

UTT/13/3118/OP (Radwinter)

Major application

PROPOSAL: Outline application for 35 no. dwellings with all matters reserved except for vehicular access

LOCATION: Land Off East View Close And Walden Road East View Close Radwinter

APPLICANT: Lady M B Parker And Mrs B Rayment

AGENT: Bidwells

EXPIRY DATE: 21 February 2014

CASE OFFICER: Ann Howells

1. NOTATION

- 1.1 Outside development limits
- 1.2 Public Rights of Way
- 1.3 Part of site in Flood Zones 2 and 3a
- 1.4 The site has been identified in the emerging plan as a potential development site

2. DESCRIPTION OF SITE

- 2.1 The site is located in Radwinter approximately five miles east of Saffron Walden.
- 2.2 The east of the boundary is formed by the Lower House Brook.
- 2.3 To the north of the site are agricultural fields.
- 2.4 To the south the majority of the site is abutted by the B1053 with an inset bounding a power output station.
- 2.5 Radwinter Primary School lies to the south east
- 2.6 To the west lies East View Close
- 2.7 The village is surrounded by agricultural land.
- 2.8 The proposed development site is 2.6 ha and consists of two parcels of land. The parcel to the south comprises of unmanaged enclosed fields with mature hedgerows and trees. Whilst the northern parcel is currently unmanaged grassland.

3. PROPOSAL

- 3.1 The application is an outline application for the erection of 35 no. residential dwellings with all matters reserved except for access. The application also involves the provision

of land for the extension of the Recreation Ground and a parcel of land for the extension of the school land. The application includes a new access on to the B1053 and an additional access via East View Close.

- 3.2 The scheme would provide 12 affordable houses with a mixture of tenure. 5% bungalows will be provided across all tenures.
- 3.3 Access is the only matter not reserved for consideration. The applicant has provided an illustrative layout for this number of dwellings with the access taken from the B1053 Walden Road and a new access off East View Close.

4. APPLICANT'S CASE

- 4.1 In accordance with the Core Principles set out within Paragraph 17 of the NPPF, the Applicants have sought to engage closely with the community to ensure that local people are involved in the shaping of the proposals in a proactive manner to meet housing need and deliver community benefits.
- 4.2 The application has been prepared based upon the principles of the Localism Agenda through close engagement with Radwinter Parish Council, Radwinter Primary School and residents. The application supports the aims of Section of the NPPF, Promoting Healthy Communities, through both its ability to enable substantial additional provision of public open space, a Recreation Ground extension and extension to the grounds of the Primary School.
- 4.3 The Recreation Ground extension, new on-site public open space and associated financial contributions for their preparation, provision and maintenance identified with, and directly sought by, the Parish Council are supported by paragraph 73 of the NPPF, recognising that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.
- 4.4 The Primary School grounds extension and financial contributions from the development identified with, and directly sought by, the Parish Council and Primary School are supported by paragraph 72 of the NPPF, recognising the great importance the government attaches to ensuring that a sufficient choice of school places is available.
- 4.5 The above significant community identified benefits will be directly enabled through development of the site. In reflection of this and as required by paragraph 187 of the NPPF, Uttlesford District Council, as decision-taker are requested to approve applications for sustainable development where possible and work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area such as this proposed development at Radwinter.
- 4.6 The full Design and Access Statement and Planning Statement can be viewed at www.uttlesford.gov.uk

5. RELEVANT SITE HISTORY

- 5.1 UTT/0712/78 - Outline application for one single bungalow - Refused
- 5.2 SWR/0291/63 - Use of land for residential development - Refused
- 5.3 SWR/0188/70 - Erection of overhead electric line – Unconditional approval

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S7 –The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN3 – Flood Protection
- Policy GEN4 – Good neighbourliness
- Policy GEN5 – Light pollution
- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV3 – Open spaces and trees
- Policy ENV12 – Groundwater protection
- Policy ENV15 – Renewable Energy
- Policy H1 – Housing development
- Policy H9 – Affordable housing
- Policy H10 – Housing mix
- Policy LC3 – Community facilities
- Radwinter Parish Plan 2007 – 2012
- Supplementary Planning Document (SPD) – Accessible Homes and Play Space
- SPD – Energy Efficiency and Renewable Energy
- Urban Place Supplement to the Essex Design Guide
- Essex County Council Parking Standards

6.3 Uttlesford District DRAFT Local Plan 2012

- Policy HO5 – Affordable Housing
 - Policy HO6 – Housing Mix
 - Policy EN1 – Sustainable Energy
 - Policy EN2 – Environmental and Resource Management
 - Policy EN3 – Protection of Water Resources
 - Policy EN4 – Surface Water Flooding
 - Policy DES1 – Design
 - Policy C2 – Protection of Landscape Character
 - Policy HE4 – Protecting the Natural Environment
 - Policy TA1 – Vehicle Parking Standards
 - Policy INF1 – Protection and Provision of Open Space, Sports Facilities and Playing Pitches
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- Radwinter Policy 1 – Land north of Walden Road

7. PARISH COUNCIL COMMENTS

- 7.1 There is great concern about the fact that pedestrians from the new development will have to cross the main road in order to walk along it, as there is not footpath on their side. This is a busy road, with fairly poor visibility. The greatest concern is about high school aged children who will need to cross the main road on their way to and from the

bus stop on a daily basis. The Parish Council consider it absolutely necessary that a crossing be put in place as part of this development.

8. CONSULTATIONS

ECC Archaeology

8.1 An archaeological evaluation has been undertaken on this site and submitted with the planning application. A programme of trial trenching was undertaken across the site. The results show the presence of a Roman site covering a large part of the northern area of the site. A series of cut features were identified all containing quantities of material of Roman date. This is indicative of a Roman settlement on the site or in the immediate vicinity. Evidence of Iron Age material was also recovered from the southern end of the site.

8.2 Two archaeological conditions are recommended.

ECC Highways

8.3 Highways would wish to raise an objection to the application:

- Insufficient information is provided within the application to demonstrate to the satisfaction of this Authority that the impact on the highway network caused by this proposal will not have unacceptable consequences in terms of highway safety and efficiency.
- In particular, the highway authority has concerns relating to the proposed access on to Walden Road regarding pedestrian safety which has been raised in pre application discussions but has never been addressed by the applicant.
- There is no footway provision on the northern side of Walden Road which could lead to pedestrians, in particular secondary school children heading towards the bus stop outside the church, crossing Walden Road to access the footway on the southern side.
- The proposal would therefore be contrary to the Highway Authority's Development Management Policies, in particular policies DM1 and DM14, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.
- However, further consideration would be given to the proposal should the applicant submit a Stage 1 Road Safety Audit and designer's response for the proposed access on to Walden Road with specific attention given to pedestrian safety.

8.4 Following receipt of a Stage 1 Road Safety Audit ECC Highways would not wish to raise an objection to the application as shown in drawing TR008 dated 6 January 2014 subject to conditions.

ECC Ecology

8.5 The extended Phase 1 Habitat Survey does not provide a full description of the habitats on the site and does not contain an analysis of the importance of the habitats in accordance with best practice.

8.6 Should Uttlesford District Council be minded to grant planning permission ECC Ecology would wish to provide further comments and would be happy to advise on appropriate conditions.

ECC Education

- 8.7 There should be sufficient early years and childcare provision to meet the needs of the development.
- 8.8 This development falls in the priority admissions area of Radwinter C of E (VA) Primary School which has a permanent capacity to take 90 pupils. According to the latest forecasts as at Summer Term 2012/13, 105 places were required for the school year 2013-14. It is therefore clear that additional provision will be needed at primary level and that this development will add to that need.
- 8.9 With regard to secondary provision, the Priority Admission Area School for this development would be Saffron Walden County High School. It is practice of Essex County Council to seek costs for a 5 year period.
- 8.10 In view of the above ECC request that if permission is granted subject to a s106 legal obligation to mitigate its impact on education.
- 8.11 If minded to turn down the application, ECC Education request that lack of education and transport provision in the area can be noted as an additional reason for refusal.

Natural England (NE)

- 8.12 Statutory nature conservation sites – no objection
- 8.13 Protected species – NE have not assessed the application for impacts on protected species.
- 8.14 Local sites – If the proposal site is on or adjacent to a local site the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.
- 8.15 Biodiversity enhancements – The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant planning permission.
- 8.16 Landscape enhancements – Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

Anglian Water

- 8.17 Wastewater Treatment – The foul drainage from this development is in the catchment of Gt Sampford STW that at present has available capacity for these flows.
- 8.18 Foul Sewerage Network – The sewerage system at present has available capacity for these flows.

Affinity Water Ltd

- 8.19 The development site is located within an Environment Agency defined groundwater Source Protection Zone.

8.20 The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices.

Environment Agency (EA)

8.21 No objection to the proposal.

8.22 Flood Risk – The EA Flood Map shows that the development site, is mainly located within Flood Zone 1, and partly located within the Flood Zone 2 and Flood Zone 3a associated with the main River which flows along the Eastern boundary of the site. Flood Zone 3a is classed as high probability risk as is assessed as having a 1% (1 in 100 year) or greater annual probability of fluvial flooding.

8.23 The EA have no flood risk objection to this development proposal. The flood risk to the site has been established, and mitigation proposed to address the flood risk.

8.24 As the Flood Zone extents are indicative only, site specific modelling has been undertaken and is detailed within the Hydrology Report submitted with the planning application submission. It determines the extent of the Flood Zones. The developer has proposed sequentially locating the built development within Flood Zone 1. Accordingly there will be no loss of floodplain storage due to the development.

8.25 Surface Water – as the proposed impermeable area of the site is less than 1 hectare the EA do not formally comment on the surface water drainage strategy associated with the proposed development.

8.26 Sustainable Design and Construction – to limit the contribution of new development to climate change and minimise consumption of natural resources recommendation of conditions attached to any permission.

Sustainable Drainage

8.27 Having reviewed the Flood Risk Assessment which accompanies the application, the following comments on the surface water drainage strategy are suggested:

- The principles of the surface water drainage strategy to restrict runoff to less than the pre-development greenfield rate and attenuate volumes for the critical duration 1 in 100 plus climate change appear to be acceptable.
- 6.14- The design of any attenuation pond/lagoon should follow guidance provided in the CIRIA SuDS Manual (C697)
- 6.17- As mentioned, a suitable pre-treatment in subsequent SuDS features, in line with the recommended number of treatment stages as outlined in the C697 should be provided.

Essex Bat Group

8.28 No response received

Essex Wildlife Trust

8.29 No response received

UDC Housing

8.30 The affordable housing provision on this site will attract the 40% policy requirement as the site is for 35 (net) units. This amounts to 14 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

8.31 The mix and tenure split of the properties are 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.

8.32

**Land Off East View Close and Walden Road East View Close Radwinter
UTT/13/3118/OP**

S106 Figures					
Tenure mix	1 bed	2 bed	3 bed	4 bed	
affordable Rent non bungalows	2	4	3	0	9
affordable Rent bungalows	1	0	0		1
SUB TOTAL A/R	3	4	3	0	10
shared ownership non bungalows	0	3	1	0	4
Shared ownership bungalows	0	0	0		0
SUB TOTALS/O	0	3	1	0	4
GRAND TOTAL AFFORDABLE UNITS	3	7	4	0	14
MARKET BUNGALOWS		1			

8.33 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.

8.34 A two phase approach has too much risk that the second tranche would not get delivered. A precedent would be set which would be opposite to what the Uttlesford Housing Strategy is trying to achieve.

8.35 As of 21 January 2014 (time of writing report) the local need for Radwinter was:

Our Ref	Interest in Shared Ownership	Weekly household salary	Calculated Bedroom Need
UDC****3	No		1
UDC***13	No	204	1
UDC***74	Yes	300	1
UDC***96	No	388	2
UDC***72	No		4
UDC***72	Yes	498	2
UDC***35	No		1

The s106 would contain details of the cascade procedure which is generally neighbouring parishes based on geographic distance.

8.36 District wide, currently (as above) the waiting list for local need affordable housing is 1,681.

8.37 Following a meeting with the Parish and Agent – it has been agreed that 12 affordable units of which 6 will be offered to Radwinter local first let only and the additional 6 (2 affordable and 4 Shared ownership) to UDC wide.

UDC Landscaping

8.38 The Scots Pine tree is mature specimen of some 12m in height. A prominent situated on the boundary with the highway [B1053]. The size of this tree together with it growing on elevated ground above the carriageway gives it significant prominence. The condition of the tree is considered to be fair with only minor defects of no significance in respect of the long term health of the tree. This tree is considered to be of any amenity value which would make it a suitable candidate for protection under a tree preservation order.

8.39 The loss of amenity resulting from removal of the pine tree needs to be balanced against new planting proposals as part of the proposed development. In the circumstances that planning permission is granted, I recommend that a detailed scheme of landscaping including new planting is required to be submitted for approval and that such a scheme should include the provision of a replacement pine tree to be planted adjacent to the new access.

8.40 Subsequent to this response a new arboriculture report was received showing the Scotts Pine is not within the development site.

Ramblers Association

8.41 No response received

Environmental Services

8.42 A variety of renewable energy sources are proposed for this development. These can give rise to loss of amenity due to noise or air pollution. A condition is recommended requiring specifications for any mechanical ventilation, heat pumps, wind turbines or biomass boilers to be submitted and agreed.

9. REPRESENTATIONS

9.1 146 originally consulted with 27 Contributors. The application was also advertised and a site notice erected. Overall expiry date for comments 23 December 2013

9.2 Summary of Support

- Traffic calming measures at the top of the hill because of the nature of the road around the proposed access.

9.3 Summary of Objections

- There should be an undertaking that all properties will meet the Lifetime Homes standard and that 5% will be suitable as Wheelchair Accessible Housing
- Having a through road to the main road is stupid.
- No facilities only P/T post office.
- Full school

- The junction where it meets the main road through the village is unsafe due to plethora of heavy traffic.
- Development too large and should not exceed 20 houses
- Suggest roundabout at the main junction access
- 35 houses will have a significant impact
- Noise and traffic will change the nature and safety of East View Close
- Regardless of Environment Agency – there has been flooding on a regular basis.
- Flora and fauna will be ruined.
- Access of construction works through East View Close causing a danger
- Potential overbearing impact of dwellings adjacent to bungalows.
- Insufficient local transport.
- Size of proposed development
- Location
- Increase in village size by approx. 35 – 40% altering the nature of the village
- Village could benefit from some sensitively new housing but this is too large and would adversely affect the conservation area and intensify the problems with traffic.
- Dangerous exit on to the main road
- Liable to flood in the vicinity of the new access
- There should be no access onto Water Lane – pedestrian safety
- School couldn't cope with increase of numbers

9.4 Summary of neither objecting nor supporting

- Concern over archaeological information
- Dangerous ingress and egress of road users travelling through East View Close opposed to the access on to Walden Road
- Access onto B1053 – No evidence to show visibility splays or effect on traffic.
- Noise and Debris – which could cause a nuisance to the residents of East View Close
- Drainage – foul water issues have occurred in the vicinity of 26 East View Close and concerned that the connection of new dwellings may make this worse.
- Uniquely neighbourly and caring community of mainly elderly residents
- Its peaceful and historic character
- Amount of vehicles
- East View Close access – bollards/vehicular/pedestrian
- Danger to elderly and young from large building vehicles
- Amount of journeys the vehicles will need to undertake.
- Highway concerns of access point
- New access and no footpath and therefore a danger to children walking to catch school bus
- Previous refusal on the site for 1 dwelling due to highway concerns
- Lack of facilities
- Flooding on east side of site
- Loss of Scot Pine which is a landmark
- Site is ancient historical interest and should be respected.
- Access through East View Close should not be allowed as it would detrimentally affect the peace and tranquillity
- Neither the housing nor the access road should encroach on the 1000 year flood zone.
- Appoint an archaeologist to monitor the groundworks should be conditioned.
- The proposed is clearly visible from Mill End – Ashdon Road.
- Number of houses should not be exceeded.
- Houses should not exceed 2 storey.

- Only one entrance directly onto the B1053 for pedestrian safety in Water Lane
- Do not require additional housing
- Danger of the proposed junction direct on to the B1053
- Loss of biodiversity and wildlife which will increase the risk of additional flooding.
- Increase in traffic and pollution.
- Reduce the average speeds to below 30mph – as a traffic calming tool
- Potential overbearing issues for adjacent bungalows.
- Improvement to public transport is required.

9.5 Radwinter Primary School – After various telephone calls and meetings with parish representatives and Essex County Council, we now understand that if the development is permitted, the s106 monies allocated to Radwinter C of E Primary School, will mean that the school has the capacity to facilitate increasing pupil numbers. To this end, we are writing to confirm the Radwinter C of E Primary School and its Board of Governors have no objection to this proposed development.

10 APPRAISAL

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

- A The principle of development of this site for residential development (NPPF, ULP Policies S7 and GEN2)**
- B Access to the site and parking provision (NPPF, ULP Policies GEN1, GEN8; SPD Parking Standards – Design and Good Practice)**
- C Design (NPPF, ULP Policy GEN2)**
- D Infrastructure provision to support development (ULP Policy GEN6)**
- E Whether there would be a detrimental impact on nature conservation and landscape features (NPPF, ULP Policies GEN7 and GEN2)**
- F Mix of Housing and Affordable Housing (NPPF, ULP Policies H9 and H10)**
- G Flood/Drainage issues (ULP Policies GEN3 and GEN6)**
- A The principle of development of this site for residential development (NPPF, ULP Policies S7, S8 and GEN2)**

10.1 The draft Local Plan is still at an early stage and has limited weight. At the present time the adopted Local Plan policies are still in force. However, the national Planning Policy Framework (NPPF) is a material planning consideration and this has a strong presumption in favour of sustainable development.

10.2 The application site is located outside the development limits of Radwinter within open countryside and is therefore located within the Countryside where ULP Policy S7 applies. This specified that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development would meet the requirements of the Local Plan policy. It is considered that the development would not meet the

requirements of Policy S7 of the Local Plan and that, as a consequence, the proposal is contrary to Policy S7 of the 2005 Local Plan.

10.3 A review of the Council's adopted policies and their compatibility with the NPPF has been carried out on behalf of the Council by Ann Skippers Planning. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.

10.4 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. The information below has been updated since to take into account any recent approvals.

10.5 The estimated number of completions each year is shown below 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	410	577	751	547

10.6 It is estimated that 2500 dwellings on committee sites will be built during the 5 year period, whilst the requirement is for 2746 dwellings to be built. This relates to 91% of the requirement which is equivalent to 4.6 years. There is a shortfall of 246 dwellings as set out in the table below:

	Housing Requirement
Annual requirement	523
Total supply on deliverable committed sites	2513
Requirement years 1-5 plus 5% frontloading	2746
% of requirement available on deliverable sites years 1-5	92%
Supply in Years	4.6
Shortfall (dwellings)	233

10.7 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 Paragraphs 6 – 15 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 sustainable.

- 10.8 Councillors are reminded that even when the Council has a 5 year land supply it will be important for the Council to continue to consider, and where appropriate, approve development which is sustainable. This is especially true for proposals on draft allocation sites, but others as well, to ensure delivery in the future and to ensure that the level of housing supply is robust.
- 10.9 Paragraphs 7 and 14 of the NPPF set out that there is a presumption in favour of sustainable development. The core principles of the NPPF set out the three strands of sustainable development. These are the economic role, social role and environmental role. The NPPF specifically states that these should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.10 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy and coordinating development requirements, including the provision of infrastructure. This proposal would help deliver an economic role.
- 10.11 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed for the district. This proposal would help to deliver a social role.
- 10.12 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. This proposal would help to deliver an environmental role.
- 10.13 The proposal would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise. I attach significant weight to this and consider that the more recent national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan. The development is considered to be sustainable development and therefore the principle of the proposal is acceptable.

B Access to the site and parking provision (NPPF, ULP Policies GEN1, GEN8; SPD Parking Standards – Design and Good Practice)

- 10.14 The indicative drawings indicate a proposed vehicular access via East View Close and from the B1053.
- 10.15 Local residents have indicated concern of a vehicular access from the B1053 through the new development and exiting through East View Close. The residents of East View Close are a mix of elderly and families. Allowing vehicles access through to the development via East View Close may create harm to pedestrians. ECC Highways have been consulted on the proposal and have made no comments on the proposed access via East View Close.
- 10.16 ECC Highways have reviewed the information submitted along with the additional Stage 1 Road Safety Audit and do not raise an objection subject to conditions.
- 10.17 The proposed vehicular access from the B1053 is contentious and local knowledge indicates that the access could be dangerous. ECC Highways have been in discussion

with the Parish and Developers over several years and following consultation they have advised that the safety issues raised can be overcome.

10.18 The Parish Council consider the provision of a pedestrian crossing absolutely necessary.

10.19 The additional Road Safety Audit identifies a crossing point is required and ECC Highways have conditioned the provision of hardstandings which would be the crossing point. ECC Highways have verbally advised that the proposed location of the access is unlikely to meet the current criteria for a pedestrian crossing.

10.20 Therefore with the support from ECC Highways the proposal meets the requirements of ULP Policies GEN1 and GEN8.

C Design (NPPF, ULP Policy GEN2)

10.21 With regards to the proposed design of the scheme the NPPF and Local Plan Policy GEN2 seeks for quality design, ensuring that development is compatible in scale, form, layout, appearance and materials. The policies aim to protect and enhance the quality, character and amenity value of the countryside as a whole seeking high quality design. This is also reflected in Draft Local Plan Policies SP1 and DES1.

10.22 Whilst the design of the proposed development is a reserved matter indicative details have been submitted as part of the application.

10.23 Within the application submission it is stated that the proposed dwellings would be predominately 2 storeys and up to a maximum of 2.5 storeys. However there would be an element of single storey dwellings located next to the East View Close area to provide consistency with the adjacent development.

10.24 A mix of house sizes are proposed. Larger detached dwellings with more curtilage are situated to front onto the open space. Smaller detached and semi detached dwellings populate the remaining development are near the access points.

10.25 The form of development has been largely determined by the flood plain identified in the Flood Risk Assessment.

10.26 The proposed dwellings would meet Lifetime Homes Standards. Therefore the proposal would meet the requirements of Policy GEN2 and the NPPF.

10.27 In terms of principles of sustainable design, even though the application is outline with all matters reserved except access, it is stated within the submission that the proposed dwellings can meet Level 3 of the Code for Sustainable Homes.

D Infrastructure provision to support development (ULP Policy GEN6)

10.28 The applicant has indicated that they are prepared to enter into a s106 legal obligation in order to provide affordable housing, maintenance of the open space, financial contribution towards education, provide land for both the extension of the school site and an extension to the recreational area.

10.29 The proposal indicates 12 affordable houses opposed to 40% which amounts to 14. The applicants are proposing to provide additional infrastructure – provide land adjacent to Radwinter Recreation Ground for its potential future extension; to provide

land adjacent to Radwinter Primary School for its potential future expansion to meet education needs of the village.

10.30 The Parish Council are supportive of the proposed infrastructure provision and subject to the s106 Legal Obligation being completed; the proposal would comply with the requirements of ULP Policy GEN6.

E Whether there would be a detrimental impact on nature conservation and landscape features (NPPF, ULP Policies GEN7 and GEN2)

10.31 The application is accompanied by an extended Phase 1 Habitat Survey and Natural England and the Council's retained Ecologists have been consulted on the application documents. The consultation initial response from the Council's Ecologist requested further information which has been submitted.

10.32 Following re-consultation – to be reported

F Mix of Housing and Affordable Housing (NPPF, ULP Policies H9 and H10)

10.33 The size of the site and the number of dwellings proposed would result in a requirement for 40% (14) affordable housing within the development.

10.34 The application, supported by the Local Parish Council, proposes 12 affordable housing split 50% now and 50% in approx. 10 years time.

10.35 A survey of the residents within Radwinter indicated an immediate need for affordable housing for 6 (six) affordable dwellings. The Parish Council would like to see the additional 6 (six) dwellings proposed being delivered in the future when there is an additional need for local affordable housing in the village.

10.36 The adopted Uttlesford District Council Housing Strategy 2012 – 2015, written alongside the new Local Plan for the District shows the future housing priorities in the District and how they can be delivered sets out how Uttlesford are going to deliver affordable housing.

10.37 Within the document it identifies that one of the national policy drivers for delivering affordable housing is to increase the number of houses available to rent and buy. It is considered that 'banking' six affordable units to a later date would not be in line with the national policy driver and does not therefore receive officer support.

10.38 There is an overall requirement of 14 Affordable units for this development. However the Parish Council have worked with the developer and support the provision of 12 affordable units.

10.39 The Parish Council would like these units to be delivered in two phases. Six immediately and banking six for the future. The need within the whole of the district has to be taken into consideration and by holding back the provision of six affordable units could harm people on the waiting list.

10.40 In this instance the provision of 12 affordable units (a deficit of 2 required) is supported; however the two phase approach would not be acceptable. This approach would not be in accordance with other Council policies.

10.41 However it should be noted that the applicants are providing additional infrastructure which would negate the need for additional affordable housing. This approach has received verbal support from the Parish Council.

10.42 Therefore although the proposed amount of affordable units does not meet the requirements of the Local Plan Policy but the merits of the additional infrastructure have to be taken in to account and weight given. In this instance the additional local infrastructure is considered to outweigh the addition of two further affordable houses.

G Flood/Drainage issues (ULP Policies GEN3 and GEN6)

10.43 The application is accompanied by a flood risk assessment (FRA) which correctly identifies that part of the site is located within Zones 2 and 3a of a flood plain. The application and accompanying documents have been assessed by the Environment Agency, Anglian Water, Affinity Water and ECC SuDS, none of which have any objections. The Environment Agency has recommended conditions to be imposed if planning permission is granted. Therefore subject to the imposition of appropriate conditions as requested by the Environment Agency, the proposal is unlikely to increase the flooding of land outside the site and therefore complies with ULP Policy GEN3.

10.44 Sustainable Design and Construction – to limit the contribution of new development to climate change and minimise consumption of natural resources the Environment Agency recommend conditions be attached to any permission

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 off the B1053 is acceptable and subject to conditions complies with the requirements of ULP Policy GEN1. In addition it should be noted that following consideration of comments received the access via East View Close should be pedestrian access only and this should be included in the s106 Legal Obligation to ensure that the access remains as pedestrian.
- C The design, scale, layout etc will be considered at detailed stage. However the indicative information within the submission indicates that a high quality design which complies with the Essex Design Guide and ULP Policy GEN2 will be forthcoming.
- D The applicants have agreed to enter into a s106 Legal Obligation to provide affordable housing, contributions to education, off-site additional land to extend the school land and recreation ground in accordance with ULP Policy GEN6
- E The application has demonstrated that there would not be any harm to protected species or bio-diversity as a result of the proposals in accordance with ULP Policy GEN7 and the NPPF.
- F The proposal of 12 affordable housing does not meet the requirement of ULP Policy H9; however the application and the number of affordable housing proposed is supported by the Parish Council. On balance the provision of additional local infrastructure outweighs the need for the two additional units. Therefore in line with the NPPF the proposal is acceptable.

- G The application contains sufficient information to demonstrate that there would be no additional off site flooding as a result of the proposals in accordance with ULP Policy GEN3.

RECOMMENDATION – CONDITIONAL APPROVAL – SUBJECT TO S106 LEGAL 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 the freehold owner enters into a binding obligations 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 - 6 units for affordable rent would be allocated on local connection to Radwinter on first let only. The remaining 6 (2 affordable rent & 4 Shared Ownership) properties will be for UDC wide.**
 - (iii) Maintenance of open space**
 - (iv) Provision of off-site land – extension to recreation ground**
 - (v) Provision of off-site land – extension to school**
 - (vi) Pay the Council’s reasonable costs**
 - (vii) 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 permission subject to the conditions set out below.**
- III If the freehold owners shall fail to enter into such an obligation by 19 February 2014 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reasons:**
- (i) Lack of financial contribution towards primary and secondary education provision**
 - (ii) Lack of provision of affordable housing - 6 units for affordable rent would be allocated on local connection to Radwinter on first let only. The remaining 6 (2 affordable rent & 4 Shared Ownership) properties will be for UDC wide.**
 - (iii) Lack of contribution toward maintenance of open space**
 - (iv) Lack of provision of off-site land – extension to recreation ground**
 - (v) Lack of provision of off-site land – extension to school**

Conditions/reasons

1. Approval of the details of the layout, scale, landscaping, appearance and public open space/recreation layout, access into the recreation site, pavilion (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 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.

2. (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 years 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.

3. Before the commencement of the development (excluding demolition) hereby permitted, 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 buildings are accessible to all sectors of the community. The dwellings shall be designed as 'Lifetime Homes' and with 5% of the Plots to be designed to be capable of being adapted 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.

4. Prior to occupation of any dwelling, the provision of an access formed at right angles to Walden Road as shown in principle on Drawing No. TR 008 to include but not limited to:
 - a. minimum 4.8 metre carriageway width with 2 metre wide footways on both sides
 - b. visibility splays with dimensions of 90 metres x 2.4 metres x 70 metres as measured from and alongside the nearside edge of the carriageway, such visibility splays shall be retained free of any obstruction in perpetuity
 - c. extension of the western footway around the bellmouth of the proposed junction provision of a footway spur and reflective marker posts on the southern side of Walden Road
 - e. improved lighting at the proposed junction
 - f. provision of advanced junction signing for westbound drivers on Walden Road. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development.

REASON: In the interests of highway safety and providing adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access. To ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

5. The gradient of the proposed access on to Walden Road shall be not steeper than 4% (1 in 25) for the first 6 metres from the highway boundary and not steeper than 8%

(1 in 12.5) thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a safe and controlled manner. To ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

6. Prior to occupation of any dwelling, the upgrade of the surface of public footpath 87 to provide a suitable surface for year round use to enable pedestrian access to the primary school and East View Close. Details to be submitted to and approved in writing with the Local Planning Authority in consultation with the Highway Authority, prior to commencement of development.

REASON: In the interests of sustainability and accessibility. To ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

7. A Historic Environment mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority. 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.

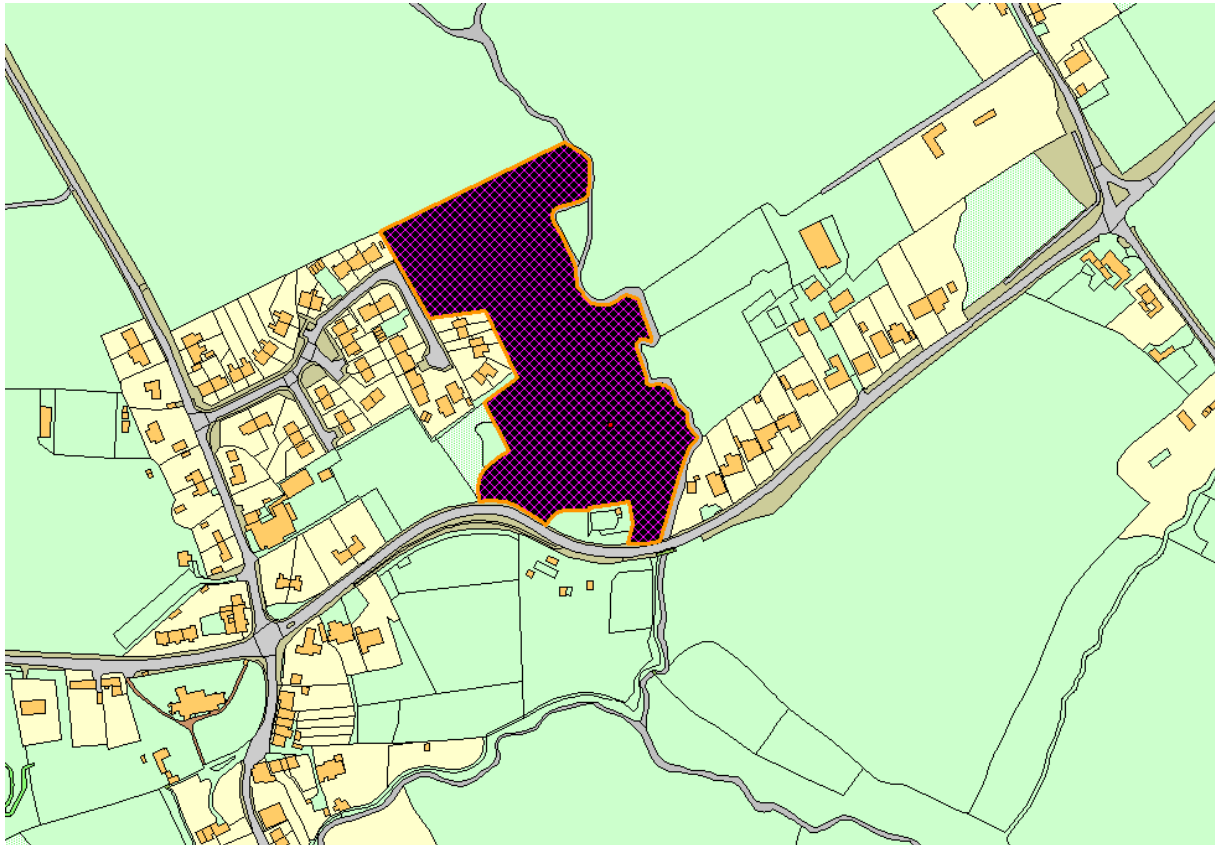
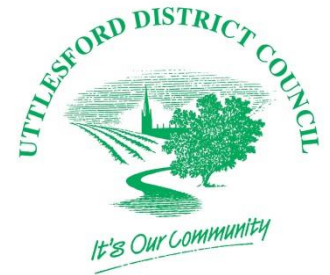
REASON: An archaeological evaluation has been undertaken on this site and submitted with the planning application. A programme of trial trenching was undertaken across the site. The results show the presence of a Roman site covering a large part of the northern area of the site. A series of cut features were identified all containing quantities of material of Roman date. This is indicative of a Roman settlement on the site or in the immediate vicinity. Evidence of Iron Age material was also recovered from the southern end of the site.

8. 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: An archaeological evaluation has been undertaken on this site and submitted with the planning application. A programme of trial trenching was undertaken across the site. The results show the presence of a Roman site covering a large part of the northern area of the site. A series of cut features were identified all containing quantities of material of Roman date. This is indicative of a Roman settlement on the site or in the immediate vicinity. Evidence of Iron Age material was also recovered from the southern end of the site.

Application no.: UTT/13/3118/OP

Address: Land off East View Close and Walden Road, Radwinter



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Organisation: Uttlesford District Council

Department: Planning

Date: 3 February 2014

SLA Number: 100018688