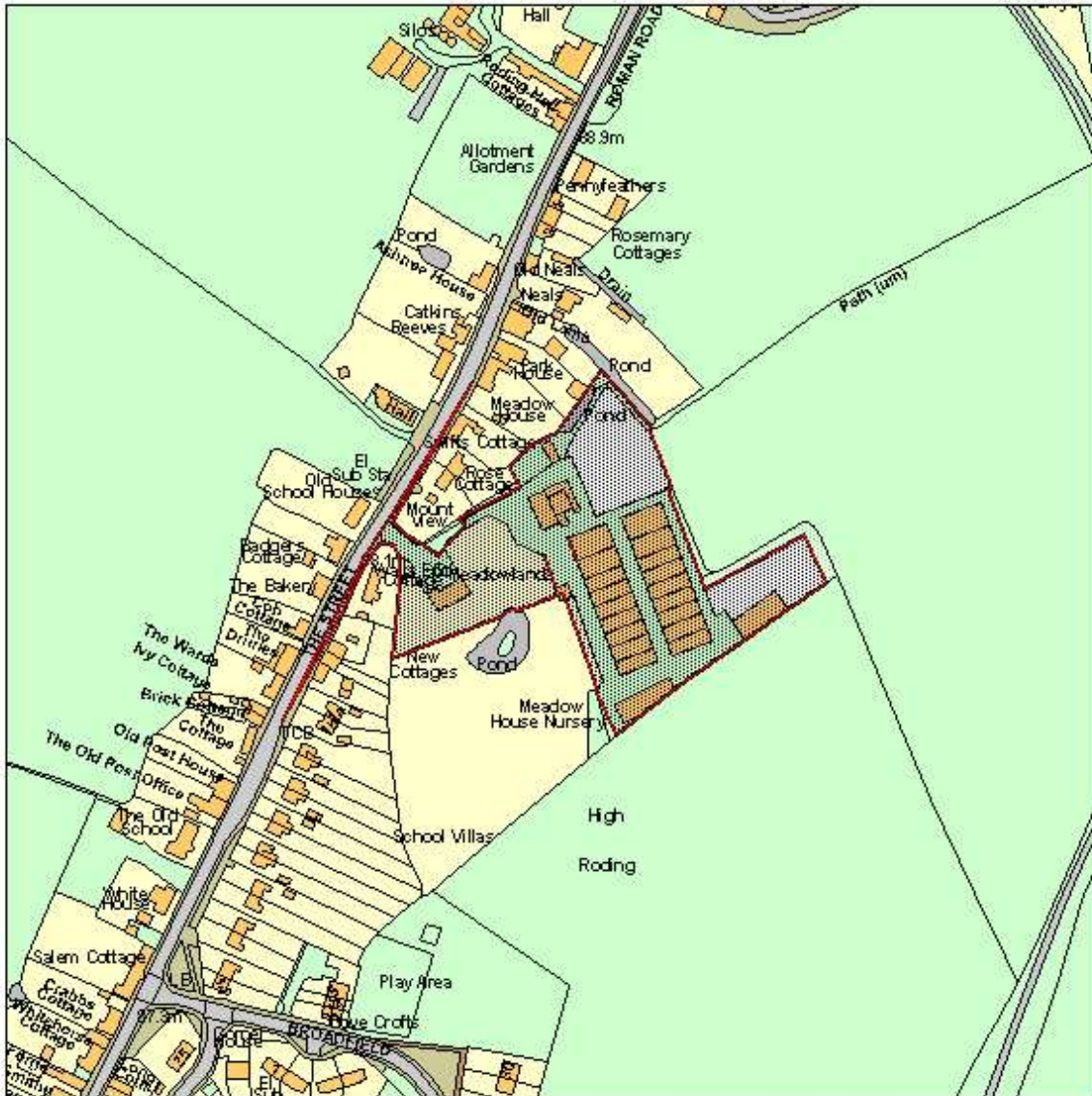
Plot	No of bedrooms	Parking spaces	Garden area (m ²)	Affordable/market
1	3	3	113	Market
2	4 (5)	3	113	Market
3	2	2	103	Market – Wheelchair accessible bungalow
4	4	3	180	Market
5	4	3	120	Market
6	2	2	190	Affordable
7	2	2	130	Affordable
8	3	2	145	Affordable
9	3	2	103	Affordable
10	2	2	80	Affordable
11	2	2	96	Affordable
12	1	1	57	Affordable
13	1	1	57	Affordable
14	4 (5)	2	105	Market
15	3	2	102	Market
16	4	3	105	Market
17	4	3	103	Market
18	3	2	109	Market
19	2	2	83	Market
20	4	3	150	Market
21	4	3	188	Market
22	4	3	115	Market
23	3	2	100	Market
24	3	2	190	Market
25	2	2	Communal area for flats - 281	Affordable
26	1	1	Communal area for flats - 281	Affordable
27	2	2	Communal area for flats - 281	Affordable
28	1	1	Communal area for flats - 281	Affordable
29	3	2	107	Market
30	4 (5)	3	134	Market
31	4 (5)	3	130	Market

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

UTT/13/1767/FUL



Land at Meadow House Nursery Dunmow Road High Roding



Scale : 1:2500

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	09 October 2013
SLA Number	© Crown copyright 2013 Ordnance

UTT/13/1967/FUL (SAFFRON WALDEN)

(Referred to Committee by Cllr Perry. Reason: Over development, impact on adjacent listed building, impact on street scene, access, parking)

PROPOSAL: Demolition of garage/store and erection of 1 no. detached dwelling and garden wall.

LOCATION: Land adjacent to Linden Lodge, London Road, Saffron Walden.

APPLICANT: R Del Tufo

AGENT: Mr Andrew Frostick, Andrew Frostick Associates.

EXPIRY DATE: 8 October 2013

CASE OFFICER: Samantha Heath

1. NOTATION

- 1.1 Within development limits.
- 1.2 Conservation Area.

2. DESCRIPTION OF SITE

- 2.1 The application site comprises a detached brick building of early 19th Century origins under a natural slate roof, Grade II listed with later additions on the side (east) elevation. The dwelling is located in a built up part of the Saffron Walden Conservation Area fronting one of the principle streets through the town and occupies a prominent position. The dwelling is slightly elevated from the road with the rear garden at a higher level than the house. To the frontage of the site is a historic wall with in and out entry points and a detached pitched roof single garage constructed in 2003. The historic wall extends to both side rear boundaries. To the west is a large two storey detached dwelling which is in line with the application site, opposite is a row of two storey terraced cottages and to the east a detached two storey dwelling which is set further forward. The rear garden of the site backs on properties fronting Debden Road.

3. PROPOSAL

- 3.1 The application proposes the demolition of the garage/store and the erection of 1 No. detached dwelling and garden wall.
- 3.2 The garage to be demolished has a footprint of 26sqm.
- 3.3 The proposed dwelling is to be located within the area of the existing garage and will be set forward compared to Linden Lodge, it will run the same distance into the garden along the boundary with Linden Lodge. It has an approximate footprint of 105sqm. The majority of the dwelling would be two storeys with a single storey pitched roof range to the rear. There will be three bedrooms and a basement. The maximum height of the proposed dwelling is 6.3m compared to the height of Linden Lodge which is 9.5m. 2 no. parking spaces are proposed at dimensions of 5m x 2.4m. The rear garden is approximately 85sqm in size. The distance between the proposed new dwelling and the existing is approximately 3m. The proposed wall to the frontage that links the two

property's is 8m in width and 3.8m in height with a pair of wooden double gates at 2.4m in height. Materials proposed are soft red facing brick, natural slate and painted softwood fenestration.

4. APPLICANT'S CASE

4.1 A design and access statement has been submitted and is available on the file.

5. RELEVANT SITE HISTORY

5.1 UTT/1358/02/FUL Widening of existing access and erection of gates. Erection of double garage and reconstruction of greenhouse. Approved 06.02.03.
UTT/1359/02/LB Partial demolition of front boundary wall and erection of gates. Approved 06.02.03.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S1 Development Limits for Main Urban Areas
- ENV1 Design of Development within Conservation Areas
- H3 New Houses within Development limits
- GEN2 Design
- GEN8 Vehicle Parking Standards

7. PARISH/TOWN COUNCIL COMMENTS

7.1 No objection.

8. CONSULTATIONS

8.1 Conservation Officer

Linden Lodge, is a brick building of early C19 origins under a natural slate roof. The building is located in a built up part of Saffron Walden Conservation Area facing one of the principle streets through the town. The listed building is located behind a historic wall with in and out entry points. Although the house is detached the perception from the street gives impression of built form filling in the whole frontage, due to the garage and a substantial brick wall existing on one side of the Lodge and later extensions running up to the side boundary on the other.

The proposal subject of this enquire is the formation of a dwelling within the area of the new garage and running same distance into the garden along the boundary with adjoining house. Most of the house would be two storeys with a flat roof range to the rear. I consider that in principle formation of a modest building of suggested design for the two storey range, which would be distinctly subservient to the Lodge but in keeping with its architectural style, would represent architectural improvement to the present arrangement in this area. I feel however that the indicated level of untraditional flat roof would be damaging to the setting of the listed Lodge especially when viewed from the higher areas of the garden or upper windows of the house.

As I pointed out at the meeting although my advice would relate mostly to the impact any such development would have on the setting of the listed building or the character of the conservation area, I envisaged planning concerns related to the parking arrangements and possible conflict of interests resulting from two separate users of the site. I suggested that further information should be provided indicating how the issue of driving in and out and parking would be resolved. A suggestion has also been made that the rear part of the new house should be omitted to avoid flat roof form and possible overdevelopment. With regards to the access and parking, I must remind you that the wall to the front of the site is also listed and the removal of any of its fabric would not be acceptable.

I was rather hoping that a reduced scheme with more clear indication of how the manoeuvrings of vehicles and associated parking would be resolved could be presented so that my response could be more positive. As it stands I feel that the proposal is likely to fail for the reasons stated above.

8.2 ECC Highways

I have had a look at the documents and the application form states 1 x 1 bed dwelling with 1 parking space but the drawings show a 3 bed dwelling with 2 parking spaces. These spaces are to the minimum size and should actually be 1 metre wider when between structures, page 25 3.2.7 of the parking standards, to allow for improved manoeuvrability. A gate is shown in front of these spaces and it is unclear as to how much of the existing frontage to Linden Lodge will be available to the proposed dwelling for manoeuvring as this area will also contain the displaced parking from Linden Lodge. I notice that all the existing planting is to remain and if some of this was removed it would probably provide sufficient parking and manoeuvring for both dwellings.

I do not have any concerns over visibility as the accesses are reasonably wide and vehicle speeds at this location will be quite slow.

8.3 Access and Equalities

There is no reference in the Design and Access Statement to the SPD on Accessible Homes and Playspace. As a new dwelling it will be required to meet the standard. If approved please condition that a Lifetime Homes Drawing is submitted prior to commencement. Level or gently sloping access to the principal entrance is required.

9. REPRESENTATIONS

9.1 Fourteen neighbours were consulted; three letters of objection were received. Summary of points raised:

- Size – two storey part will tower above adjacent property
- Lack of parking provision on site for both dwellings
- Highway safety
- Add to traffic congestion on London Road
- Detrimental to listed building
- Detrimental to streetscene/conservation area
- Overdevelopment
- Height will dominate garden and have adverse impact on Listed Building
- Overlooking to No. 2 Debden Road, No.1 London Road and No.16 London Road
- Loss of light to No. 2 Debden Road and No.1 London Road.

10. APPRAISAL

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

- A Whether the proposed works would be of an appropriate design and scale, respecting its Conservation Area location (ULP Policies S1, H3, ENV1 and GEN2).
- B Whether the proposal would adversely affect amenity values of neighbouring residents (ULP Policy GEN2).
- C Whether the proposal would adversely affect access and vehicle parking standards (ULP Policy GEN8)

A Whether the proposed works would be of an appropriate design and scale, respecting its Conservation Area location (ULP Policies S1, H8, ENV1 and GEN2).

- 10.1 The site is located within the development limits for Saffron Walden where, in principle, development will be permitted.
- 10.2 The site is located wholly within the Saffron Walden Conservation Area. Policy ENV1 of the Local Plan refers to the design of development within conservation areas. This policy states that development will be permitted where it preserves or enhances the character and appearance of essential features of a Conservation Area, including plan form and relationship between buildings. The Council's Conservation Officer has no concerns regarding a detrimental impact to either the Conservation Area or the adjacent listed building.
- 10.3 Policy GEN2 states that development should be compatible with the scale, form, layout and appearance of surrounding buildings and should have regard to guidance on layout and design adopted as supplementary planning guidance to the development plan. While Policy H3 states that new houses will be permitted if the development would be compatible with the character of the settlement. The proposed dwelling would reflect the design details of the host property and to this extent would be in keeping if considered in isolation. Nonetheless it would be a dwelling constructed in the north-eastern corner of the site, and in the context of its surroundings would appear to be squeezed into the site. In terms of its size and the spacing between it and neighbouring dwellings it would appear cramped and an overdevelopment of the site. It would be at odds with the prevailing characteristic of single dwellings on spacious plots along this part of London Road. The Essex Design Guide recommends 100sqm of private amenity area for a three bedroomed property however this plot only has a garden area of approximately 85sqm, resulting in a long, thin impractical garden indicating that the dwelling has been contrived to fit the plot.

B Whether the proposal would adversely affect amenity values of neighbouring residents (ULP Policy GEN2).

- 10.4 With regard to neighbouring amenity, the proposed dwelling has been designed with the intent to minimise potential impact on neighbouring properties, with minimal windows on the eastern elevation and the reduction in height from two storey to single storey towards the rear. However its proximity to no. 1 London Road with a distance of 2.4m at two storey height with windows at both ground and first floor would result in an unacceptable degree of overlooking. No 1 London Road has a window at ground floor level on the side elevation and the proposed new dwelling would also cause over shadowing later in the day and have an overbearing impact.

C Whether the proposal would adversely affect access and vehicle parking standards (ULP Policy GEN8)

10.5 With regard to access and vehicle parking standards, it is proposed that the new dwelling share the existing access to Linden Lodge and 2 No. parking spaces are proposed for the three bedroom dwelling. There have been a number of objections to the proposal stating that it would have a harmful impact on highway safety. Highways have no concerns regarding sharing the existing access however the size of the proposed parking spaces is not acceptable. Uttlesford Local Parking Standards adopted February 2013, state that a three bedroom dwelling should have 2 spaces and the ECC Parking Standards require a minimum size of 2.9m x 5.5m and where between structures should be a metre wider to allow for improved manoeuvrability and entry/exit to/from the vehicle. In addition the proposed arrangement would mean that any vehicles would have to be reversed into the parking area reserved for Linden Lodge to enable exit from the site which would already contain the displaced parking from Linden Lodge.

11. CONCLUSION

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

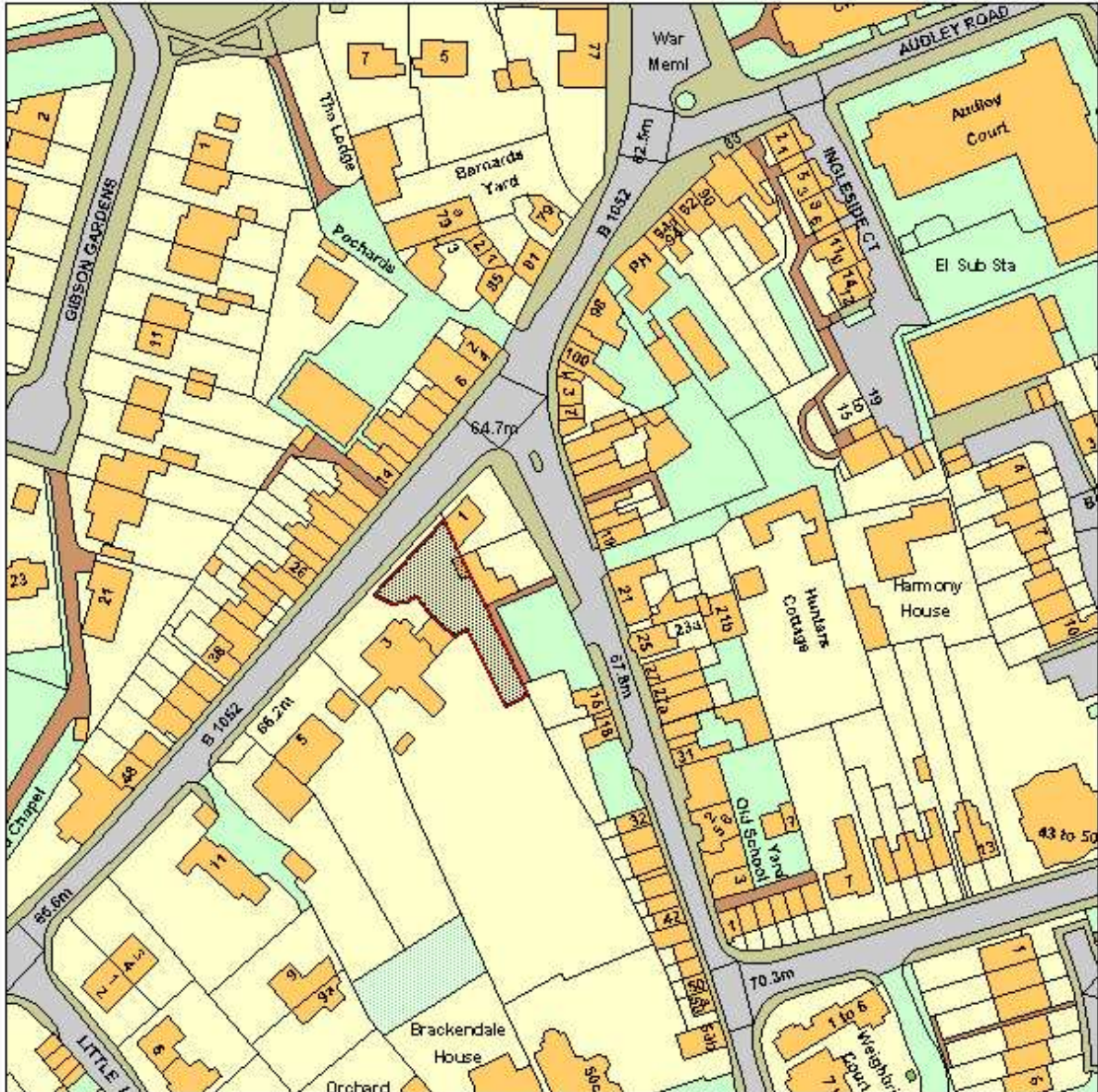
- A The proposal would result in overdevelopment of the site with the dwelling have a cramped appearance, it would be out of keeping with the pattern of development along this part of London Road.
- B The proposal would result in an unacceptable relationship with No. 1 London Road resulting in overlooking, overbearing and overshadowing impacts.
- C The parking provision is inadequate as it does not accord with the requirements of the adopted Vehicle Parking Standards (September 2009), the parking spaces are too small.

RECOMMENDATION – REFUSE FOR THE FOLLOWING REASONS

1. The proposed development, by reason of its scale, design and layout, in particular the cramped appearance, would constitute overdevelopment of the site. The proposal is not compatible with the built form and layout of surrounding buildings contrary to Policies ENV1, H3 and GEN2 of the Uttlesford Local Plan (2005).
2. The proposed dwelling would give rise to materially detrimental overlooking, overshadowing and overbearing impacts between the proposal and No 1 London Road as a result of there being insufficient distance between the side elevations of those properties contrary to Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
3. The parking provision for the scheme is inadequate as does not accord with the requirements of the adopted Vehicle Parking Standards (September 2009) as the sizes of the proposed parking spaces are not large enough. There would also be conflict between users of the proposed dwelling and the host dwelling with insufficient parking provision and the ability to manoeuvre on site. This is likely to give rise to on street parking in an area where the roads are narrow and there is no existing on street parking available, which would compromise road safety contrary to the requirements of Policy GEN1 of the Uttlesford Local Plan (2005).
4. The proposal fails to secure adequate contributions to affordable housing in accordance with the Council's Developer Contributions Guidance dated June 2013, and therefore is contrary to its Adopted Housing Strategy as evidenced by the Affordable Housing Viability Assessment August 2010 and update March 2012.

UTT/13/1967/FUL

Land adj Linden Lodge London Road Saffron Walden



Scale : 1:1250

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	07 October 2013
SLA Number	Not Set

UTT/13/2174/CA (SAFFRON WALDEN)

(Referred to Committee by Cllr Perry. Reason: Over development, impact on adjacent listed building, impact on street scene, access, parking)

PROPOSAL: Demolition of garage/store

LOCATION: Land adjacent to Linden Lodge, London Road, Saffron Walden.

APPLICANT: R Del Tufo

AGENT: Mr Andrew Frostick, Andrew Frostick Associates.

EXPIRY DATE: 8 October 2013

CASE OFFICER: Samantha Heath

1. NOTATION

- 1.1 Within development limits.
- 1.2 Conservation Area.

2. DESCRIPTION OF SITE

- 2.1 The application site comprises a detached brick building of early 19th Century origins under a natural slate roof, Grade II listed with later additions on the side (east) elevation. The dwelling is located in a built up part of the Saffron Walden Conservation Area fronting one of the principle streets through the town and occupies a prominent position. The dwelling is slightly elevated from the road with the rear garden at a higher level than the house. To the frontage of the site is a historic wall with in and out entry points and a detached pitched roof single garage constructed in 2003. The historic wall extends to both side rear boundaries. To the west is a large two storey detached dwelling which is in line with the application site, opposite is a row of two storey terraced cottages and to the east a detached two storey dwelling which is set further forward. The rear garden of the site backs on properties fronting Debden Road.

3. PROPOSAL

- 3.1 The application proposes the demolition of the garage/store and the erection of 1 No. detached dwelling and garden wall.
- 3.2 The garage to be demolished has a footprint of 26sqm.
- 3.3 The proposed dwelling is to be located within the area of the existing garage and will be set forward compared to Linden Lodge, it will run the same distance into the garden along the boundary with Linden Lodge. It has an approximate footprint of 105sqm. The majority of the dwelling would be two storeys with a single storey pitched roof range to the rear. There will be three bedrooms and a basement. The maximum height of the proposed dwelling is 6.3m compared to the height of Linden Lodge which is 9.5m. 2 no. parking spaces are proposed at dimensions of 5m x 2.4m. The rear garden is approximately 85sqm in size. The distance between the proposed new dwelling and the existing is approximately 3m. The proposed wall to the frontage that links the two property's is 8m in width and 3.8m in height with a pair of wooden double gates at 2.4m

in height. Materials proposed are soft red facing brick, natural slate and painted softwood fenestration.

4. APPLICANT'S CASE

4.1 A design and access statement has been submitted and is available on the file.

5. RELEVANT SITE HISTORY

5.1 UTT/1358/02/FUL Widening of existing access and erection of gates. Erection of double garage and reconstruction of greenhouse. Approved 06.02.03.
UTT/1359/02/LB Partial demolition of front boundary wall and erection of gates. Approved 06.02.03.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ENV1 Design of Development within Conservation Areas

7. PARISH/TOWN COUNCIL COMMENTS

7.1 No objection.

8. CONSULTATIONS

8.1 Conservation Officer

Linden Lodge, is a brick building of early C19 origins under a natural slate roof. The building is located in a built up part of Saffron Walden Conservation Area facing one of the principle streets through the town. The listed building is located behind a historic wall with in and out entry points. Although the house is detached the perception from the street gives impression of built form filling in the whole frontage, due to the garage and a substantial brick wall existing on one side of the Lodge and later extensions running up to the side boundary on the other.

The proposal subject of this enquire is the formation of a dwelling within the area of the new garage and running same distance into the garden along the boundary with adjoining house. Most of the house would be two storeys with a flat roof range to the rear. I consider that in principle formation of a modest building of suggested design for the two storey range, which would be distinctly subservient to the Lodge but in keeping with its architectural style, would represent architectural improvement to the present arrangement in this area. I feel however that the indicated level of untraditional flat roof would be damaging to the setting of the listed Lodge especially when viewed from the higher areas of the garden or upper windows of the house.

As I pointed out at the meeting although my advice would relate mostly to the impact any such development would have on the setting of the listed building or the character of the conservation area, I envisaged planning concerns related to the parking arrangements and possible conflict of interests resulting from two separate users of the site. I suggested that further information should be provided indicating how the issue of

driving in and out and parking would be resolved. A suggestion has also been made that the rear part of the new house should be omitted to avoid flat roof form and possible overdevelopment. With regards to the access and parking, I must remind you that the wall to the front of the site is also listed and the removal of any of its fabric would not be acceptable.

I was rather hoping that a reduced scheme with more clear indication of how the manoeuvrings of vehicles and associated parking would be resolved could be presented so that my response could be more positive. As it stands I feel that the proposal is likely to fail for the reasons stated above.

9. REPRESENTATIONS

9.1 Fourteen neighbours were consulted; three letters of objection were received. Summary of points raised:

- Any demolition would be subject to a Party Wall Agreement and would require our permission – 1 London Road

10. APPRAISAL

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

A Whether the demolition works proposed would be damaging to the character and appearance of the conservation area (NPPF, ULP Policy ENV1)

A Whether the demolition works proposed would be damaging to the character and appearance of the conservation area (NPPF, ULP Policy ENV1)

10.1 Policy ENV1 states that development involving demolition of a structure which positively contributes to the character of the area will not be permitted.

10.2 The building is not considered to be of any particular merit or positively contribute towards the character and appearance of the conservation area. Therefore its demolition is considered to be acceptable.

11. CONCLUSION

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

A The development fully accords with local and national planning policies and will not impact upon the character and appearance of the Conservation Area

RECOMMENDATION – CONDITIONAL APPROVAL

CONDITIONS

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

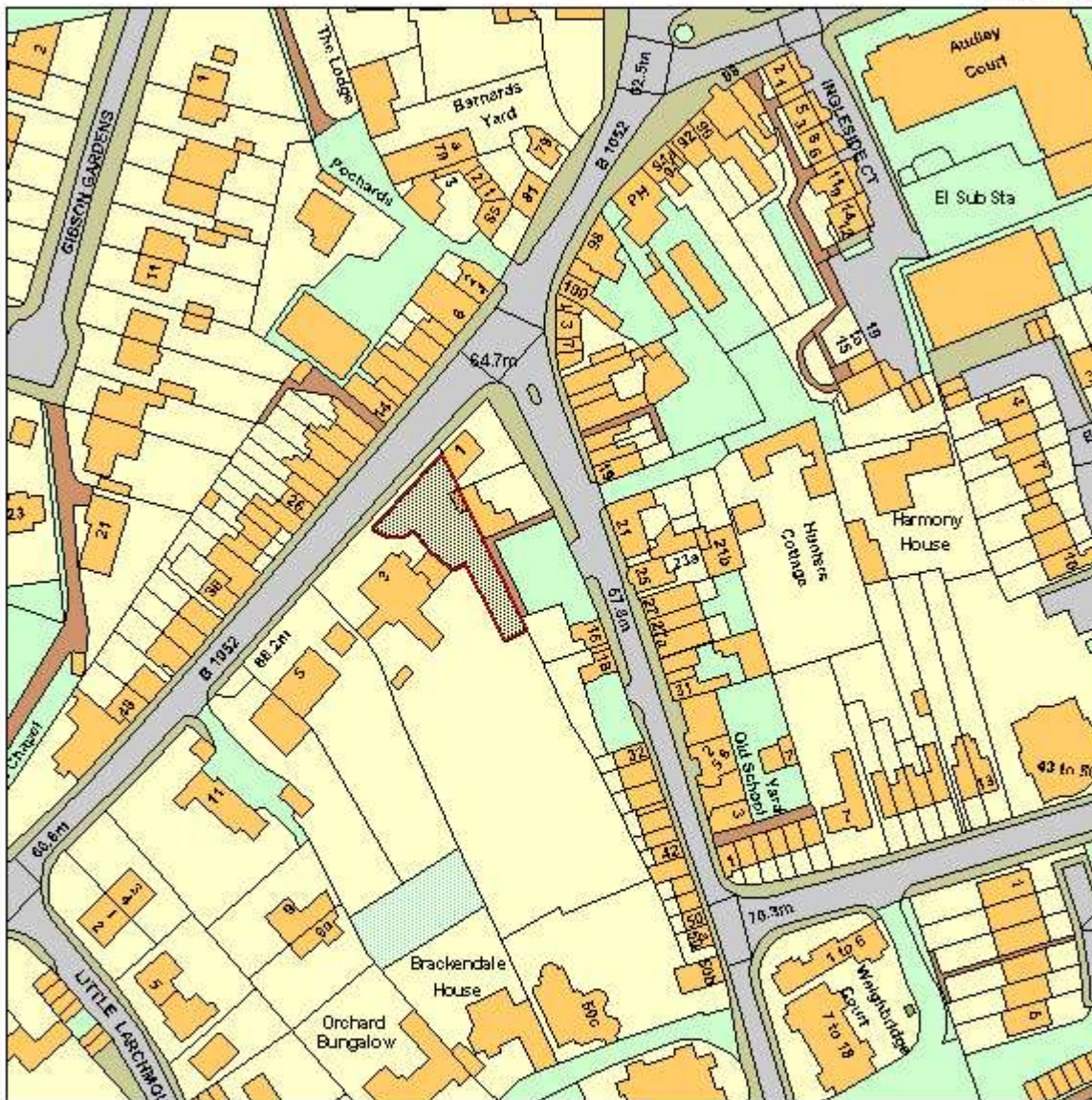
REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All materials arising from the demolition of the buildings that are not be re-used in the development shall be removed from site within three months of the commencement of the works unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the appearance of the development and conservation area, in accordance with Policy ENV1 of the Uttlesford Local Plan (adopted 2005).

UTT/13/2174/CA

Land adj Linden Lodge, London Road, Saffron Walden



Scale: 1:1250

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Organisation	Uttlesford District Council
Department	Planning & Building Control
Comments	
Date	08 October 2013
SLA Number	N/A

UTT/13/1828/FUL (STANSTED)

(Referred to Committee by Cllr Rich - Reason: Impact on residential amenity)

PROPOSAL:	Erection of detached dwelling with associated garaging involving demolition of outbuilding.
LOCATION:	Land at The Yews, Bentfield Road, Stansted
APPLICANT:	Mr & Mrs Langer
AGENT:	Andrew Stevenson Associates
EXPIRY DATE:	5 September 2013
CASE OFFICER:	Clive Theobald

1. NOTATION

- 1.1 Within Development Limits.

2. DESCRIPTION OF SITE

- 2.1 The application site lies on the eastern side of Bentfield Road to the immediate west of Hargrave House and comprises part of the rear landscaped garden of The Yews, a large, relatively modern detached four bedroomed dwelling with associated garaging set back from the road frontage. The site has a gentle fall from the front of the site to a small stream running along the site's rear boundary and is enclosed by mature hedging along its northern boundary. Residential properties of varying ages and styles line the frontage of Bentfield Road on the south side of the site, whilst a small new residential development has recently been constructed on a former industrial works to the immediate north. A detached property lies on the northern side of the site towards the rear boundary forming part of an adjoining residential estate (No.15 Loates Pasture).

3. PROPOSAL

- 3.1 This proposal relates to the erection of a detached two storied four bedroomed dwelling with associated garaging within the grounds of The Yews involving the demolition of an existing outbuilding. The new dwelling would have a footprint of 148 sqm, a height to the eaves of 4.8 metres and a height to the ridge of 7.9 metres incorporating a hipped roof and would be externally clad in clay peg tiles, red garden bond brickwork and painted weatherboarding with brick plinth. The dwelling would have both front and rear gable projections at reduced two storey ridge height externally clad in slate and would have a full two storey height centrally positioned glazing feature to the principal elevation. The new dwelling would be served by a combined two bay garage/cart lodge block to be positioned at the front of the dwelling with shared vehicular access onto Benfield Road.

4. APPLICANT'S CASE

- 4.1 The following is a summary of the applicant's submitted Design and Access Statement:
- The site is situated within a sustainable location within a defined settlement with good local services

- The proposed dwelling would be located centrally within the plot and would have a good spatial relationship between The Yews and the adjoining property [15 Loates Pasture], enabling the properties to sit comfortably together and afford a detailed design which would not create any material overlooking or overbearing effect
- The dwelling would have a consistent scale with adjacent properties and has been designed to respect traditional local vernacular building form using traditional spans and forms of enclosure
- The proposal would produce a compatible conventional layout maintaining the front elevation as the principal focal point
- No major changes in ground levels would take place to procure this development

5. RELEVANT SITE HISTORY

- 5.1 Planning permission refused and appeal dismissed in 1982 for the erection of two detached dwellings on land west of Hargrave House for reasons of inappropriate backland development and effect on preserved trees. Two storey apartment building to accommodate 6 No. residential units refused in 1985 on the grounds that the development would result in the loss of a number of trees and the potential loss of others to the detriment of the attractive parkland character of the site and as the proposal would represent undesirable backland development likely to cause nuisance to existing residents through overlooking from the first floor apartments (UTT/1018/85). Appeal dismissed. In dismissing the 1985 appeal, the Inspector remarked that the development of the site for an apartment block would be inappropriate where he noted that *"The site is in a setting of generally small scale residential development of varying age and appearance...its sylvan appearance has an important effect on the streetscene....it affords a very welcome break in the otherwise built-up frontage and a pleasant extension of the parkland setting of Hargrave House behind"*.
- 5.2 Permission refused in January 2013 for the erection of two dwellings with combined garaging on the site on the grounds that the proposal would represent an inappropriate form of backland development where this would result in a cramped layout and built form on the site relative to adjacent dwellings (UTT/12/5883/OP). It was noted in the officer report for that application proposal that scope for one dwelling on the site could exist if the dwelling was appropriately designed and scaled. The application before Members currently for consideration (UTT/13/1828/FUL) follows on from this refusal of planning permission.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy S1 – Settlement Boundaries for the Main Urban Areas
- ULP Policy H1 – Housing Development
- ULP Policy H4 – Backland Development
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN9 – Parking Standards
- ULP Policy ENV3 – Open Spaces and Trees

6.3 Uttlesford District DRAFT Local Plan

- Policy SP1 – Development within Development Limits
- Policy DES1 – Design
- Policy HE5 – Traditional Open Spaces and Trees
- Policy TA1 – Vehicle Parking Standards

7. PARISH COUNCIL COMMENTS

7.1 The Parish Council wishes to make no comments on this application.

8. CONSULTATIONS

Thames Water

8.1 There are public sewers crossing or close to the proposed development. Approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer in order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water to discuss the options available at this site.

8.2 Surface Water Drainage - It is recommended that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water will be required - Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Affinity Water

8.3 The proposed development site is located within an Environment Agency defined Groundwater Source Protection Zone (GPZ) corresponding to Stansted Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd. The construction works and operation of the proposed development site should be carried out in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Access and Equalities Officer

8.4 A review of the plans and the submitted Design and Access Statement shows that the application would comply with the requirements of the SPD on Accessible Homes and Playspace.

9. REPRESENTATIONS

9.1 1 received. Notification period expired 2 August 2013.

- The submitted drawings appear to show that the new dwelling would be at least 40% larger than our own dwelling where this represents a more invasive dwelling scheme than the previous proposal, whilst the drawings give a misleading impression of unrealised space for the dwelling
- Such a large dwelling positioned directly south of our property with a ridge height of 8.2 metres would completely overshadow us where the ridge height of our dwelling is just 6.8 metres. Furthermore, we would lose valuable light and warmth in the winter months when the sun's trajectory is lower in the sky and also general loss of ambience
- Any first floor windows to the dwelling would overlook our property leading to a loss of privacy
- Does the proposed piled foundation system with sub-structure design mean that the overall height of the new dwelling would be increased further beyond 8.2 metres
- (Amended drawings: - comments remain the same).

10. APPRAISAL

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

- A Principle of development (NPPF and ULP Policies S1, H1 and H4)
- B Design and impact on residential amenity (ULP Policy GEN2 and SPDs "Energy Efficiency and Renewable Energy" and "Accessible Homes and Playspace")
- C Whether proposed access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8)
- D Whether the development would be harmful to protected species (ULP Policy GEN7)
- E Impact on trees (ULP Policy ENV3)
- F Other matters: Drainage.

A Principle of development (NPPF and ULP Policies S1, H1 and H4)

- 10.1 The application site is situated within development limits where ULP Policy S1 states that development will be permitted if it would be compatible with the character of the settlement. Bentfield Road is predominantly residential in nature where the newly completed development at the adjacent former industrial works contains dwellings designed in the local vernacular. The site has a pleasant landscaped character where it formerly comprised part of the extended grounds of Hargrave House and where this character was noted by the Planning Inspector in consideration of a previous appeal for the site (see above), albeit that some of the trees have since been removed following the lifting of a TPO previously registered for the land. The introduction of an additional dwelling at this location as proposed is therefore considered to be consistent with the general character and grain of the area and would comply in this respect with ULP Policy S1.
- 10.2 The proposal site does not have the benefit of a road frontage and ULP Policy H4 relating to backland development therefore also applies to the proposal. Policy H4 states that development will be permitted (i.e. a presumption in favour of development) if there is significant under-use of the land and development would make more effective use of it, that the proposal would not have an adverse impact on neighbouring residential amenity and that vehicular access would not cause disturbance to nearby properties.
- 10.3 The application site currently forms part of the domestic curtilage of The Yews, although the physical sub-division of this property arguably would make more effective use of it for local housing purposes. Sufficient space would exist to accommodate the dwelling on the proposal site where it is considered that the resultant development

would have an acceptable spatial relationship between the donor dwelling and the adjacent property on its northern flank, 15 Loates Pasture, where a separation distance of 4 metres would be maintained between the proposed dwelling and the northern flank boundary. It should be noted that the planning inspector for the refused 1985 application for a more intensified form of residential development at this site (see above) commented that it would be possible in his view to fit a single dwelling "*fairly inconspicuously into the setting*", where this view was also held by the Council at officer level in consideration of the applicant's 2012 application for two dwellings on the site refused earlier this year. It is therefore considered from this that the erection of one dwelling on this site as now proposed is acceptable in principle subject to design and other matters as discussed below.

B Design and impact on residential amenity (ULP Policy GEN2 and SPDs "Energy Efficiency and Renewable Energy" and "Accessible Homes and Playspace")

- 10.4 The new dwelling would incorporate a traditional design and appearance where this part of Bentfield Road incorporates a mixture of dwelling types and sizes. The dwelling would be compliant with Lifetime Homes criteria and would have a rear garden amenity area of approximately 200 sqm, which would meet and exceed Essex Design Guide minimum standards. It is therefore considered that the design of the dwelling as indicated would be acceptable at this residential location.
- 10.5 The dwelling would stand 0.9 of a metre lower than neighbouring land to the north (15 Loates Pasture) with resultant lower floor levels to this side where an existing 3.0-3.5 metre high evergreen Laurel hedge exists along the northern site boundary, whilst the dwelling would stand at approximately the same ground level as The Yews. The roof of the dwelling has been reduced in pitch by 5 degrees following amenity concerns raised where this has had the result of reducing the overall ridge height of the dwelling from 8.2 metres as originally shown to 7.9 metres where the combination of this and the use of a hipped roof reduces the extent which the development could have an overbearing effect on No.15 Loates Pasture when assessed against the northern side boundary. The dwelling incorporates a single first floor window on the north flank elevation, which would serve a bedroom en-suite and which would be obscure glazed, whilst a rooflight on this elevation would serve an additional en-suite.
- 10.6 The dwelling has two bedroom windows on its southern flank elevation facing onto the rear garden of The Yews, the donor dwelling, where overlooking and resultant loss of privacy of the private sitting-out area of this property would likely to occur. A revised drawing has since been received by the Council showing that these windows would be fitted with frosted glass and hinge restrictors ensuring that the degree of opening of these windows would not extend beyond 17 degrees and therefore serving to severely limit any overlooking of the rear garden from these windows to mitigate the Council's amenity concerns in this respect. It is considered that this amenity safeguard could be reasonably conditioned where the applicant's agent has stated that natural light into these two bedrooms of the proposed dwelling would not be unduly diminished given the existence of other windows into these rooms.
- 10.7 No design and amenity objections are therefore raised to the proposal where the applicant's agent has additionally submitted a sunlight/daylight representation drawing as requested by the Council showing how natural light to No.15 Loates Pasture would not be unduly diminished by the new dwelling.

C Whether proposed access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8)

10.8 The proposed dwelling would be served by a shared access drive with The Yews and would have a two bay garage/cart lodge positioned at the front end of the site where two additional parking spaces are also shown immediately to the front of the dwelling. Parking provision would therefore be compliant with current parking standards for the size of the dwelling. The additional spaces shown would be laid out at right angles to the dwelling where there would be sufficient space for vehicles to be manoeuvred and driven out of the site in forward gear. ECC Highways have not been consulted on the current proposal, although did not raise any highway objections to the previously submitted two dwelling scheme for this site when it considered that visibility splays at point of vehicular access onto Bentfield Road are good in each direction providing that entrance and private drive improvements are carried out. No highway objections are therefore raised to the current proposal on this basis.

D Whether the development would be harmful to bio-diversity/protected species (ULP Policy GEN7)

10.9 The site forms part of a regularly maintained domestic rear garden where it is considered that the site has limited bio-diversity value based upon Natural England Standing Advice and where a pond situated within the rear garden that may have possibly previously served as a habitat for reptiles (not confirmed) has been dry for several years. It is considered from this that the proposal would not have an adverse effect on bio-diversity/protected species at the site where it would be possible to impose a bird nesting condition on any permission granted given the existence of perimeter hedges within close proximity of the proposed dwelling.

E Impact on trees (ULP Policy ENV3)

10.10 It is stated that existing individual mature tree specimens on the site would be maintained as part of the proposed development. Notwithstanding this, it is considered that it would be necessary to impose a tree protection condition on any permission granted for the proposal to protect the root system for these trees where they contribute to the attractive setting of the site, albeit that some of the trees have previously been removed. The landscaping officer has not raised any objections to the proposal and no objections are raised in this respect.

F Other matters - Drainage

10.11 It is noted that a public sewer exists within the site where this runs parallel with the site's northern boundary leading down from Bentfield Road to the bottom of the site. Whilst the consultation comments from Thames Water regarding the proposed development are noted (see above), it is ultimately a matter that rests between the applicant and Thames Water to resolve as to whether the development would compromise this sewer run, although the applicant has stated that it is in consultation with Thames Water concerning this matter where it is additionally stated that the principle of agreement is in place where a piled foundation system is being adopted to mitigate against any risk to the sewer.

11. CONCLUSION

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

- A The proposal is considered acceptable in principle at this residential backland location within development limits;

- B The design, siting and scale of the proposed dwelling would be acceptable where the development would not cause significant loss of neighbouring residential amenity subject to appropriate safeguarding conditions;
- C The proposal would be acceptable in terms of highway safety, parking, bio-diversity and tree protection subject to conditions.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of development samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policies GEN2 and ENV1 of the Uttlesford Local Plan (adopted 2005).

3. Before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure along all site boundaries
- b) hard surfacing, other hard landscape features and materials
- c) existing trees, hedges or other soft features to be retained
- d) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- e) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- f) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- g) location of service runs
- h) management and maintenance details

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. The erection of fencing for the protection of those trees identified to be retained on the site shall be undertaken in accordance with details approved in writing by the local planning authority before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be

stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

REASON: In the interests of tree protection and visual amenity in accordance with ULP Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. Before development commences, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the local planning authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from the public highway. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.

REASON: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. The proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of the footway and provided with an appropriate dropped kerb crossing of the footway if not already provided at the site.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the carriageway

REASON: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. The windows to the first floor bedrooms shown for the south-east flank elevation of the dwelling hereby permitted shall be obscure glazed and fixed with hinge restrictors restricting opening of these windows to no more than 17 degrees as shown on revised drawing 4649 06B "Proposed Side Elevations".

REASON: In the interests of the protection of residential amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

9. The development hereby permitted shall incorporate all measures set out in the accessibility statement / drawing which accompanied the application.

REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with national and local planning policies in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

10. 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 development within Classes A to F of Part 1 of Schedule 2

and Class A of Part 2 of Schedule 2 of the Order (i.e. any extension, outbuilding or enclosure) shall take place without the prior written permission of the local planning authority.

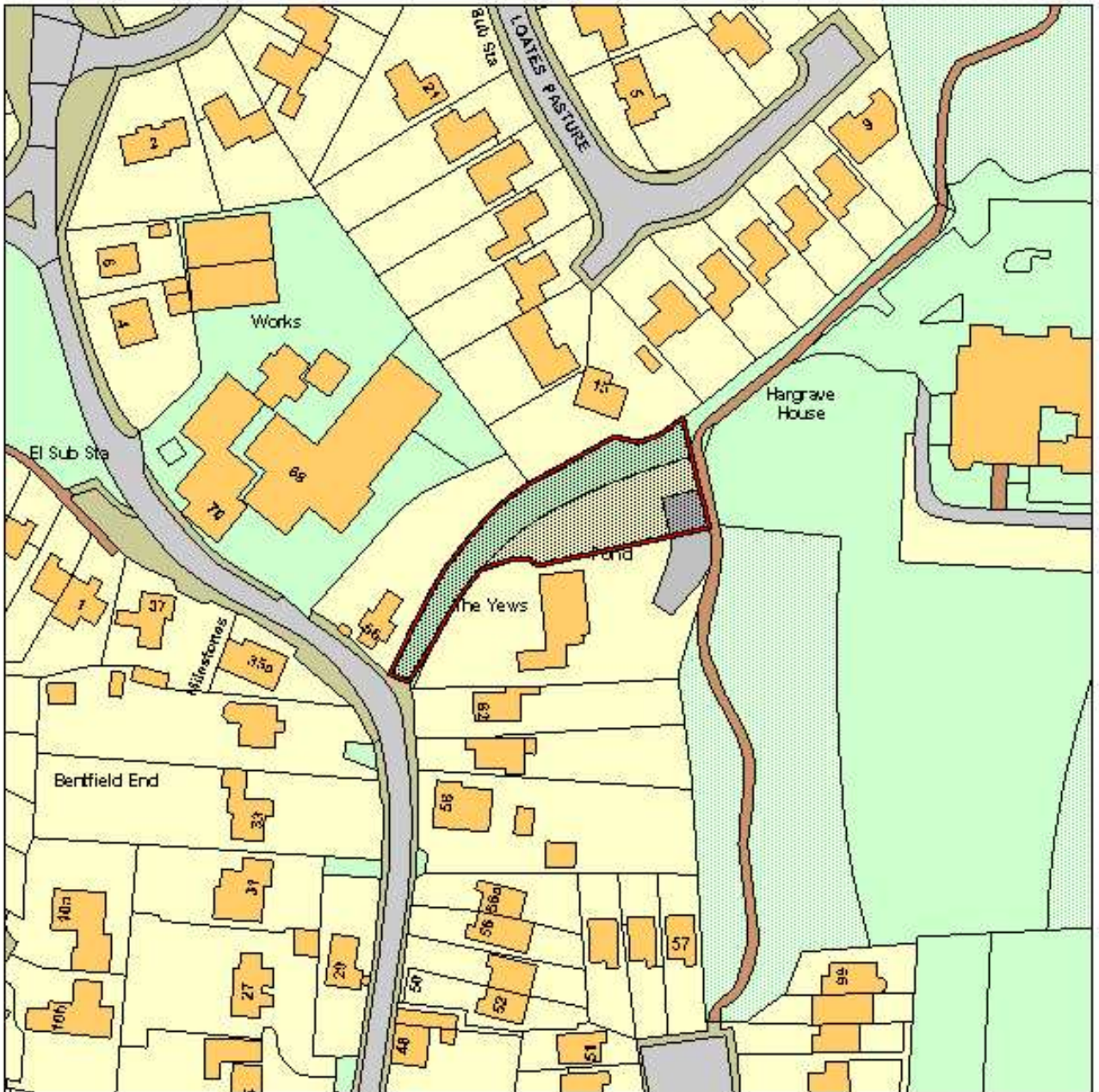
REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the occupiers of adjoining dwellings in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

11. No construction or site clearance shall be carried out on site between the 1st March and 31st August inclusive in any year, unless otherwise approved in writing by the Local Planning Authority. If such permission is given for scrub or tree removal between 1st March and 31st August inclusive, a detailed hand-search of the affected area must be carried out by a suitably qualified ecologist at least 48 hours prior to work commencing. If any nests are found, a 10m buffer zone must be established around each nest and works must be halted in this zone until all chicks have fledged.

REASON: All British birds, their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 in accordance with ULP Policy GEN7 of the Uttlesford District Council (adopted 2005).

UTT/13/1828/FUL

Land at The Yews Bentfield Road Stansted



Scale: 1:1250

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	16 September 2013
SLA Number	Not Set

UTT/13/2395/FUL (SAFFRON WALDEN)

(Councillor interest in application site – Cllr Redfern)

PROPOSAL:	Erection of one dwelling representing a variation in approved house type for Plot 10.
LOCATION:	Goddards Yard, Thaxted Road, Saffron Walden
APPLICANT:	Fowe Development Limited.
AGENT:	KMBC Planning
EXPIRY DATE:	25 October 2013
CASE OFFICER:	Clive Theobald

1. NOTATION

- 1.1 Within Development Limits / Residential Land Allocation SW2 (Land east of Thaxted Road) / Part of site within Area of Environmental Value - Open Space and Trees (ENV3).

2. DESCRIPTION OF SITE

- 2.1 The site is situated on the eastern side of Thaxted Road and currently comprises a commercial yard. The lower site frontage contains a single storey workshop, office and showroom building set back from the road (Paxtons Glass) with informal frontage parking, whilst a single storey vehicle workshop stands on higher ground along the site's rear boundary. The site's northern boundary comprises a screened chalk face abutting onto the adjacent Harris' Yard residential development, whilst the site's southern boundary backs onto a former railway line. It should be noted that the site area has been enlarged on its south-east corner compared to previously approved application UTT/13/0669/FUL for this site where it now includes part of the former railway embankment and alignment itself to extend up to the rear boundary of Nos.1 and 2 Prospect Place situated behind.

3. PROPOSAL

- 3.1 This proposal relates to the change of approved house type for Plot 10 as originally approved under UTT/13/0669/FUL for the residential development of this brownfield site where that extant approval relates to the erection of 14 dwellings, garages and new access road from Thaxted Road. The revised house type would comprise a three storey dwelling with basement comprising five bedrooms on the first and second floors with an attached and recessed double garage also containing a basement and would be externally rendered in buff brickwork and brown plain tiles. There would be additional plot parking space for two vehicles on a frontage hardstanding extending off a front driveway where this in turn would lead off the end of the access hammerhead of the previously approved development. The dwelling would have an indicated rear amenity space of approximately 131sqm.

4. APPLICANT'S CASE

4.1 A Design and Access Statement has been submitted with the planning application which states the following:

- Change of use of this brownfield site to residential use has already been granted under UTT/13/0669/FUL and no further change of use is needed
- The application site represents a small dwelling plot of approximately 500sqm in the south-east corner of the development site layout approved under UTT/13/2395/FUL).
- This application seeks the simple revision for Plot 10 to a larger dwelling to match the approved house type design specifications for adjoining Plots 11 and 12 where the density for the approved development remains unchanged.
- There would be no change in ground levels on the application site from those shown for the originally approved application with land levels sloping east from the rear boundary down to Thaxted Road (front). This part of the overall site is level for the proposed dwelling plot
- Vehicular access into the approved development site will remain unchanged for this revision application.
- The site is clear of mature vegetation throughout the area to be developed. The revision scheme will not affect any valuable existing landscape feature and will build upon existing features with new additional species planting of native trees and hedgerows which will help assimilate the development into the neighbourhood.
- The existing screening along the railway embankment would be retained.

5. RELEVANT SITE HISTORY

5.1 Planning permission granted earlier this year subject to a Section 106 Agreement requiring education provision for the demolition of existing industrial buildings at this industrial site situated within development limits and erection of 14 No. dwellings with associated garaging, parking and new access road (UTT/13/0669/FUL) where this grant of permission by Members followed a grant of renewal of a previous outline approval for 12 No. dwellings and associated garaging, parking and new access road where officer reports for these previous application proposals established the principle of the change of use of Goddards Yard to residential use in accordance with the site's allocated housing status within the current local plan and as carried forward into the Council's Draft Local Plan.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy GEN2 – Design
- ULP Policy GEN8 - Parking
- ULP Policy ENV3 – Protected Open Space of Environmental Value

6.3 Uttlesford District DRAFT Local Plan

- Policy DES1 – Design

- Policy TA1 – Vehicle Parking Standards
- Policy HE4 – Protecting the Natural Environment
- Policy HE5 – Traditional Open Spaces and Trees

7. TOWN COUNCIL COMMENTS

- 7.1 No objections in principle as long as safety issues concerning the embankment are completely complied with.

8. CONSULTATIONS

Anglian Water

- 8.1 No comments.

Affinity Water

- 8.2 The site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Debden Road pumping station. This is a public water supply comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

Essex County Council Highways

- 8.3 No objections as this revision application does not seek an increase in residential units at the site.

Essex County Council Education

- 8.4 The above application varies a house to the development permitted under UTT/13/0669/FUL. In the circumstances, we would request that the agreement dated 21 June 2013 in relation to UTT/13/0669/FUL for a secondary school contribution is varied to bring the new application proposal within it.

Essex County Council Archaeology

- 8.5 The Historic Environment Record shows that the proposed development lies on the site of the redundant Saffron Walden branch line (EHER 372). The EHER shows no surviving structural elements relating to the railway on the proposed development site. Therefore, no archaeological recommendations are being made on this application

UDC Access and Equalities Officer

- 8.6 The applicant needs to ensure that the Lifetime Homes Standard is met when amending the layout.

9.0 REPRESENTATIONS

- 9.1 3 letters of objection received. Representation period expired 26 September 2013.

- Concern over the removal of the existing railway embankment, which is designated in the current local plan and in the emerging draft local plan as a Protected Open Space of Environmental Value where the area is protected under Policy ENV3. This protection was highlighted in the supporting case for a

previous planning application for residential development at this site. No objections were raised to this previous planning application (UTT/13/0669/FUL) as the embankment was shown not to be affected by the proposal.

- The current revision application intends to removal part of the embankment where Nos.1 and 2 Prospect Place adjacent are situated at lower ground level. The embankment provides a natural screen to Goddards Yard. Its removal would leave Nos.1 and 2 Prospect Place very exposed to the site development where their outlook, natural light and privacy would be compromised. The extended site boundary would be just 1 metre from the rear wall of these dwellings and the alternative would be to look out of the rear windows onto boundary planting proposed to be planted (Hawthorn - 2.4 metres), which would block our natural light. Any hedge planting roots would be close to the dwellings
- A noticeable change in ground levels currently exists at the back of Prospect Place and we are concerned how this will be levelled if the development proceeds and the embankment is removed and how the underground room proposed for the garage block might affect the chalk foundations of the Victorian dwellings which have cellars where this might result in possible movement and structural damage where this would involve a very deep dig. Would this operation require a retaining wall?

10. APPRAISAL

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

- A Design (ULP Policy GEN2);
- B Whether parking arrangements would be satisfactory (ULP Policy GEN8);
- C Whether the proposal would be detrimental to a Protected Area of Open Space of Environmental Value (ULP ENV3);
- D Whether the proposal would be harmful to protected species (ULP Policy GEN7);
- E Impact on residential amenity (ULP Policy GEN2)

A Design (ULP Policy GEN2)

10.1 As previously discussed, the principle of developing this brownfield site for residential use has already been established through the grant of previous planning applications and this issue does not therefore fall to be considered for the current revised application.

10.2 The current application proposes a change in approved house type from a three bedroomed dwelling without garaging, but with two hardstanding parking spaces to a larger 5 bedroomed dwelling with attached double garage. The scale of the revised dwelling type as shown would be compatible with the scale of the adjacent approved dwellings for Plots 11 and 12 when this is compared to the previously approved scheme, whilst the design and appearance of the revised dwelling would also be appropriate. From a design perspective, therefore, the change and enlargement in house type for Plot 10 would be acceptable. The rear amenity space for the new dwelling at approximately 131sqm would meet and exceed Essex Design Standards. It is therefore considered that the proposal would comply with ULP Policy GEN2.

B Whether parking arrangements would be satisfactory (ULP Policy GEN8)

10.3 The revised dwelling would have 2 No. covered parking spaces and 2 No. hardstanding spaces with large drive feeding off the rear access hammerhead. The proposal would therefore meet and exceed the revised minimum parking requirement of 3 No. spaces for a 4+ bedroomed dwelling. The double garage would be slightly undersized in terms

of depth dimension, although some reduction in garage parking sizes were previously accepted under the previous grant of full planning permission for 14 dwellings at this site and it would be difficult in the circumstances to refuse planning permission on this basis. The proposal would therefore comply with ULP Policy GEN8.

C Whether the proposal would have a detrimental impact on a Protected Area of Open Space of Environmental Value (ULP ENV3);

10.4 The former railway alignment is designated as an area of Protected Open Space of Environmental Value in the current local plan where this has been included unchanged within the Council's Draft Local Plan. Parts of its length along the southern boundary of the site where it runs parallel with the unmade lane known as Prospect Place has been filled in and built over where these sections now form part of the rear gardens of the properties running along the north side of the lane where one newer property at the top of the lane benefits from a large garage block which straddles it. It is accepted that its value as a protected area of open space has been eroded to some extent in view of this fact. Further, it is understood that the applicant has control and ownership of this strip of adjacent land where the proposed extended curtilage of the new enlarged plot area for Plot 10 would break through the existing embankment, which contains a natural hedge and tree screen. Whilst noting this and the previous infilling/building over precedents which exist, it is considered nonetheless that the remainder of this "linear" green space, including the boundary embankment should be preserved and not be further compromised. In these circumstances, it is considered that the proposal would be contrary to ULP Policy ENV3 of the local plan.

D Whether the proposal would have a harmful impact on protected species (ULP Policy GEN7)

10.5 The applicant has followed Standing Advice of Natural England with regard to whether the proposal is likely to have a harmful effect on bio-diversity or protected species and has concluded from this that the proposal would have a negligible effect given the nature and condition of the land. One side of the railway embankment currently represents an industrial yard, whilst the alignment itself has been partially filled and utilised for domestic purposes as previously mentioned. It is considered from this that it is unlikely that bio-diversity or protected species would be harmed by the additional land taken up by the enlarged Plot 10, although it is possible that nesting birds are present along the embankment hedgerow. The proposal would therefore comply with ULP Policy GEN7 in this respect.

E Impact on residential amenity (ULP Policy GEN2)

10.6 As previously mentioned, the site area for the previously approved residential re-development of Goddards Yard is shown to be extended in the south-east corner for the current application where it now breaks through the alignment of the former railway line and where this was not indicated for the previously approved applications. The result of this is that the proposed curtilage area for Plot 10 would extend to within 1 metre of the rear facing wall of Nos.1 and 2 Prospect Place on its southern side. Currently, the residents of these properties enjoy a rear amenity outlook from both ground and first floor windows onto the screened railway embankment beyond. The revised proposal would have the effect of removing this natural screen whereby any proposed boundary planting as indicated along this extended southern boundary to compensate for this would in time obscure the rear elevation of these two properties whereby it is the view of your Officers that the reasonable residential amenities of the occupants of these two properties would be severely compromised through significant loss of natural light and outlook. This reasoning is reflected in the comments received

from the occupants of Nos.1 and 2 Prospect Place and also those received from No.3 Prospect Place adjacent. Whilst it is accepted that a right to a view is not a material planning consideration and whilst noting the reason for the applicant wishing to increase the size of the dwelling for Plot 10, it is considered that a balance has to be struck between the applicant's requirements and the impact that this revised proposal is likely to have upon adjacent local residents where this issue did not previously arise. As such, the revised proposal is considered to be contrary to ULP Policy GEN2.

10.7 The residents' comments concerning the possible impact that the closeness of the development would have on the structural integrity of Nos.1 and 2 Prospect Place are noted. However, Building Control have advised that it would be possible to provide a technical solution to this issue, which would involve the use of piling to reduce the risk of structural failure.

11. CONCLUSION

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

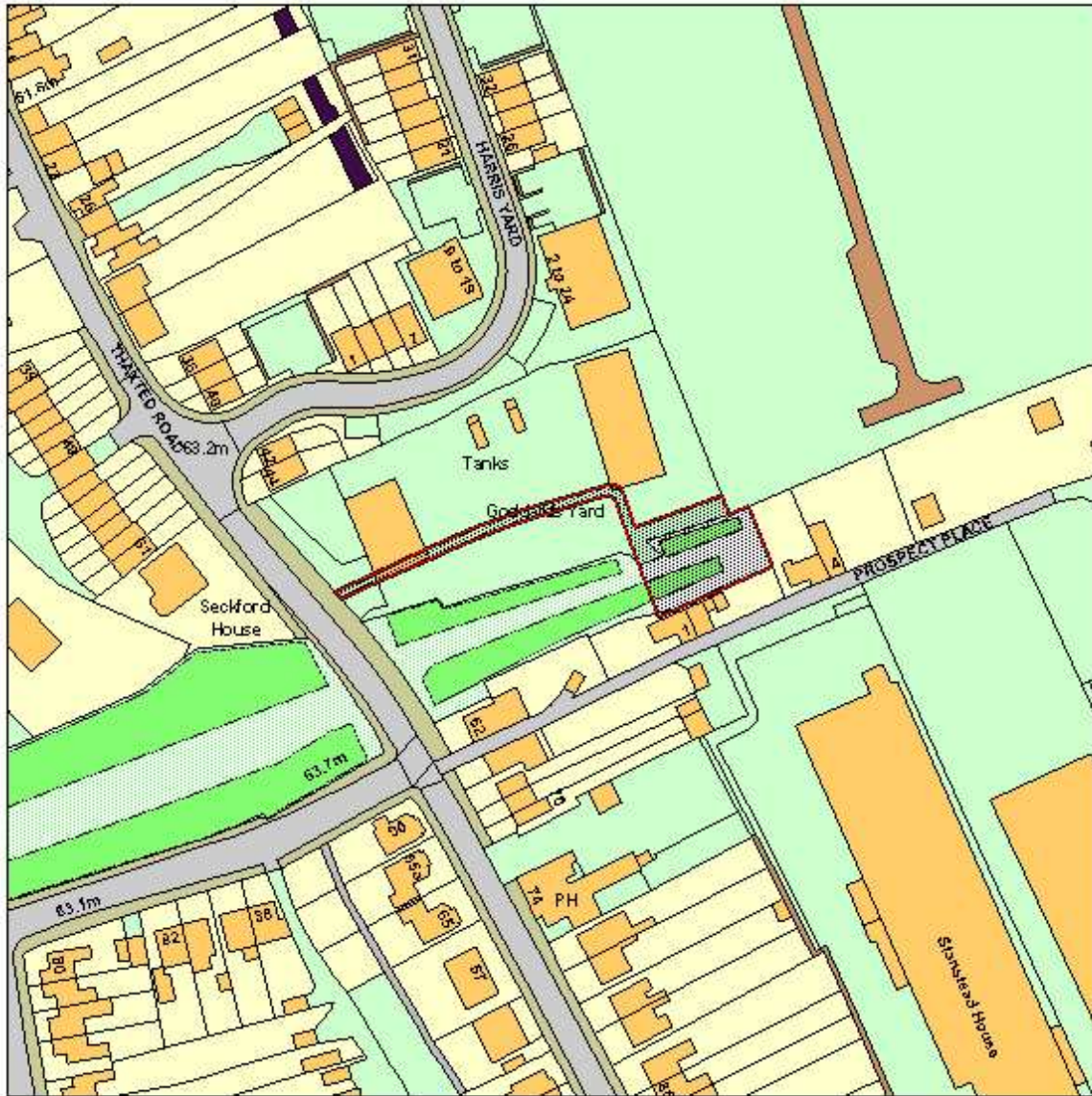
- A The revision in house type and subsequent enlarged plot area as proposed would have a harmful effect on a Protected Area of Open Space of Environmental Value (ULP ENV3)
- B The proposal would have a subsequent detrimental effect on adjacent residential amenity (ULP Policy GEN2).

RECOMMENDATION – REFUSAL

1. The proposed development would extend into a Protected Area of Open Space of Environmental Value as shown on the Proposals Map for the currently adopted local plan where this open space comprises the alignment of a former railway line. It is considered that the proposal would erode the appearance of this designated open space, which would also involve the removal of the railway line embankment itself. The proposal would therefore be detrimental to ULP Policy ENV3 of the Uttlesford Local Plan (adopted 2005).
2. The proposal by reason of the closeness of the revised southern curtilage boundary for Plot 10 as extended through associated boundary works and indicated boundary screening would have a detrimental effect upon the reasonable residential amenities of Nos.1 and 2 Prospect Place through diminished outlook and diminished loss of natural light contrary to ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

UTT/13/2295/FUL

Goddards Yard, Thaxted Road, Saffron Walden



Scale: 1:1250

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	09 October 2013
SLA Number	Not Set

UTT/13/2323/FUL (FELSTED)

(MAJOR APPLICATION)

PROPOSAL: Application to change condition 4 of UTT/13/0561/FUL dated 7 June 2013 from "No lights shall be erected within the site without the prior written agreement of the local planning authority." to "With the exception of any security lighting location on the DNO Substation, no lights shall be erected within the site without the prior written agreement of the local planning authority."

LOCATION: Land East Of Milch Hill Lane, Great Leighs, Chelmsford

APPLICANT: Lightsource SPV 16 Ltd

AGENT: Mr B Clarke, Lightsource Renewable Energy Ltd

EXPIRY DATE: 29 November 2013

CASE OFFICER: Sam Wellard

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The application site is located to the east of Felsted and west of Braintree and is located very close to the administrative boundary. It is located between Bartholomew Green and Willows Green. Access to the site is via an existing farm access track, which also forms a public right of way, starting adjacent to a property known as Blackleys Farm. The application site is located approximately 160m from the highway. It consists of two fields totally 15.56 hectares. There is boundary screening around the site and public rights of way exist adjacent to all the boundaries and these connect Felsted to the nearby Notley Country Park which lies to the north east. A hedgerow runs through the middle of the site separating the two fields.

2.2 The application site is relatively flat with a different height across the site of approximately 8m. There is a slight fall on the site from the north east to the south west. The site and area around the site is used for agricultural purposes.

2.3 Planning permission was granted in June 2013 under UTT/13/0561/FUL for the installation and operation of a ground mounted solar photovoltaic facility at the site. This solar farm consists of approximately 24,500 panels, 5 inverters across the site and a control room and associated buildings adjacent to the entrance to the site which would include a communications building and a Distribution Network Operator (DNO) substation. A deer fence would surround the site and CCTV cameras would be positioned around the site. Infra-red cameras would operate at the site.

3. PROPOSAL

3.1 Condition 4 imposed on planning permission UTT/13/0561/FUL states that;

'No lights shall be erected within the site without the prior written agreement of the local planning authority.

REASON: To safeguard the character and appearance of the countryside, in accordance with Uttlesford Local Plan Policy S7 (adopted 2005)'.

3.2 This application seeks to amend that condition to read;

'With the exception of any security lighting located on DNO substation, no lights shall be erected within the site without the prior written agreement of the local planning authority.

REASON: To safeguard the character and appearance of the countryside, in accordance with Uttlesford Local Plan Policy S7 (adopted 2005)'.

3.3 The submitted plans show lighting over the two entrances to the DNO substation. This would have a maximum height of 3.7m above ground.

4. APPLICANT'S CASE

4.1 None

5. RELEVANT SITE HISTORY

5.1 UTT/13/0160/SCO – Screening Opinion. EIA not required

5.2 UTT/13/0561/FUL - Installation and operation of a ground mounted solar photovoltaic facility. Approved with Conditions by planning committee 07.06.2013

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ENV15 – Renewable Energy
- S7 – The Countryside
- GEN2 – Design
- Policy GEN4 – Good neighbourliness

7. PARISH COUNCIL COMMENTS

7.1 Permanent floodlighting would be unacceptable. Any lights erected must be movement-sensitive, and fitted with cowls to prevent unnecessary light spillage beyond the immediate area of the DNO substation.

8. CONSULTATIONS

None

9. REPRESENTATIONS

9.1 Site notice displayed and the occupiers of 15 neighbouring properties notified via letter. No representations received.

10. APPRAISAL

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

- A Whether the proposed lighting would have any adverse impacts on the character of the area (UDC Policy S7)
- B Whether the proposed lighting would have any adverse impacts on the amenity of neighbouring properties (UDC Policies GEN2 and GEN4)

A Whether the proposed lighting would have any adverse impacts on the character of the area (UDC Policy S7)

10.1 The site is located outside of development limits in the open countryside whereby Policy S7 of the Local Plan states that permission shall only be given for development that needs to take place there or is appropriate in a rural location. Permission has already been granted for the solar farm and the associated buildings on the site. The proposed lighting over the two doors to the DNO substation is for security purposes. The lights are to be located at a maximum height of 3.7m from the ground. The substation is located close to the access to the site but is surrounded by the granted solar panels and adjacent to the existing pylons. Given the small scale of the proposed lighting and its height and location within the wider site, it is not considered that this would have a significant adverse impact on the visual amenities of the locality in this instance.

B Whether the proposed lighting would have any adverse impacts on the amenity of neighbouring properties (UDC Policies GEN2 and GEN4)

10.2 The solar farm is located at approximately 140m from the nearest residential property and the substation some 260m away. Given the location of the proposed lighting from the adjacent dwellings and the low scale of the lighting, it is not considered the proposal would cause any level of light pollution that would adversely affect the neighbours.

11. CONCLUSION

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

- A Permission for the solar farm has already been granted with a condition to restrict the erection of any lighting at the site. The proposed lighting is of low scale and for security purposes. Given its location and scale, the lighting would not have any significantly harmful impact on the character of the countryside or the amenity of any neighbouring residential property.

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the local planning authority. If within a period of five years from the date of the planting, ore replacement planting, any tree or plant is removed, uprooted, destroyed or dies, another tree or plant of the same species

and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

REASON: To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Uttlesford Local Plan Policies S7 and GEN7 (adopted 2005).

3. Prior to the commencement of the development full details of the final location, design and materials to be used for the control room and inverter cabinets shall be submitted to the local planning authority and agreed in writing.

REASON: To safeguard the character and appearance of the countryside, in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

4. With the exception of any security lighting located on DNO substation, no lights shall be erected within the site without the prior written agreement of the local planning authority.

REASON: To safeguard the character and appearance of the countryside, in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

5. Should the solar panels not be used continuously for the production of energy for a period of six months, the panels, support structures and associated buildings shall be removed in their entirety and the land shall be restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent the retention of development in the countryside that is not being used for its intended purpose in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

6. Prior to the commencement of development a revised Construction Method Statement shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details. The revised Construction Method Statement shall include details of delivery lorry routeing, and a Biodiversity Management Plan covering the protection and management of arable field margins, grassland, hedgerows and the method for protecting nesting birds.

REASON: To ensure the development protects the residential amenity of neighbours and biodiversity, in accordance with Uttlesford Local Plan Policies GEN4, GEN7 and GEN1 (adopted 2005).

7. The development hereby permitted shall be carried out in accordance with the Method Statement in Appendix 1 of the Great Crested Newt Interim Survey Report (dated 24 April 2013).

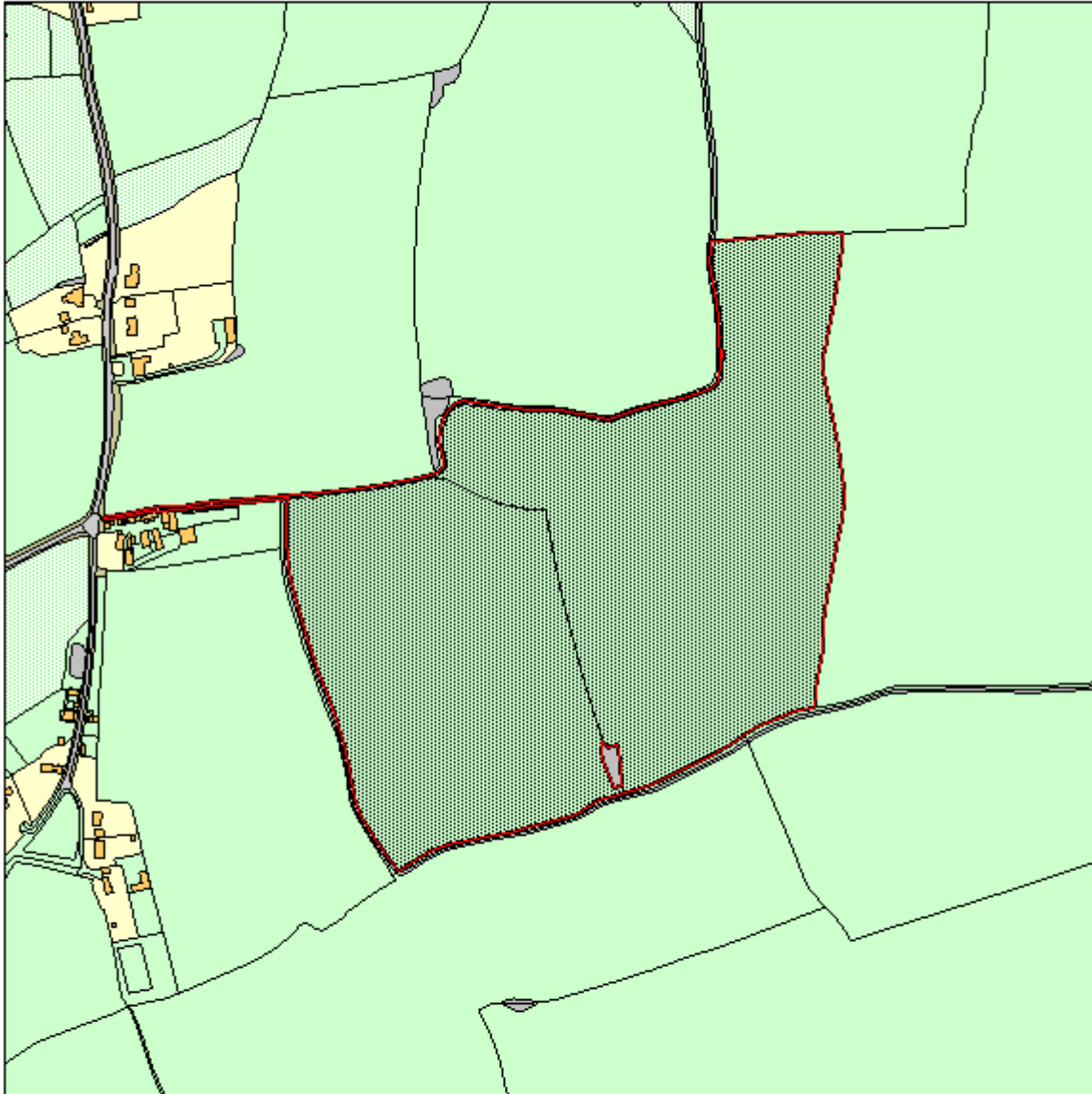
REASON: To make appropriate provision for conserving biodiversity within the approved development in the interests of the natural environment and in accordance with Uttlesford Local Plan Policy GEN7 (adopted 2005).

8. This approval relates solely to the lighting as shown on Drawing Number 21 Rev D and none of the other details shown on that drawing which are subject to the discharge of Condition 3.

REASON: To safeguard the character and appearance of the countryside, in accordance with Uttlesford Local Plan Policy S7 (adopted 2005).

UTT/13/2323/FUL

Land aEast of Milch Lane Gt Leighs



Scale: 1:5000

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Organisation	Uttlesford District Council
Department	Planning & Building Control
Comments	
Date	08 October 2013
SLA Number	N/A

UTT/13/2455/HHF SAFFRON WALDEN

Reason: Applicant related to Cllr Walters

PROPOSAL: Single Storey Rear Extension
LOCATION: 3 Blyth Court, Saffron Walden, Essex CB11 3DA
APPLICANT: Ms Nicola Walters
AGENT: Mark Reeve, Christian Reeve Architectural Design Consultants
EXPIRY DATE: 7.11.13
CASE OFFICER: Rosemary Clark

1. NOTATION

1.1 Within Development Limits, Tree Preservation Order

2. DESCRIPTION OF SITE

2.1 The application site comprises a two storey terraced/linked dwelling house on a courtyard development to the south of Saffron Walden town. There is a small front garden with allocated parking. The rear garden is laid to lawn with a small patio area and fencing to the boundaries.

3. PROPOSAL

3.1 The application proposes a single storey rear extension with bi-folding doors leading to the garden and rooflights on both roof slopes.

4. APPLICANT'S CASE

4.1 See Design and Access Statement submitted with application

5. RELEVANT SITE HISTORY

5.1 None

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2 – Design
- S1 – Development limits for the Main Urban Areas
- H8 – Extensions
- SPD1 – Home Extensions

7. PARISH/TOWN COUNCIL COMMENTS

7.1 Parish consulted – expires 10.10.13

8. CONSULTATIONS

ECC Archaeology

8.1 No archaeological conditions required

9. REPRESENTATIONS

9.1 4 Neighbours consulted – Expired 3.10.13

10. APPRAISAL

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

A Whether the proposed development would be of an appropriate design and scale, (ULP Policies S1, H8 and GEN2)

B Whether the proposal would adversely affect amenity values of neighbouring residents (ULP Policy H8 and GEN2)

A Whether the proposed development would be of an appropriate design and scale, (ULP Policies S1, H8 and GEN2)

10.1 Policy H8 of the adopted Local Plan states that extensions will be permitted if their scale and design respects the original building. Similarly, Policy GEN2 states that the proposal must be compatible with the scale, form, layout, appearance and materials of surrounding buildings and development should respect the scale, height and proportions of the original house.

10.2 The principle of development in this location is accepted and the proposed extension has been designed to be subservient to the host dwelling. This subordinate extension would be in keeping with the character of the dwelling and will not have a dominating or detrimental impact on the character of the dwelling or surrounding buildings. In addition, the scale is considered to be acceptable, given the scale of the existing dwelling and the size of its curtilage, it is capable of accommodating the proposal whilst leaving sufficient amenity land. The SPD indicates that the choice of materials is important. The proposed materials are considered to be acceptable as they match the materials used in the existing dwelling.

10.3 As the proposal is to the rear of the property it is considered that there would be no harmful impact on the visual amenities of the area.

B Whether the proposal would adversely affect amenity values of neighbouring residents (ULP Policy H8 and GEN2)

10.4 With regard to neighbouring amenity, it is considered that there is no significant detrimental impact on amenity with regard to overlooking, overshadowing or by being unduly overbearing due to the location and single storey nature of the proposed extension. There is already a rear conservatory on the neighbouring property and the proposed extension will not have any significant adverse impact on loss of privacy or daylight.

11. CONCLUSION

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

- 11.1 The Proposal is considered to be in accordance with the relevant Uttlesford Local Plan policies and the application is recommended for approval.

RECOMMENDATION –CONDITIONAL APPROVAL

Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Within four weeks of the date of the commencement of the development hereby permitted or other such period as agreed by the local planning authority details of Cost Effective Energy Efficiency Measures to be carried out to the extended dwelling shall be submitted to and approved in writing by the local planning authority. These measures shall be implemented during the construction of the development, unless otherwise previously agreed in writing by the local planning authority.

REASON: These measures are required to mitigate the greater use of energy resulting from the provision of the new extension to meet the requirements contained in adopted SPD Energy Efficiency and Renewable Energy Adopted October 2007.

UTT/13/2455/HHF

3 Blyth Court Saffron Walden



Scale: 1:1250

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	08 October 2013
SLA Number	Not Set

UTT/ 13/2588/HHF (GREAT CHESTERFORD)

Reason: Applicant related to employee

PROPOSAL: Erection of brick chimney to end gable for installation of wood burning stove

LOCATION: 6 Wakefield Close, Great Chesterford, Essex CB10 1QQ

APPLICANT: Mr Mark Gale

AGENT: M J Gale Carpentry

EXPIRY DATE: 15.11.13

CASE OFFICER: Rosemary Clark

1. NOTATION

1.1 Within Development Limits, Tree Preservation Order

2. DESCRIPTION OF SITE

2.1 The application site comprises a two storey detached dwelling in a cul-de-sac to the south east of the village of Great Chesterford, accessed via Jacksons Lane. There is a single garage attached to the side of the property with parking in front.

3. PROPOSAL

3.1 The proposal relates to the erection of a chimney stack to the north west gable for installation of a wood burning stove.

4. APPLICANT'S CASE

4.1 N/A

5. RELEVANT SITE HISTORY

5.1 None

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- H8 Extensions
- GEN2 Design

7. PARISH/TOWN COUNCIL COMMENTS

7.1 No objection

8. CONSULTATIONS

ECC Archaeology

8.1 No conditions required

9. REPRESENTATIONS –

9.1 12 Neighbours consulted – Expires 16.10.13

10. APPRAISAL

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

A Whether the proposed development would be of an appropriate design and scale, (ULP Policies H8 and GEN2)

B Whether the proposal would adversely affect the amenity values of neighbouring residents (ULP Policy GEN2)

A Whether the proposed development would be of an appropriate design and scale, (ULP Policies H8 and GEN2)

10.1 Policy H8 of the adopted Local Plan states that development will be permitted if its scale and design respects the original buildings. Similarly, Policy GEN2 states that the proposal must be compatible with the scale, form, layout, appearance and materials of surrounding buildings and development should respect the scale, height and proportions of the original house.

10.2 The principle of development in this location is accepted and the proposed extension has been designed to be subservient to the host dwelling. The proposed chimney will not have a dominating or detrimental impact on the character of the dwelling or surrounding buildings. The SPD indicates that the choice of materials is important. The proposed materials are considered to be acceptable as they match the materials used in the existing dwelling.

10.3 Due to the scale and location of the development it is considered that there would be no harmful impact on the visual amenities of the area.

B Whether the proposal would adversely affect the amenity values of neighbouring residents (ULP Policy GEN2)

10.4 With regard to neighbouring amenity, it is considered that the proposed chimney stack, by way of its location and scale would not have a detrimental impact on any neighbouring property.

11. CONCLUSION

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

A The proposal is considered to be in accordance with the relevant Uttlesford Local Plan policies and the application is recommended for approval.

RECOMMENDATION – CONDITIONAL APPROVAL

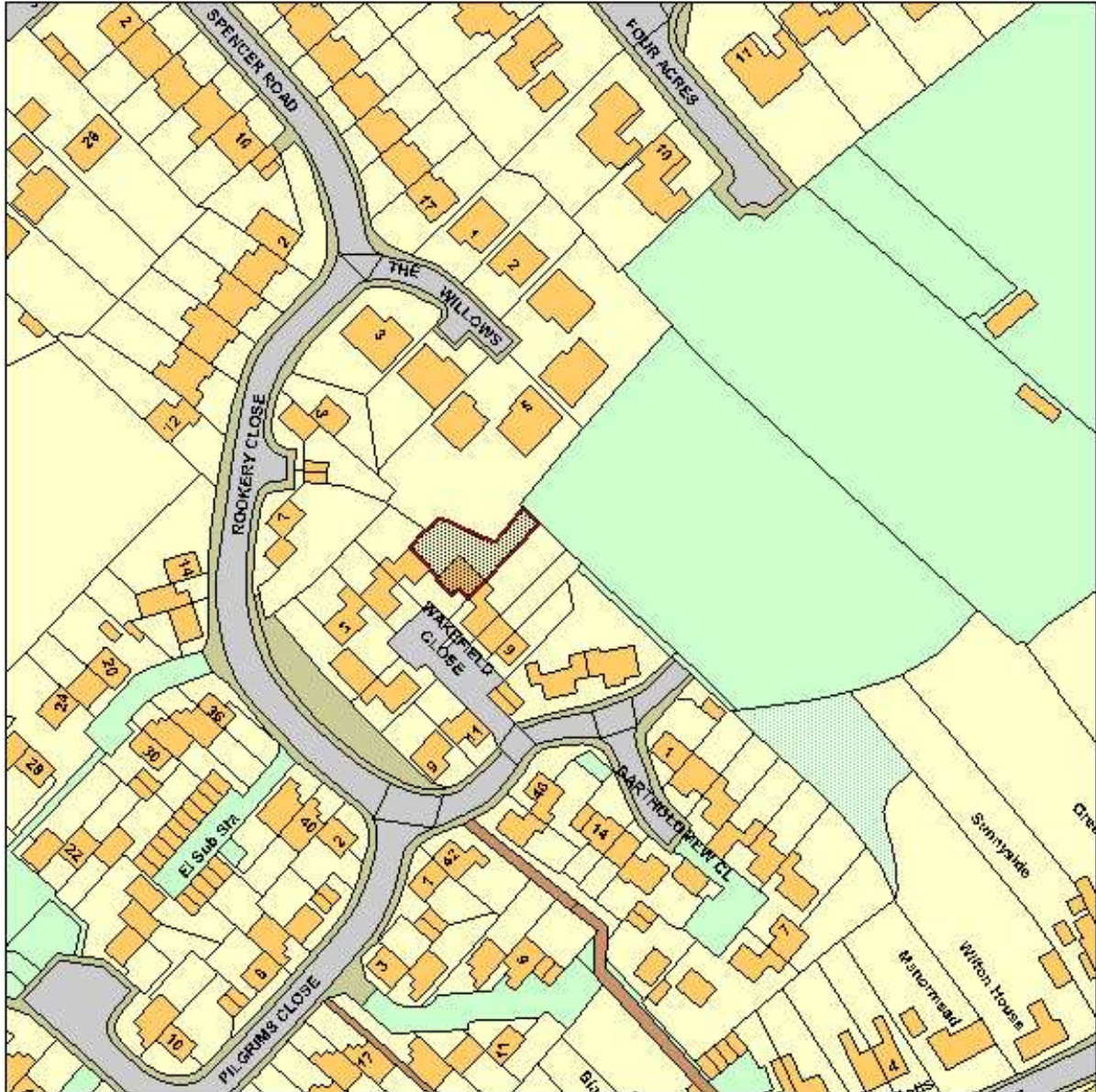
Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

UTT/13/2588/HHF

6 Wakefield Close, Great Chesterford



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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	08 October 2013
SLA Number	Not Set

UTT/13/2592/LB (Takeley)

(Referred to Committee because applicant is related to Cllr Mrs J Cheetham).

PROPOSAL: Replacement window
LOCATION: Beech Cottage, Smiths Green, Takeley
APPLICANT: Mr R Cheetham
EXPIRY DATE: 18 November 2013
CASE OFFICER: Mrs M Jones

1.0 NOTATION

1.1 Outside Development Limits. Countryside Protection Zone. Grade II Listed building.

2.0 DESCRIPTION OF SITE

2.1 The application site is situated on the western side of Smiths Green in a set back position. The property is a grade II cottage said to date from the 16th or 17th century. It is a timber framed and plastered cottage with a plain tiled roof. The existing windows are timber framed and single glazed with glazing bars. The cottage has had modern extensions including a two storey cross wing extension and a single storey lean-to side extension

3.0 PROPOSAL

3.1 The proposal is for the replacement of windows to the listed building. The new windows would be painted timber with flush casement design and would be double glazed. They will match the existing design except that all fanlights will be eliminated

4.0 APPLICANTS CASE

4.1 Design and Access Statement (summary)

Beech Cottage is a Grade 2 Listed Building of timber frame construction, plaster rendering with a red tiled roof. The "Heritage" front portion of the dwelling dates from circa 17th Century with major refurbishment and extension completed in 1971 when the house was stripped of its clapboard covering and replaced by lath and plaster rendering with the majority of the beams being made visible from the inside only. The previous windows of unknown date and design were replaced by the Boulton and Paul modern windows; a two storey extension westward was added.

A further extension was made in 1981 across the end of the westerly 1971 addition and in 2005 modification to the kitchen and utility room incorporated new double glazed windows. Listing took place in 1982. This application relates to the windows in the "Heritage" portion of the dwelling and separately from the modernised rear portion where completion of double glazing installation was made in 2013.

We have considered secondary glazing for the Heritage portion of the dwelling. Such an installation would require substantial internal framework to obtain the appropriate gap between the panes due to the fact that the beams around the windows are located internally and there is insufficient space on the reveals. Such an internal structure

would be a major detraction for the historic value of the property due to its intrusion in the beamed character of the living and other rooms in the Heritage part of the house and is therefore unacceptable.

The replacement windows will be specially made, double glazed, timber flush casement windows with lambs tongue moulded main frame and 18mm fine lambs tongue glazing bars, factory painted without fan lights. These units will have significantly better thermal insulation properties as well as being more suitable to the listing status. They will complement the cottage visually as well as providing improved functionality and security.

None of the windows are original they are all 1960's manufactured replacements for long lost earlier windows.

The proposed replacements exclude the existing fanlights, thicken the sills and narrow the glazing bars (as compared to the existing) in restoring some of the historic interest which may have been removed pre to listing 40 years ago.

Beech cottage is situated "tightly on to the side boundaries" but to the south is a public footpath which provides a view of the southern elevation

The view of the front of the dwelling is almost totally obscured from the road (65 metres away). It is only when standing 18m from the front of the dwelling in the front garden can the full eastern elevation be seen.

5.0 RELEVANT SITE HISTORY

5.1 UTT/1487/02/FUL & UTT/1488/02/LB: Replacement of side addition, removal of wall in kitchen and raising of floor in new addition approved 2002

5.2 UTT/0945/09/LB: Installation of 2 no. rooflights to lean-to roof at side. Approved.

5.3 UTT/12/5510/LB: Replacement windows and door to modern part of dwelling. Approved.

6.0 POLICIES

6.1 National Policies

- National Planning Policy Framework
- Technical Guidance to the National Planning Policy Framework.

6.2 Uttlesford District Local Plan 2005

- Policy ENV2 – Development affecting Listed Buildings

7.0 PARISH/TOWN COUNCIL COMMENTS

7.1 No reply received. Expiry 23 October 2013.

8.0 CONSULTATIONS

Internal Specialist Advice

8.1 Beech Cottage is a timber framed and plastered house of C16/C17 origins, which has been substantially extended to the rear. The cottage is located on a long but narrow site and faces attractive open area of Smiths Green.

- 8.2 The proposal subject of this application is to replace a selection of single glazed painted timber windows within the historic part of the dwelling with sealed double glazed windows.
- 8.3 This application follows a previous submission which was withdrawn, but its content appears to be the same. I consider that the current support letter does not contain any additional information which would allow to view this case in any different light than many other applications relating to the introduction of sealed double glazed units within listed buildings. Consequently I have no option but to repeat my previous advice which was as follows.
- 8.4 Policy ENV2 (Development affecting Listed Buildings) seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Consequently extensions and alterations to listed buildings are strictly controlled to fulfil the requirements of the Act.
- 8.5 While considering this proposal I have borne in mind that the cottage has been much altered, both internally and externally. It nevertheless retains sufficient interest to warrant protection of its architectural character. None of the windows proposed for replacement appear to be original to the building. They comprise a mixture of timber casements with untraditional night vents and possibly are set within enlarged openings. I feel that even if the existing windows are themselves replacements, they are more likely to have been installed as an expedient rather than as the result of a historically important repair. In general windows are one of the important elements of the character of the listed building. Restoration of such lost features should aim to reveal or recover something of the significance that has been eroded, obscured or previously removed.
- 8.6 In general, the use of double glazed windows reflects unfavourably on the timber sections and profiles that need to be adopted to allow for double glazing to be fitted into a traditional window design. They are unlikely to be historically accurate in their detailing and would therefore fail to respect the historic asset, causing harm to its significance. Furthermore, by trying to adopt a traditional design, but modifying it to suit modern double glazing units, the casual observer may be misled into thinking that they were original thereby further denuding the asset's significance.
- 8.7 I feel that in this case the replacement windows as proposed would cause harm to the special architectural interest of the listed property and would fail to preserve its special interest. In addition should this application be approved a precedent could be set resulting in many other listed buildings losing important element of their character. I suggest refusal of this application.

9.0 REPRESENTATIONS

- 9.1 This application has been advertised and no representations have been received. Expiry date 24th October 2013.

10.0 APPRAISAL

A The effect on the character and setting of the Listed building. (ULP policy ENV2)

- 10.1 In considering a proposal for listed building consent, the duty imposed by section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 10.2 Policy ENV2 seeks to protect the fabric, character and setting of listed buildings from development which would adversely affect them. In general windows are one of the important elements of the character of the listed building.
- 10.3 The proposed replacement windows (except one) are all located in the historic part of the listed building. Although the cottage has been much altered, both internally and externally, it nevertheless retains sufficient interest to warrant protection of its architectural character.
- 10.4 Paragraph 132 of the NPPF states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation” As such, there should be a presumption in favour of the conservation of heritage assets.
- 10.5 Although in the past the historic windows have been replaced with untraditional windows, it is considered that any opportunity to restore the property to its traditional form and character should be taken and that the replaced window should be of a type and style more suited to the buildings architectural character. Although the proposed replacement windows are considered to be an improvement on the existing windows, in this respect Specialist Conservation Advice is that the replacement windows as proposed would cause harm to the special architectural interest of the listed property and would fail to preserve its special interest. Restoration of such lost features should aim to reveal or recover something of the significance that has been eroded, obscured or previously removed.
- 10.6 The applicant’s comments have been noted in respect of better thermal insulation, however, where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets. In this instance it is considered that greater weight should be given to the protection of the character and appearance of the listed building.
- 10.7 In addition should this application be approved a precedent could be set resulting in many other listed buildings losing important element of their character

11.0 CONCLUSION

- 11.1 The proposal is unacceptable. It is considered that the use of double glazed units would adversely impair the special characteristics of the Grade II Listed Building. It is considered that any opportunity to restore the cottage to its traditional form and character should be taken and that the replaced windows should be of a type and style more suited to the buildings architectural character. The proposal therefore conflicts with Policy ENV2 of the Uttlesford Local Plan adopted in 2005 which indicates that alterations which impair the special characteristics of a listed building will not be permitted.

RECOMMENDATION – REFUSAL.

- 1) The Proposed replacement of the windows would by reason of their untraditional design would be damaging to the special architectural and historic interest of the listed building. The insertion of sealed double glazed units featuring in the historic areas of the Grade II Listed Building would be damaging to its character and would impair its special architectural and historic interest of the listed building contrary to the aims of the (adopted 2005) Uttlesford District Council Local Plan Policy ENV2 (Development affecting Listed Buildings)

Title: Appeal Decisions

Item 5

Author: Nigel Brown

SITE ADDRESS	APPLICATION NO	DESCRIPTION	APPEAL DATE & DECISION	SUMMARY OF DECISION	DECISION BY OFFICER/OVERTURNED BY COMMITTEE
Land At Northview And 3 The Warren Dunmow Road Little Canfield Great Dunmow Essex CM6 1TA	UTT/13/0526/FUL	Demolition of North View and the Residential Development of 46 Dwellings (including affordable units) and associated works which include access to	03.09.2013 Appeal Withdrawn	Planning permission approved for revised scheme at Planning Committee on 28. August 2013	Refuse N/A
7 Saxon Way Saffron Walden CB11 4EQ	UTT/1269/12/FUL	Erection of one bedroom bungalow with guest room in basement	23.09.2013 Appeal Dismissed	The Inspector noted that the existing pattern of development is predominantly characterised by detached dwellings on comfortable plots. She concluded that the proposal would cause unacceptable harm to the character and appearance of the area.	Refuse N/A

Bury Farm Bury Chase Felsted Great Dunmow Dunmow Essex CM6 3DQ	UTT/12/5137/TLC	Remove hedgerow	11.09.2013 Appeal Allowed	The Inspector concluded that on the balance of probability the hedgerow the subject of the appeal has not existed for 30 years or more. Consequently the hedgerow is not considered important.	Issue Notice N/A
Barnfield House Hatfield Broad Oak Bishop's Stortford CM22 7JY	UTT/12/5665/FUL	Change of use of stables to dwelling	01.10.2013 Appeal Dismissed	The Inspector raised concerns regarding the extent of the residential curtilage and its impact upon the site's countryside setting. Although there was a potential to reduce the extent of the curtilage, the Inspector considered that a reasonable curtilage would be of the level proposed and therefore the impact on the countryside could not be overcome.	Refuse N/A
Land East Of Braintree Road Braintree Road Felsted Great Dunmow Essex	UTT/12/5213/OP	Outline application for up to 25 dwellings complete with infrastructure, play area and landscaping with some matters reserved except access	09.09.2013 Appeal Withdrawn	Planning permission approved for revised scheme at Planning Committee in June 2013	Refuse N/A

Land At Old Mead Road Henham	ENF/202/10/B	Appeal against Enforcement Notice	13.09.2013 Appeal Withdrawn	The Enforcement Notice was withdrawn, because it was not considered that the notice was defensible on appeal.	
Saffron House Rookery Lane Wendens Ambo Saffron Walden CB11 4JS	UTT/12/5515/FUL	Construction of new dwelling	01.10.2013 Appeal Dismissed	The Inspector concluded that site did not constitute a small gap in an otherwise built frontage, nor did she consider that given the loose arrangement of nearby houses, that it could be considered part of a small group. Therefore she dismissed the appeal stating that the site considered that the site was not a suitable location for a dwelling. She rejected the Council's argument that the proposed dwelling would be intrusive.	Refuse N/A
Mill House Royston Road Wendens Ambo CB11 4JX	UTT/1355/12/FUL	Part demolition of existing offices and outbuilding. Proposed conversion of offices to 6 no. flats and erection of 5 no. dwellings.	10.10.13 Appeal Dismissed	The Inspector accepted the Council's concession that the property had been adequately marketed and therefore its loss did not constitute a harmful loss of employment land. She placed little weight on the emerging local plan and its inclusion in the Council's emerging Employment Strategy. She raised concerns regarding the design of the proposal and considered that it would significantly harm the character and appearance of the surrounding area.	Refuse N/A

Committee: Planning
Date: 23 October 2013
Agenda Item No: 6
Title: PLANNING AGREEMENTS
Author: Christine Oliva (01799 510417)

The following table sets out the current position regarding outstanding Section 106 Agreements:-

No.	Planning Current Ref.	Approved by Committee	Applicant	Property	Position
1.	UTT/1928/11/REN	07/03/2012	Tesco Stores Ltd	Tesco Store, Great Dunmow	Agreement sealed
2.	UTT/0914/12/FUL	27/06/2012	David Wilson Homes	Former Bell College Language School, Peaslands Road, Saffron Walden	Agreement sealed
3.	UTT/1304/12/FUL	22/08/2012	AP27 LIMITED	Site 500, Coopers End Road, Stansted Airport	Agreements sent for sealing 25 October 2012
4.	UTT/12/5270/FUL	12/12/2012	Crown Holdings Ltd	14 Stortford Road, Dunmow	Agreement sealed
5.	UTT/12/5198/OP	12/12/2012	Mr and Mrs Teijido	Carnation Nurseries, Newport	Agreement sealed
6.	UTT/1335/12/FUL	17/12/2012	Countryside Properties (UK) Ltd	Land at Brewers End Takeley	Agreement sealed
7.	UTT/1359/12/OP UTT/13/0026/FUL UTT/13/0027/OP	13/03/2013	Mrs J Rich	Land at Foxley House, Rickling Green	Agreement sealed
8.	UTT/13/0177/OP	10/04/2013	Woods Hardwick Planning	Land West of Hall Road, Elsenham	Negotiations continuing
9.	UTT/13/1041/FUL	03/07/2013	West Whittle Properties Ltd	Land at The Street, Manuden	Permission refused
10.	UTT/13/1393/OP	31/07/2013	Amsted Properties Ltd	Land to the South of	Agreement sealed

				Dunmow Road, Brewer's End, Takeley	
11.	UTT/13/1653/OP	31/07/2013	Mr T Slade	Plot 2 Adjacent to Guyvers, Walden Road, Swards End, Saffron Walden	Draft agreement sent 18.9.2013 disputing the amount of payment for affordable housing
12.	UTT/13/1670/OP	31/07/2013	Mr & Mrs C Olley	Plot 1 land to rear of Highviews, 6 Cole End Lane, Swards End, Saffron Walden	Draft agreement sent 18.9.2013
13.	UTT/13/1654/OP	31/07/2013	Mr T Slade	Plot 3 Adjacent to Guyvers, Walden Road, Swards End, Saffron Walden	Draft agreement sent 18.9.2013 disputing the amount of payment for affordable housing
14.	UTT/13/1652/OP	31/07/2013	Mr & Mrs C Olley	Plot 2 land to rear of Highviews, 6 Cole End Lane, Swards End, Saffron Walden	Draft agreement sent 18.9.2013
15.	UTT/13/1779/FUL	28/08/2013	Knight Developments Ltd	Northview and 3 The Warren Dunmow Road, Little Canfield	Agreement sealed
16.	UTT/13/1518/FUL	28/08/2013	Go Holdings Ltd	Chadhurst, Dunmow Road, Takeley	Agreement sealed
17.	UTT/13/1862/FUL	28/08/2013	Mr Ivan Butcher	Land at Broomfields, Hatfield Heath	Agreement sealed
18.	UTT/13/1776/FUL	28/08/2013	West Whittle Properties Ltd	Land at The street, Manuden	Permission refused

19.	UTT/13/1937/OP	25/09/2013	Tamcourt Ambit Ltd	Land behind the Old Cement Works, Thaxted Road, Saffron Walden	Agreement sealed
20.	UTT/13/1618/OP	25/09/2013	Bloor Homes/Martin grant Homes	Land at Walpole Farm, Cambridge Road, Stansted	Negotiations continuing
21.	UTT/13/1790/OP	25/09/2013	Gleeson developments Ltd	Land south of Stansted Road Elsenham	Draft agreement sent 22.8.2013 amendments received 20.9.2013 UDC replied 27.9.2013
22.	UTT/13/2121/OP	25/09/2013	Mr J Davey	Land adjacent to Tower House, St Edmunds Lane, Dunmow	Draft agreement sent 17.9.2013
23.	UTT/13/1817/OP	02/10/2013	Mr and Mrs Barba	Hillside and land to the rear of Bury Water Lane, Newport	Engrossment sent 9.10.2013
24.	UTT/13/1959/OP	02/10/2013	Knight Developments and Gemmill Bros Ltd	Elms Farm, Church Road, Stansted	Draft agreement sent 4.10.2013
25.	UTT/13/1769/OP	02/10/2013	Mr and Mrs Hill	Land at Bury Water Lane, Newport	Draft agreement sent 17.9.2013

Background Papers:

Planning Applications
Files relating to each application

FOR INFORMATION