

**UTT/14/2591/DFO (FELSTED)**

(MAJOR)

**PROPOSAL:** Details following outline application UTT/13/0989/OP for the erection of 25 dwellings, play area and related infrastructure with approval for appearance, landscaping, layout and scale.

**LOCATION:** Land East Of Braintree Road Braintree Road Felsted Great Dunmow

**APPLICANT:** Taylor Wimpey

**AGENT:** Mr Michael Smith

**EXPIRY DATE:** 1<sup>st</sup> December 2014

**CASE OFFICER:** Madeleine Jones

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**1. NOTATION**

1.1 Outside Development Limits.

**2. DESCRIPTION OF SITE**

2.1 The site lies on the eastern side of the Braintree Road and adjoins existing residential development located along the southern boundary.

2.2 There is further residential development on the western side of the Braintree Road at this point.

2.3 The site is grassland and is predominantly flat with a slight fall from east to west.

2.4 It has a maximum length of around 190m in a north/south direction and a maximum width of around 170m in an east/west direction. It measures 2.02 hectares in total.

2.5 There is an existing vehicular access point into the site from the Braintree Road and the northern edge of the site.

2.6 The site is heavily screened along the road frontage with dense planting. Within the site there is an earth bund around the majority of the site with coniferous trees planted along the top.

2.7 In front of the bund there is some native planting which is still very immature.

2.8 The site is sub-divided by a ditch with contains extensive planting including 3 mature trees.

2.9 At the southern end of the site is a pond within a very deep depression.

**3. PROPOSAL**

- 3.1 This application relates to the reserved matters following the grant of outline planning permission for “ the erection of up to 25 dwellings, related infrastructure, play area and landscaping, including 40% affordable housing units with all matters reserved except access” which was approved subject to a S106 legal agreement in July 2013
- 3.2 The proposal is for the erection of 25 housing units with 10 of these being affordable housing, amounting to 40% of the development.

<b>Plot</b>	<b>No. of Bedrooms</b>	<b>Affordable</b>	<b>Garden Sizes (Sqm)</b>	<b>Parking</b>
1	1	y	62	2
2	2	y	76	2
3	2	y	55	2
4	2	y	70	2
5	2	y	78	2
6	1Bungalow	y	132	2
7	4		220	4
8	5		381	4
9	6		530	4
10	5		449	4
11	6		596	4
12	6		658	4
13	4		218	4
14	3		240	2
15	3		257	2
16	3		145	2
17	4		163	4
18	5		295	4
19	5		392	4
20	4		160	4
21	3		106	2
22	2	y	100	2
23	2	y	75	2
24	3	y	100	2
25	3	y	100	2
<b>Visitor spaces</b>				6

3.3 The reserved matters for consideration are appearance, landscaping, layout and scale.

3.4 Revised plans have been received:

- Omitting the gates to plots within the southern half of the development and replacing the fixed gates, to southern section of development, with a brick wall.
- Amending the parking space for plot one to be closer to the dwelling and to be slightly wider
- Increasing the visitor parking provision to six spaces
- Amending the plans and elevations of plots 9, 11, and 12 so that they reflect the layout plans.
- Amending the location of the drive serving plot 19.
- The gates serving plot 18 have been omitted.
- The studio/garages positions have been slightly revised.

3.5 The density of the development would be 12 dwellings per hectare.

#### **4.0 APPLICANT'S CASE**

4.1 The application is accompanied by the following documents:

Tree Survey

Design and Access Statement

Design and Access statement (summary)

The proposed scheme has been designed to take account of the constraints and opportunities presented by the site and the surrounding area, creating a new development that is both in keeping with the character of Watch House Green and successfully manages the transition from the village to the south to the countryside on the northern side of the settlement. Particular care has been taken to ensure that the scheme meets the requirements of the National Planning Policy Framework, CABE/Design Council's Building for Life assessment, and Uttlesford District Council's planning policies and the requirements of the outline planning permission and accompanying Section 106 Agreement. The proposed scheme will deliver the planning and socio-economic benefits to the local community that are secured by the outline planning permission.

The public open space will create a new facility to serve the whole village, which will also provide the setting for the new homes. The public open space is enclosed by both new and existing homes, providing surveillance and informal policing of the public realm. The streets and the boundaries between the public and private realms are well-defined and care has been taken to minimise the opportunities for crime and anti-social behaviour, including pre-application liaison with Essex Police. The retention of the mature trees in the centre of the site and the creation of new views to the surrounding countryside will define the character of the scheme, emphasising that it is on the edge of the countryside and part of a group of settlements in a rural area. The result is a scheme that has a clear residential character and a distinct focal point at its heart that enhances the northern edge of Watch House Green.

#### **5.0 RELEVANT SITE HISTORY**

5.1 UTT/12/5213/OP – Outline application for up to 25 dwellings - refused 2012.

5.2 UTT/13/0989/OP– Outline application for up to 25 dwellings - conditional approval subject to S106 July 2013.

#### **6.0 POLICIES**

##### **6.1 National Policies**

- National Planning Policy Framework

##### **6.2 Uttlesford District Local Plan 2005**

- Policy S7: The Countryside
- Policy H10: Housing Mix
- Policy GEN3: Flood Protection
- Policy H9: Affordable Housing
- Policy GEN1: Access
- Policy GEN2: Design
- Policy GEN6: Infrastructure Provision

- Policy GEN7: Nature Conservation
- Policy GEN8: Vehicle Parking Standards
- Policy ENV8: Other Landscape Elements of Importance for Nature Conservation
- Policy ENV4: Ancient Monuments and sites of Archaeological Importance
- SPD: Energy Efficiency and Renewable Energy
- SPD: Accessible Homes and Playspace
- SPD Parking Standards: Design and Good Practice Guide

### 6.3 Uttlesford District Draft Local Plan

- Policy SP1: Presumption in Favour of sustainable Development
- Policy DES1: Design
- Policy HO1: Housing Density
- Policy H02: Housing Mix
- Policy H07: Affordable Housing
- Policy TA1: Vehicle Parking Standards

## 7 PARISH COUNCIL COMMENTS

Felsted Parish Council wishes to make the following comments on this application:

1. The Drawings include a Children's Play Area on the Braintree Road side of the development. The Council suggest that a fence (possibly temporary) should be included in addition to the proposed hedge planting along the Braintree Road boundary of the site, to ensure that small children cannot inadvertently run out onto this busy road. Hedge planting takes time to mature and fill out and it is important that children's safety is not compromised in the interim.
2. The Council feel that staggered barriers should be installed across the Footpath Link at its junction with Braintree Road
3. This development is on an exception site and as such the Council considers that it is imperative that District Council Housing policies are followed and that local people, or people with local connections, are given preference when the affordable houses are allocated.
4. The developers mention the ongoing management of the proposed Children's Play Area. Felsted Parish Council would be willing to take on this responsibility providing that suitable terms can be agreed.

## 8 CONSULTATIONS

### Essex County Council Highways

- 8.1 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.  
From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions:  
Informatives

- (i) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- (ii) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (iii) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (iv) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

### **Environmental Agency**

- 8.2 The detailed drainage design in conjunction with drawing 45407/C/SK140 Rev. B can be dealt with condition 8 attached to the outline approval.

### **8.3 Access and Equalities Officer**

Review of plans submitted confirms that the SPD on Accessible Homes and Playspace has been complied with; Plot 6 is the unit which meets the requirements of the Wheelchair Accessible Standard, Appendix 2 of that document.

### **8.4 Internal Housing**

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 25 (net) units. This amounts to 10 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

This scheme meets the Council's policy requirements.

### **8.5 Essex County Council Archaeological**

The Historic Environment Record shows that the proposed development area contains a moated enclosure (HER 9562). The record states that the moated enclosure is shown on the tithe map. The Chapman and Andre maps of 1777 also show the presence of a property in the area of the moated site. The application proposes residential development in the area of the moat and it may well be worth considering alterations to

the proposed development layout. Many of the moats within north-west Essex have their origins in the 12th and 13th century.

The archaeological work would comprise a phased approach with initial trial trenching to be undertaken as soon as possible followed by open area archaeological excavation of all deposits threatened by the development. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office

No archaeological work has as yet been completed on this application. Condition 5 could be released as long as the second part of it is retained as a new condition. The archaeological conditions to remain would be;

1. 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.

### **Landscaping Officer**

8.6 No objections

### **REPRESENTATIONS**

9.1 The application has been advertised and 40 neighbouring properties written to. Four representations have been received. Expiry date 9<sup>th</sup> October 2014.

9.2 Main issues raised: (summary)

- Highway safety
- Traffic congestion. Intensification
- Intensification of traffic through the village
- No details of ecological habitat supplied.
- Flooding
- Surface water drainage details not supplied.
- Loss of precious countryside and wildlife habitat
- Pressure on local services and amenities
- Destruction of the village field of Felsted and its satellite hamlets.
- Impact on children's safety. The primary school is very close to the proposed development.
- The footpath effectively delivers children onto the most dangerous part of the B1417 without provision for a lollypop person or a zebra crossing
- Setting precedent for further development.

### **10 APPRAISAL**

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

**A Design, housing mix and landscaping (ULP Policies GEN2, H10);**

- B Affordable housing (ULP Policy H9);**
- C Impact on residential amenity (ULP Policy GEN2);**
- D Vehicle parking standards (ULP Policy GEN8, GEN1);**
- E Other matters: Ecology.**
- A. Design and appearance (ULP Policy GEN2)**

10.1 The site layout submitted is similar to the indicative layout submitted at outline stage, although the play area has now been re-sited to the south western corner of the site so that it forms part of the pedestrian entrance to the site. The proposal is considered to be of acceptable design and scale. The revised siting of the play area is overlooked by housing providing surveillance and informal policing of the public realm to minimise anti-social behaviour and opportunities for crime.

Landscaping runs along the western boundary and through the centre of the site and to the eastern boundary. The mature trees to the centre of the site will be retained. The existing shrub and hedge planting to the west of the site is to be removed to accommodate the forward visibility as required by the highways department. New hedge and tree planting to be provided to the east of the sight lines, to the eastern boundary and the boundary with Chatsworth to the south. The landscaping scheme is considered to be acceptable by the Councils Specialist Landscape Officer. The access is to the north eastern corner of the site.

The properties comprise a mix of semi -detached and detached properties. The majority of the properties are two storey of traditional design and the development is of low density to reflect the character of the area. A mix of materials is proposed. Following negotiation, revised drawings have now been received omitting the gates proposed to enclose the drives of plots to the southern part of the development and the gates (although fixed open) separating the north and south of the development have also been omitted from the scheme.

The design, appearance, scale and external materials of the proposed dwellings reflect the Essex vernacular as detailed in the Essex Design Guide. They incorporate aspects of traditional building features, are compatible with the character of the local area and are acceptable.

- 10.2 The scheme as submitted reflects pre-application discussions which have taken place between the applicant and Council Officers following approval of the outline scheme for this site. It is considered that the housing mix for the site is acceptable as the scheme provides a range of bedroom sizes under ULP Policy H10. The affordable housing units have been split into two groups, rather than in a group of ten.
- 10.3 In terms of rear garden amenity sizes, both market and affordable dwellings for the development would either meet or exceed Essex Design Guide standards. All homes have been designed to take into account Lifetime Homes standards. A bungalow would be incorporated within the development at plot 6.
- 10.4 Representations have been received raising concern in relation to potential flooding and drainage issues. The Environment Agency has been consulted and are satisfied that condition 8 attached to the outline approval would address any drainage issues

- B Affordable Housing (ULP Policy H9)**

10.4 The S106 agreement attached to the outline planning permission specifies that 40% of the total number of housing units shall be affordable housing. As such the proposal requires 40% of the 25 No. dwellings on the site to be affordable units, which have been allocated by the developer as two clusters comprising 6 No. 2 bedroomed units, 2 No. 3 bedroomed units, 2 No. 1 bedroom units where the tenure mix would be as stated in the signed S106 agreement relating to the outline permission. One of the units would be delivered as a bungalow. The proposed development complies with the requirements of ULP policy H9 and the S106 obligation.

### **C Impact on residential amenity (ULP Policy GEN2).**

10.5 The proposed dwellings have been positioned and designed so that there would not be any material detrimental impact by way of overlooking, overshadowing or overbearing impact to neighbours amenity .Revised plans have been received amending the position of some of the studio/garages as their original positions would have resulted in overlooking of neighbouring properties from the front first floor windows. There is the potential for further overlooking if windows are added at a later date to side elevations of the studios and as such a condition should be added to remove permitted development rights to these plots.

The proposed layout of the development takes into account the position and orientation of the existing adjacent properties and the distances set out in the Essex Design guide to prevent any overlooking and loss of amenity to the occupiers of existing properties. The proposal would therefore comply with the requirements of ULP Policy GEN2

### **D Vehicle Parking Standards (ULP Policies GEN8 and GEN1)**

10.6 All dwellings have sufficient parking provision to meet the adopted parking standards. Revised plan have been received increasing the visitor parking provision to six places to comply with the required adopted Parking standards. The numbering of the allocated parking spaces has been renumbered so that plot one has a parking space closer to the dwelling so as to comply with Lifetime Homes requirements. Following Essex County Councils highways Officers comments in relation to the closeness of the private drive to plot 19 to the site access junction with the B1417, revised plans have been received amending the layout to comply with these comments. The highways department now have no objections to the proposal subject to conditions. The proposal complies with policy GEN8 and GEN1.

### **E Ecology**

10.8 A phase one Habitat survey, bat survey , badger survey and reptile and great crested newt and mitigation strategy were submitted at outline stage and appropriate conditions attached to the outline approval. The relocation of Great Crested Newts has been secured by way of a S106 agreement at outline stage. As such it is considered that subject to the proposal complying with conditions 4, 9, 10 and 12 and the requirements of the S106 agreement attached to the outline approval the proposal would not have any significant detrimental impact on biodiversity.

## **10 CONCLUSION**

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

A The design, appearance and house type mix proposed for the development both for the market and affordable housing would be acceptable as would the proposed landscaping measures submitted.



- B The 40% affordable housing element for the development as shown would be acceptable.
- C The development would not result in any material detrimental impact to neighbours amenity.
- D Parking arrangements would be satisfactory and would meet adopted car parking standards.
- E The development would not have a harmful impact on nature conservation subject to conditions and the requirements secured by the S106 at outline stage being complied with.

**RECOMMENDATION – CONDITIONAL APPROVAL**

Conditions/reasons

- 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. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

REASON: In view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

3. 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: In view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

4. 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 view of the historic importance of the site, in accordance with Uttlesford District Local Plan Policy Local plan policy ENV4

5. Other than the windows shown on the approved drawings to which this planning permission relates, no windows or other form of opening shall be inserted into the side elevations of the studio/garages hereby permitted without the prior written consent of the local planning authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Uttlesford Local Plan policy GEN2

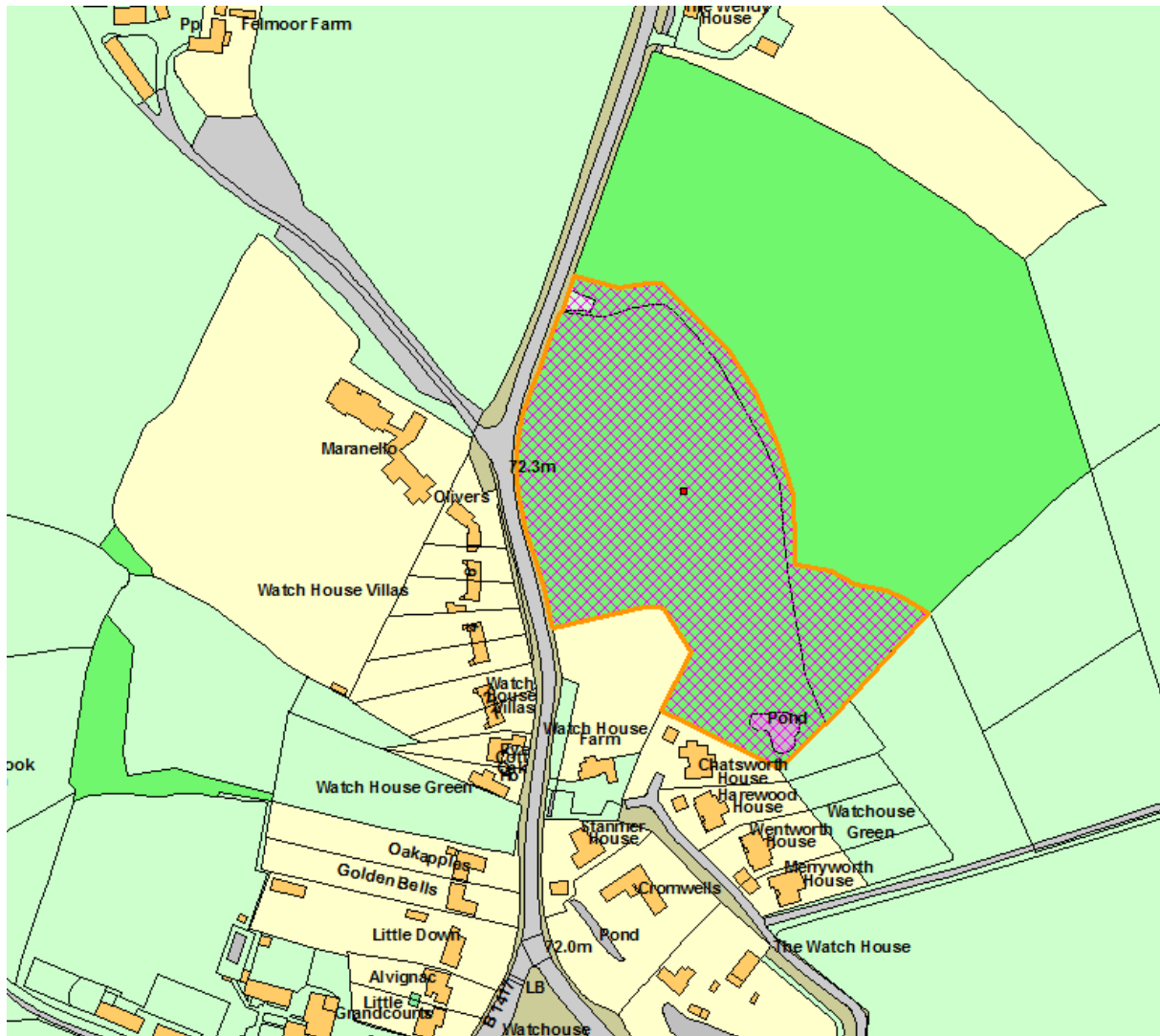
6. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in

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

REASON: To ensure a satisfactory appearance for the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/2591/DFO

Address: Land East Of Braintree Road Braintree Road Felsted



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