



Uttlesford District Council

Chief Executive: John Mitchell

Planning

Date: Wednesday, 11 February 2015
Time: 14:00
Venue: Council Offices
Address: Council offices, London Road, SaffronWalden, CB11 4ER

Members: Councillors C Cant, J Cheetham (Chairman), J Davey, K Eden, R Eastham, E Hicks, M Lemon, J Loughlin, K Mackman, J Menell, D Perry, V Ranger, J Salmon, L Wells

AGENDA PART 1

Open to Public and Press

- 1 Apologies for absence and declarations of interest.**
To receive any apologies and declarations of interest

- 2 Minutes of previous meeting** 5 - 8
To receive the minutes of the meeting on 14 January 2015

- 3 Matters arising.**
To consider matters arising from the minutes.

- 4 UTT/14/3279/DFO Elsenham** 9 - 32
To consider application UTT/14/3279/DFO Elsenham

- 5 UTT/14/3295/DFO Takeley** 33 - 44
To consider application UTT/14/3295/DFO Takeley

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| 6 | UTT/14/3182/FUL Saffron Walden
To consider application UTT/14/3182/FUL Saffron Walden | 45 - 58 |
| 7 | UTT/14/3506/DFO Newport
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| 8 | UTT/14/3791/FUL Little Bardfield
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| 9 | UTT/14/2464/OP Widdington
To consider application UTT/14/2464/OP Widdington | 83 - 92 |
| 10 | UTT/14/3257/HHF Littlebury
To consider application UTT/14/3257/HHF Littlebury | 93 - 98 |
| 11 | Chairman's urgent items
To consider any items that the Chairman considers to be urgent. | |

MEETINGS AND THE PUBLIC

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The agenda is split into two parts. Most of the business is dealt with in Part 1 which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

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**PLANNING COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2pm on 14 JANUARY 2015**

Present: Councillor J Cheetham (Chairman)
Councillors C Cant, J Davey, R Eastham, E Hicks, M Lemon, J
Menell, D Perry, V Ranger, J Salmon and L Wells.

Officers in attendance: E Allanah (Senior Planning Officer), N Brown
(Development Manager), D Malins (Housing Development
Manager), C Oliva (Solicitor), A Rees (Democratic and
Electoral Services Officer) and M Shoesmith (Development
Management Team Leader).

PC57 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Eden, Loughlin and
Mackman.

PC58 MINUTES

The minutes of the meeting held on 10 December 2014 were signed by the
Chairman as a correct record.

PC59 BUSINESS ARISING

(i) PC51 – Business Arising

Councillor Ranger said an e-mail had been sent to members regarding his
query about the conditions attached to application UTT/2412/HHF Felsted.

(ii) PC56 – Affordable Housing Contributions

The Development Manager informed members the advice they had received
about updates relating to the Government's Planning Practice Guidance had
been incorrect.

In December, Cabinet had adopted a revised Developer Contributions
Guide. At the meeting on 15 January, Cabinet was going to decide whether
to revise the Developer Contributions Guide again, to bring it into
accordance with the Guidance.

The Development Manager said no part of Uttlesford was considered a
designated rural area under Section 157 of the Housing Act and therefore
affordable housing contributions could only be sought for developments of
more than ten units. Members had previously been told financial
contributions, but not housing contributions, could be sought for
developments of more than five units everywhere in the district, with the

exceptions of Great Dunmow, Saffron Walden and Thaxted where the ten unit threshold would apply.

The Development Manager said following this, the Section 106 requirement for UTT/14/2387/FUL Takeley related to affordable housing contributions needed to be removed as they did not adhere to the Guidance.

Councillor Cheetham declared a non-pecuniary interest in application UTT/14/2387/FUL Takeley as a member of Takeley Church.

Members discussed the Government's Guidance on affordable housing contributions. Councillor Cant said she felt the Guidance contradicted the Government's aim to provide more affordable housing, as small developments made an important contribution to affordable housing provision. Members agreed the Government should be asked to clarify its position on affordable housing.

RESOLVED that:

- (i) The conditions attached to UTT/14/2387/FUL Takeley are amended to remove conditions (I) (i) and (III) (i).
- (ii) The Government would be asked to clarify its position on affordable housing

(iii) PC54 – Tree Preservation Order 04/14 Thaxted Churchyard

The Development Officer said the Landscape Officer had been in contact with all the relevant parties.

PC60

PLANNING APPLICATIONS

(a) Deferrals

RESOLVED that the following application be deferred.

UTT/14/3182/FUL Saffron Walden – Demolition of existing buildings and the erection of part two storey and part three storey building comprising 73 extra care apartments with associated communal facilities , hard and soft landscaping and parking spaces together with a single storey sub-station to serve application and adjacent site – Site at 119 Radwinter Road, Saffron Walden.

Reason: For further discussion about the purpose of extra care schemes and report back to the next meeting.

Sue Mayer (Agent) spoke in support of the application.

(b) Authority to the Assistant Director Planning and Building Control

RESOLVED that the application be approved subject to no consultees raising new issues. This application is delegated with

authority being passed to the Assistant Director Planning and Building Control to issue the decision after consultation period has expired.

UTT/14/3620/HHF Saffron Walden – Erection of detached garage – 6 Friends Walk, Saffron Walden

PC61 **NOTIFICATION OF WORKS TO A TREE – UTT/14/3813/TCA CARMEL STREET, GREAT CHESTERFORD**

Members were asked to consider the proposed crown reduction and thinning of two sycamore trees by thirty-three percent. The Development Manager said both trees fell within a conservation area. Both were mature specimens and in close proximity to one another. There were no significant defects with the trees at the time of the inspection; however an adjacent low rubble and flint boundary wall had suffered damage. This was probably caused by the trees. The trees were not prominent from public vantage points.

The Development Manager said the conclusion of the inspection was that the proposed crown reduction and thinning would not adversely affect the health of the trees, or cause a significant loss of amenity.

RESOLVED that no objection be raised to the proposed works.

PC62 **APPEAL DECISIONS**

The committee noted the appeal decisions which had been received since the last meeting.

Councillor Perry said he was pleased the Inspector had upheld the Committee's decision regarding application UTT/14/1391/FUL.

PC63 **PLANINNG DECISIONS**

The Committee received the schedule of outstanding 106 agreements.

The meeting ended at 3.20pm.

UTT/14/3279/DFO (Elsenham)

Referred to Committee by Cllr Morson if officers are minded to approve on the grounds of excessive and unsuitable development in the countryside.

PROPOSAL: Details following outline application UTT/0142/12/OP (erection of 155 dwellings with associated infrastructure) – details of access, appearance, landscaping and scale.

LOCATION: Land North of Stansted Road, Elsenham.

APPLICANT: David Wilson Homes

EXPIRY DATE: 12 February 2015

CASE OFFICER: Lindsay Trevillian

1. NOTATION

1.1 Outside development limits

2. DESCRIPTION OF SITE

2.1 The application site as outline in red on the submitted location plan is located on the northern side of Stansted Road on the north western edge of the village of Elsenham. The site itself is relatively level, irregular in shape and comprises of approximately 6.86 hectares.

2.2 The site currently comprises mainly agricultural land with a small developed area in the south west occupied by offices and garages services (Essex Auto Spray). The site is relatively open with only bushes and trees located along the field boundaries.

2.3 The site is bounded by the playing fields to the south east along with the existing residential development at Leigh Drive. To the north of the site is the area known as 'The Orchards', for which planning permission was granted in 2012 for a residential development. This development is nearing completion. West of the site is Alsa Wood which is a designated Ancient Woodland and Country Wildlife Site. An unmade public footpath runs from Leigh Drive across the southern boundary of the large open field and into the woodland.

3. PROPOSAL

3.1 This application relates to the reserved matters following the granting of outline planning permission which was for the erection of 155 dwellings, 55 extra care units, land for the provision of a multi-use community building, and associated on and off site infrastructure provision, following the demolition and clearance of the Essex Auto Spray and associated residential property – ref: UTT/0142/12/OP.

3.2 The reserved matters for consideration now relates to Access, Appearance, Layout, Scale and Landscaping for the erection of the 155 dwellings.

3.3 It should be noted that the 55 extra care units along with the provision of a multi-use community building does not form part of the reserved matters for this application for

reasons that are further explained under the heading 'History/background' within this report.

- 3.4 The proposed scheme consists of 100% residential housing with the proposed mix consisting of 60% private and 40% affordable housing. The breakdown of the housing is as follows:

Private housing:

15 x five bedroom houses
26 x four bedroom houses
37 x three bedroom houses
15 x two bedroom houses

(93 in total)

Affordable housing:

2 x four bedroom house
17 x three bedroom house
27 x two bedroom houses
16 x 1 bedroom apartments

(62 in total)

- 3.5 The dwellings would be predominantly two stories in height although the scheme also includes two and half storey apartment blocks. Building styles within the development would range from terrace style buildings, semi-detached and detached buildings that contain different sizes and scale and have an assorted use of externally finishing materials and detailing. In addition, the provision of eight bungalows has been provided as part of the development. Each of these dwellings within the development has been provided with off street parking spaces and its own private or communal amenity space.

4. APPLICANT'S CASE

- 4.1 Extensive pre-application meetings with both the Local Planning Authority and Elsenham Parish Council were held in which general advice was taken into consideration regarding the final design and layout of the application.
- 4.2 The applicant has provided a Design and Access Statement in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way. A Planning statement has also been provided to illustrate the planning policy context to the planning submission. In addition to the submitted plans, other supporting documentation that was submitted with the application included:
- Archaeological Evaluation – Prepared by Thames Valley Archaeological Services including Specialist Archaeological Advice.
 - Bat Emergence and Return to Roost Survey – Prepared by JBA
 - Flood Risk Assessment – Prepared by MLM
 - Phase 1 Habitat Survey – Prepared by JBA

- Landscape Management Plan – Prepared by Pegasus
 - Phase 2 Geo-environmental Assessment Report – Prepared by MLM
 - Planning Compliance Statement – Prepared by David Wilson Homes.
- 4.3 The applicant considers that the proposed residential scheme accords with policies contained within the Uttlesford District Council's Local Plan as well as the National Planning Policy Framework.

5. RELEVANT SITE HISTORY

- 5.1 UTT/1368/86 - Outline application for residential development on 14 ha construction of a new access and alteration of an existing access (refused September 1986).
- 5.2 UTT/0142/12/OP - Residential development comprising of 155 No. dwellings, 55 No. extra care units, land for the provision of a multi-use community building, and associated on and off site infrastructure provision, following demolition and clearance of Essex Auto spray and associated residential property. (Planning permission granted subject to conditions and a S106 Agreement (May 2013).
- 5.3 The outline planning permission included the provision for 55 extra care units. Part 2 of the signed S106 agreement set out the requirements and timings for delivering the extra care units. The S106 agreement states that:
- 5.4 "Prior to the occupation 75th Open Market Housing Unit the owners or the developer shall provide satisfactory proof in writing to Uttlesford District Council and the Council shall acknowledge in writing that satisfactory proof has been provided of a building contract for the construction of 55 Extra Care Housing units on the land and the said binding contract shall require the 55 extra care housing units to be substantially completed and ready for occupation prior to the occupation of the last open market housing unit constructed on the land."
- 5.5 Carter Jones undertook an extensive marketing campaign from the end of January 2014 to the end of July 2014. The evidence from the marketing campaign conducted by Carter Jones concluded that there was a lack of interest from outside parties to deliver the provision of an extra care facility.
- 5.6 Officers were satisfied that the developer has adequately marketed the site for an extra care facility for an appropriate length of time and concluded that potential for the delivery of an extra care facility on this site had been exhausted. As such in this present time, it was agreed that the provision to provide an extra care facility of 55 units was not required to be submitted as part of the reserve matters application.
- 5.7 Therefore officers confirmed that Part 2 of the S106 Agreement associated with the planning permission to be enacted, and that the Local Planning Authority would be seeking a standard 40% provision of affordable housing on the site rather than 35% if an extra care facility was include as part of the application.

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 GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking Standards
- Policy ENV3 – Open Spaces & Trees
- Policy ENV7 – The Protection of the Natural Environment – Designated Sites
- Policy ENV8 – Other Landscape Elements of Importance for Nature Conversation
- Policy H4 – Backland Development
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix
- Policy H11 – Affordable Housing on Exception Sites

6.3 Supplementary Planning Policy:

- SPD Accessible Homes & Play Space
- SPD Renewable Energy
- SPD Parking Standards Design & Good Practice September 2009
- SPD Essex Design Guide

7. PARISH COUNCIL COMMENTS

7.1 Elsenham Parish Council objects to the planning application for the following reasons:

- The proposal includes an inappropriate surface and foul water drainage strategy that would result in pressure on the capacity of existing infrastructure which may lead to surface water flooding within and outside the site.
- The proposed development would exceed the normal UDC limit of 10 dwellings or less in terms of clusters of affordable housing.
- No details have been provided on the submitted plans in terms of rights of way and footpaths
- No design proposals have been provided with the application to demonstrate that pedestrian and cyclist safety can be maintained through to Orchard Crescent.
- The Parish Council has concerns regarding the nature of the ownership and maintenance responsibilities of the open space land.
- The Parish Council notes that no street lighting has been proposed.
- The development only proposals 7 bungalows. This does not comply with UDC current housing strategy which requires the provision of at 5% of the total housing mix to be bungalows. At least 8 bungalows should be provided.

7.2 The above concerns raised by Elsenham Parish Council will be address within the appraisal section of this report.

8. CONSULTATIONS

ECC Education & Highways

- 8.1 No objection - From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions.

Thames Water Utilities

- 8.2 No objection- Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.
- 8.3 With regard to water supply, this comes within the area covered by the Affinity Water Company.
- 8.4 The amended surface water strategy is noted and is acceptable

Anglian Water Services

- 8.5 No comments Received.

Affinity Water Ltd

- 8.6 No objection - The construction works and operation of the proposed development site should be done 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.

ECC Sustainable Drainage

- 8.7 No objection - An updated drainage strategy was submitted to the LLFA on the 19 January. I am happy that the updated design addresses any water quality concerns we had.
- 8.8 It is now considered that a suitable drainage scheme has been submitted which demonstrates surface water management is achievable, without causing flooding on-site or elsewhere.

Environmental Agency

- 8.9 No objection - We have noted within the submitted documents that Essex County Council, the Lead Local Flood Authority, have been consulted and provided a comprehensive response to the reserved matters application. We have reviewed the information submitted and support the comments made by Essex County Council in their letter dated 18 November 2014.

ECC Ecology Advice

- 8.10 No objection – Subject to appropriate planning conditions requiring an Environmental and Biodiversity Management Plan submitted and approved by the Local Authority before any works commence on site. In addition it is also requested that an appropriate lighting scheme be produced.

Essex Bat Group

8.11 No comments received

ECC Police Architectural Liaison Officer

8.12 No comments received.

Natural England

8.13 No objection - Appropriate Biodiversity mitigation measures and the standard advice of Natural England should be relied upon when assessing the application.

Essex Wildlife Trust

8.14 No comments received.

UDC Internal Housing

8.15 No objection - The affordable housing provision on this site will attract the 40% policy requirement as the site is for up to 155 (net) units. This amounts to 62 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers. I confirm that the following mix is acceptable and meets all the Council's policy requirements.

UDC Landscaping

8.16 The illustrative landscaping scheme submitted with the application shows the provision of shrub planting to some of the plot frontages. However, this alone is not considered in itself sufficient and thereby a fully detailed landscape plan is required.

UDC Access & Equalities

8.17 Concerns raised:- I note the CHP comments about properties over garages, however, they do not meet the requirements of the SPD on Accessible Homes and Playspace. As a result none of the dwelling types identified as Argyll meet the standard as set out in the SPD. In addition those drawings identified as Studio Garage A and B will not meet the SPD either.

8.18 The plots to be designed to the SH48A standard, as an example, please advise of the glazing height in the living room, the requirement is again set out in the SPD and there is insufficient information for me to be able to determine this.

8.19 I note that Wellow A has been designed as a Wheelchair Accessible Bungalow, please advise how the 8 units (5% of the units to be constructed are to meet the Wheelchair Accessible Standard) are to be identified throughout the site. I note that there are other bungalows in the design. This is also important with regard to access to garages and car ports. I have looked at the documents on the screen and revised Design and Access Statement without any further information being contained within.

8.20 Plot levels and topography will also be important to ensure level access to the principal entrance. If this is to be a problem, we need to identify now how this will be remedied.

8.21 The access route to the play area and access within will need to be inclusive for wheelchair users.

ECC Minerals & Waste

8.22 The Mineral and Waste Planning Authority's raise NO OBJECTION against this application.

Essex Ramblers Association

8.23 No comments received.

Fisher German Chartered Surveys

8.24 No objection - Our client, GPSS, do not have apparatus situated within the vicinity of your proposed works and as such do not have any further comments to make.

National Grid

8.25 No comments received.

NHS Property Services

8.26 No comments received.

9. REPRESENTATIONS

9.1 The application was publicised by sending 267 letters to adjoining occupiers, displaying 6 site notices and advertising it within the local newspaper. 10 letters of objection have been received at the time of writing this appraisal that raise the following concerns:

- The proposal would lead to an increase in the risk of flooding within and outside the site.
- As the Planning Inspector has declared that the District Plan is unsound, this development should be rejected.
- There is no mention in the planning application of Footpath 31 Elsenham.
- Plot 1 of the development is planned to be on the route of the public footpath (FP31 Elsenham).
- No mention has been made of applying for any diversion of this route.
- The normal consultation period for a footpath diversion will still apply and building may not start and the route must be left publicly accessible until an approved Public Path Order is in place.
- Plot 1 is to be built too close to the thriving woodland known as The Spinney. Residents will immediately complain about the nearness of this woodland and demand that the owners (Elsenham Parish Council) reduce the height of the trees. (as has happened by the residents of Leigh Drive on the other side of The Spinney).
- FP31 Elsenham disappears under the proposed roadway. A suitable Footpath diversion has not been proposed.
- The Open Space Land to the south & east of the site should be created as a public footpath, given to the Parish Council and money lodged for its upkeep in perpetuity.
- Similarly a dedicated footpath should be created to the north of the site along the existing hedge.
- Plots 2-9 will be built on polluted land, although the developer claims there is no pollution. Building along this access road just shows the greed of the developer.

- Plots 7/8/9/11/12/13 are far too close to the Ancient Seminal woodland of Alsa Wood. As Essex Place Services indicate this woodland is irreplaceable and should not be put under threat by a building site of this magnitude.
- The linear design of this estate does not follow Essex design guide standards. These are back to back slums in the making.
- There are insufficient bungalows for a development of this size. At least 10% would be more appropriate.
- Bungalows should be located at the edges of the site to allow older residents easier access to public transport routes.
- Blocks of apartments are inappropriate in a rural setting.
- Affordable housing should be pepper-potted throughout the site and not concentrated in specific roads.
- The apartment blocks should not be uniquely 'Affordable housing'.
- The design of the affordable housing should not be different from the open market housing.
- UDC are proposing 3 major road junctions within 100 yards along Stansted Road Elsenham.
- Elsenham is embedded within a rural road network, most travel will be on rural roads heading mainly west towards Stansted Mountfitchet through roads clearly unsuited for the purpose, or south through the Countryside Protection Zone via the longer route of Hall road to the airport and destinations along the A120.
- The high standards as promised by Crowned Estates in the original application have disappeared since the site was sold to David Wilson Homes. It would no longer respond to local sensitivities, respect the landscape and setting and the local environment.
- There is now no Care Home element and some dwellings are three stories high. High rise buildings are unacceptable in a small village.
- Provisions should be made for some retirement dwellings, which need to be single storey.
- Junction with Stansted Road, Elsenham Any new junction should be as far as possible from existing houses in Stansted Road.
- Boundary with Hill Croft, Stansted Road, Elsenham If The Gables is demolished, agreement is needed concerning the boundary.
- Dwelling No 2 The undertaking previously given should be respected.
- Public footpath 31 A strategy is needed to keep the footpath open.
- Highways A new transport assessment is needed.
- Traffic calming Details should be agreed with the local community.
- Three-storey blocks These must be avoided.
- LAPs and LEAPs The LEAP and LAP should not be on opposite sides of the main access road.
- Biodiversity Questionnaire Some of the answers are unreliable.
- Other developments A plan is needed for all the housing developments in Elsenham.
- Road surface There will be no change to the existing road surface in Stansted Road.
- Chimneys There is no place for false chimneys in Elsenham.
- The development will cause traffic congestion.
- Greenfield sites such as the one in this application should not be the target of new housing development when so many brownfield sites exist in this region.
- The proposal would result in a loss of agricultural land, loss of wildlife habitat and a more congestion and increase strain on local services.
- Alsa Woods will suffer.

- It would appear from the plans that they plan both drainage and road development on my land.

9.2 The above concerns raised within the letters of objection will be address within the appraisal section of this report.

10. APPRAISAL

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

- A Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2)
- B Dwelling mix and Affordable Housing provisions (NPPF, Local Polies H9 & H10)
- C Access to the site and highway issues (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)
- D Landscaping and open space (NPPF, Local policy GEN2)
- E Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)
- F Drainage (ULP Policies GEN3 and GEN6)
- G Whether the proposal would cause harm to the amenities of adjoining property occupiers (NPPF and ULP Policies GEN2 & GEN4).

A Whether the layout, design and appearance of the proposal is acceptable (NPPF, Local Policy GEN2)

10.2 The guidance set out in Paragraph 58 of 'The Framework' stipulates that the proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and is visually attractive as a result of good architecture.

10.3 Local Plan Policy GEN2 seeks to promote good design requiring that development should meet with the criteria set out in that policy. Regard should be had to the scale form, layout and appearance of the development and to safeguarding important environmental features in its setting to reduce the visual impact of the new buildings where appropriate. Furthermore, development should not have a materially adverse effect on the reasonable occupation and enjoyment of residential properties as a result of loss of privacy, loss of daylight, overbearing or overshadowing.

10.4 The guidance contained within the Essex Design Guide has been considered in the overall design of the development. The design of the buildings reflects the local vernacular of the surrounding built form, particular the recently constructed dwellings to the north of the site.

10.5 The mixture of individual housing types, the addition of different ridge heights and the use of different materials would all contribute to a development that would break up any repetitiveness and avoid any strict symmetry that would be visually unpleasant within the street scene. The scale of the dwellings has been proposed with regard to the character of the surrounding locality which predominantly contains two story dwellings but combined, detached, semi-detached and terrace units with linked and detached garages. The dwellings are normally made up of rectangular plan forms with some front and rear projecting features. The buildings contain pitch roofs spanning the narrow plan dimensions of the dwellings with most containing gable roof forms. They would be well proportioned and articulated to reflect the patterns of characteristics of surrounding built form.

- 10.6 It is noted concerns were raised by Elsenham Parish Council with regard to the height of the two and half storey apartment buildings within the development. Of a particular concern, it was regarded that the excessive height of these buildings will significantly conflict with the aesthetic appearance of the overall development and the wider landscape setting.
- 10.7 The applicant has provided street scene elevations of the proposed development which include a visual representation of the overall height of the 2.5 storey buildings compared to the two storey dwellings.
- 10.8 It is noted that the proposed 2.5 storey building are higher than the 2 storey dwellings. However it is considered that the difference in height between the two building forms is such that there would not be highly noticeable. The 2.5 storey buildings would not be dominant or visually intrusive that would lead to an unacceptable overbearing impact within the development itself or on the wider landscape setting.
- 10.9 In terms of the general layout, the development is largely in accordance with the general layout of the master plan that was granted outline consent under planning application UTT/0142/12/OP. The frontage of the buildings largely follows other development in the vicinity with the new buildings along the internal highways being sited at the back edge of the public footways allowing for car parking to be sited between houses, beneath upper storey structures or within garages and parking courts to the rear. As such, the visual impact of on-site parked cars is reduced and also allows as much private rear gardens as possible to the rear of the dwellings. In addition, the siting of the dwellings within the development have been arranged to follow the general curve of the highways within the site which allows for a more harmonious street scene appearance.
- 10.10 Although the majority of residential units would have on plot parking, it is however noted that there are a number of parking courts proposed within the development. The Parking Standards Design and Good Practice September 2009 sets out within the Design and Layout section examples of good design which enable parking provision to be successfully integrated into residential developments. Parking courts are not generally considered to be appropriate for the rural nature of Uttlesford and "on plot" parking should be the normal approach.
- 10.11 The parking courts within the proposed development are well enclosed by buildings or walls to reduce their intrusiveness, but at the same time they are overlooked in order to reduce car related crime or anti-social behaviour. In reference to the communal parking courts for apartment blocks B and C, although not enclosed on balance they are considered to be appropriate given the incorporation of tree and shrub planting to soften the effect and reduce the apparent size of them.
- 10.12 It is considered that the design and layout of the parking courts proposed are on balance appropriate in that they have been designed to ensure that car parking does not dominate the character and appearance of development.
- 10.13 Policy GEN2 requires that developments are designed appropriately and that they provide provides an environment which meets the reasonable needs of all potential uses and minimises the environmental impact on neighbouring properties by appropriate mitigating measures. The NPPF also requires that planning should seek to secure high quality design and a good standard of amenity for all existing and further occupants of land and buildings.

- 10.14 For a two bedroom dwelling unit, the provision of 50sqm of amenity area and 100sqm for a three bedroom or more dwelling unit has been found to be acceptable and a workable minimum size that accommodates most household activities in accordance with the Essex Design Guide. For two or more bedroom flats communal gardens must be provided on a basis of a minimum area of 25sqm per flat. It is recognised that residents of one-bedroom flats may be happy to forego any amenity space although any similar provision would be welcomed. In addition to the minimum size guidance, the amenity space should also be totally private, not be overlooked, provide an outdoor sitting area and should be located to the rear rather than the side. Each dwelling and residential unit has been provided with the minimum amount of private and communal amenity areas. In addition the amenity areas are to the rear of the dwellings, provide outdoor sitting areas and are not significantly overlooked.
- 10.15 It is considered that the measures incorporated into the design of the proposed development will protect the amenities of the existing residents and that they will not have a materially adverse effect on their reasonable occupation and enjoyment of their dwellings.
- 10.16 Furthermore, it should be noted that all the open market housing and affordable dwellings on the site are to be designed and built to achieve BRE Code for Sustainable Homes Code Level 3.
- 10.17 In accordance with local policy GEN2, the Council will require developers to provide new homes, which are designed to lifetime homes standards. These standards will apply to all new housing, including blocks of flats, for both social housing and private sector housing. In addition developments of 20 units and over at least 5% should be built to wheelchair accessible standards. It is noted that Council's access and equalities officer had some concerns regarding the proposed development however it is considered that these concerns can be overcome by way of planning conditions.
- 10.18 The development has also taken into account the general principles regarding 'Secure by Design' in terms of its layout. Public spaces, such as parking areas, streets, lanes and cycle areas have been designed to be overlooked to provide natural security to the public realm.
- 10.19 The size, scale and siting of the proposal is appropriate in that the development as a whole would not result in material harm to the character and appearance of the surrounding locality and the street scene. It is considered that the design of the scheme is consistent with the parameters set by the outline application and responds to the characteristics of the site and its wider context. It would integrate well with the surrounding built form and the natural environment whilst at the same time create and provide a sense of well-being for future occupiers.

B Dwelling mix and Affordable Housing provisions (NPPF, Local Policies H9 & H10)

- 10.20 In accordance with Policy H9 of the Local Plan, the Council has adopted a housing strategy which sets out the Council's approach to housing provisions. The Council commissioned a Strategic Housing Market Assessment (SHMA) which identified the need for affordable housing market type and tenure across the District. Paragraph 50 of the Framework requires that developments deliver a wide choice of high quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

- 10.21 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 shall be positioned on land in at least 3 separate groups and each group will not comprise more than 18 Affordable Housing units. In addition, it also stipulates that 40% of the development should be Affordable in which the Tenure mix should be 70% Affordable Rented and 30% Shared Ownership Units. The proposed affordable housing provision meets the requirements of the S106 and is therefore acceptable in this instance.
- 10.22 ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom market dwellings. However, since the policy was adopted, the Strategic Housing Market Assessment (SHMA) has identified that the market housing need is generally for dwellings with three or more bedrooms. The Council's stance is that this should equate to approximately 50% of the dwellings
- 10.23 This is a material consideration because the SHMA constitutes supporting evidence for the Local Plan, which itself requires the housing mix requirements in the SHMA to be met in order to achieve compliance with Policy HO2. 97 of the 155 dwellings proposed comprise of 3 bedrooms or more which equates to approximately 62%. Although the percentage of dwellings consisting of three bedrooms or more is a little high, and it would a better mix to provide more 1 and 2 bedroom dwelling units, on balance it is considered that the mix of one, two, three, four and five bedroom dwellings across the development is appropriate.
- 10.24 The provision of 8 bungalows has been incorporated into the scheme (6 private & 2 affordable). This amounts to 5% of the total dwelling units being one or two bedroom elderly person bungalow across the tenure. This is considered to be an appropriate number.

C Access to the site and highway issues (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)

- 10.25 The application includes the details of the proposed access to the site for approval at this stage. The primary vehicle access route into the site is from Stansted Road with a further pedestrian/cycle access point in the north eastern corner of the site leading into Orchard Crescent.
- 10.26 Issues related to congestion and the overloading of the road infrastructure serving Elsenham has been considered by Essex County Council Highways and no objections have been raised subject to conditions. It is considered that proposed vehicle access onto the main road network is capable of carrying the traffic generated by the development in a safe and efficient manner.
- 10.27 The existing public footpath (No. 31) that runs into a north south direction provides public access from Stansted Road towards Alsa Wood would be affected by the proposal. The footpath would be changed from rural footpath to an urban one and would need to be diverted around built form within the development. If planning consent is granted, the applicant should apply to the Essex County Council to divert the Public Right of Way around the built development. Internal pavements within the development are appropriately designed to meet the relevant safety requirements.
- 10.28 Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning Guidance 'Vehicle Parking Standards.

10.29 The Adopted Council parking standards recommends that a minimum of one vehicle space is provided for a one bedroom unit, two spaces for a two or three bedroom dwelling, and three spaces for a four bedroom dwelling house along with additional visitor parking spaces. In addition each dwelling should also be provided with at least 1 secure cycle covered space.

10.30 The proposal makes provisions for at least 1 car parking space for each one bedroom unit and at least 2 car parking spaces for dwellings consisting of two bedrooms or more. A total of 264 off street parking spaces have been provided. These would be accommodated within a range of options including car ports, garages and on and off street parking. There is also the allowance for 34 additional visitor parking spaces. In addition secure cycling has been provided for each residential unit within the site.

10.31 It is concluded that the proposed development would cause no harm to matters of highway safety.

D Landscaping and open space

10.32 An illustrative landscaping scheme was submitted with the application that showed the provision of shrub and tree planting to some of the plot frontages. However, this alone was not considered in itself sufficient by Councils landscape officer to recommend that the reserve matters for landscaping to be approved due to the lack of detail it showed.

10.33 Officers have therefore requested that a detailed landscaping scheme be submitted prior to the committee meeting which specifically highlights such elements like the proposals planting plans, including specifications of species, size, planting centres, number and percentage mix for the site as a whole.

10.34 The landscape plan would be included as a supplementary representation at the committee meeting with all issues concerning including the landscape officers comments to be presented in front of members.

10.35 There will be two areas of Local Play (LAP) and one Local Equipped Area of Play (LEAP) provided within the development. The first LAP is positioned outside plots 21 and 22; the second is located adjacent to plots 54 and 55. The LEAP is situated south of apartment block (plots 150 to 155).

10.36 The size and location of the proposed LAP's and LEAP are generally in accordance with the Master plan granted consent under the outline application. It is considered that the space provided would be of a useful size and in a safe location that are overlooked to allow for informal play activities and is assessable for everyone concerned. The provision of the play areas would be in accordance with Part 4 (play areas) of the S106 agreement that formed part of the outline consent.

10.37 There is no principle open space within the main body of the proposed development. The open space provision is shown to be provided at the eastern and southern edges of the north part of the development. This is an acceptable solution in order to accommodate drainage swales for the development. However, the consequence is that there is very limited open space provision within the main body of the development. This reinforces the case for a strong unifying soft landscaping element such as hedging to the frontages as recommended. Such a provision would impart a more appropriate character to the development in keeping with this location.

E Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)

- 10.38 The application site itself is not the subject of any statutory nature conservation designation being largely fields with some built development within the south western corner. However the woodland adjoining the site known as Alsa Wood has long been a historic feature of the village and is an ancient woodland and Local Wildlife Site and site.
- 10.39 The applicants have carried out an Extended Phase 1 Habitat Survey which, together with their data search, has identified the potential presence of various protected species.
- 10.40 The application was consulted to ECC ecology officer who stated that it is noted that the majority of the woodland lies 40 metres from the development, and that the small section of woodland (90m worth) that abuts the development lies beyond a 10 metre buffer. It is also noted that the easternmost part of the woodland has been planted more recently and does not qualify as ancient woodland.
- 10.41 The closest residential property lies 22m from the ancient woodland boundary and houses will be sited so that they face the woodland. This will remove any risk of litter being dumped over garden boundaries and accords with the Natural England / Forestry Commission Guidance on Ancient Woodlands.
- 10.42 In addition it is noted that a grass buffer is proposed between the road and the woodland and that traffic along this stretch of road will be light, serving only 4 properties. A lighting strategy should be conditioned, in line with the recommendations in the report to minimise impacts on bats using the woodland edge.
- 10.43 A landscape strategy should also be conditioned; with a particular focus on defensive planting along the woodland boundary.
- 10.44 It should be reminded that it was agreed under the outline application that a formal management plan for the future preservation and maintenance of Alsa Wood is to be submitted and agreed prior to the occupation of the 75th open market unit. If planning consent is granted, David Wilson Homes have agreed to work with the local Parish Council in finalising such a management plan.
- 10.45 It is concluded that the with appropriate mitigation measure by way of planning conditions, the proposal would not result in a significant harm to the ecology and biodiversity of the surrounding area and in particular Alsa Wood. The proposal is in accordance with local policy GEN7 and the NPPF.

F Drainage (ULP Policies GEN3 and GEN6)

- 10.46 It is noted that concerns have been raised by both the Elsenham Parish Council and local residents in relation to on and off site drainage. In addition, Essex County Council sustainable drainage officer initially had concerns with the information submitted within the Flood Risk Assessment and Drainage Strategy. In particular, it was suggested that the proposal included an inappropriate surface and foul water drainage strategy that would result in pressure on the capacity of existing infrastructure which may lead to surface water flooding within and outside the site.
- 10.47 Subsequently the applicant revised both the FRA and the Drainage Strategy in order to overcome the concerns raised by the above parties.

10.48 The amended FRA and Drainage Strategy were re-consulted to Essex County Council in which the drainage officer stated:

10.49 Further to the additional information submitted by MLM Consulting on the 12 January 2015, in response to our consultation response on the 18 November 2014, to the Flood Risk Assessment associated with this application and the additional drainage strategy, it is now considered that a suitable drainage scheme has been submitted which demonstrates surface water management is achievable, without causing flooding on-site or elsewhere.

10.50 Following my initial response to the above consultation I have spoken with a representative of the parish council as well as a representative from the Essex Highways team and the consultant representing the developer.

10.51 The issues surrounding the existing flood risk have been explained. From my conversations I understand that flooding is mainly caused by a lack of maintenance to the receiving watercourse due to a section of this watercourse running through unregistered land.

10.52 We believe that it would be unreasonable to expect the developer to resolve these issues as they have not arisen because of the proposed development. Furthermore the watercourse already receives runoff from the proposed development at unrestricted greenfield rates. The drainage strategy proposes to limit these rates, therefore significantly reducing the water entering into the watercourse for event up to the 1 in 100yr event (+30% Climate change), which will reduce the risk of flooding in this area.

10.53 An updated drainage strategy was submitted to the LLFA on the 19th January. I am happy that the updated design addresses any water quality concerns we had.

10.54 The application was consulted to Thames Water in which they concluded that with regard to sewerage infrastructure capacity, we would not have any objection to the planning application. In addition the surface water strategy is noted and is acceptable.

10.55 To prevent flooding on the proposed site and the local area by ensuring the satisfactory storage of/disposal of surface water in a range of rainfall events and ensure the system operates as designed for the lifetime of the development, a planning condition is considered necessary that the proposal is to be constructed in accordance with the details within the FRA and drainage strategy.

G Whether the proposal would cause harm to the amenities of adjoining property occupiers.

10.56 Due consideration has been given in relation to the potential harm caused to the amenities enjoyed by adjoining property occupiers.

10.57 The site is generally divorced from surrounding residential development as most of the proposed residential units situated close to the site boundaries would enjoy the open aspects of either backing onto woodlands or playing fields.

10.58 However some residential units would either back onto or front existing residential properties within the Orchards and Ridley Gardens along the northern and eastern boundaries of the site. In addition, one of the proposed bungalows would back on to the garden area of the property known as 'Hillcroft' that fronts onto Stansted Road.

10.59 The Illustrative Master plan shows a degree of separation between the proposed area of housing and the dwellings to the north and east of the site and the property of 'Hillcroft' that would ensure that the amenities of these properties will be largely protected. The distance would conform to the relevant setbacks within the Essex Design Guide and as such the proposal would not result in a significant degree of overlooking or overshadowing and would neither be visually intrusive or overbearing when viewed from adjoining properties.

10.60 In relation potential impacts at the construction stage, particular in relation to air quality, noise and vibration, it is considered that these could be addressed by appropriate conditions and also by a Construction Management Plan.

10.61 It is concluded that the development would not result in excessive harm to the amenities enjoyed by adjoining property occupiers and that the proposal would comply with local policies GEN2 and GEN4.

11. CONCLUSION

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

- A The layout, size and scale of the proposal is considered on balance to be appropriate to reflect the character and appearance of the characteristics of the site and its wider context. It would integrate well with the surrounding built form and the natural environment whilst at the same time create provide a sense of well-being for future occupiers.
- B The proposed affordable housing provision meets the requirements of the S106 and is therefore acceptable in this instance and on balance it is considered that the mix of one, two, three, four and five bedroom dwellings across the development is appropriate.
- C It is concluded that the proposed development would cause no harm to matters of highway safety. In addition, appropriate parking provisions have been incorporated into the scheme that will meet the needs of future occupiers and visitors.
- D The proposed landscaping of open spaces including street frontages is considered to be appropriate. The two areas of Local Play (LAP) and one Local Equipped Area of Play (LEAP) provided within the development are appropriate and are in accordance with the S106 Agreement.
- E It is concluded that the with appropriate mitigation measure by way of planning conditions, the proposal would not result in a significant harm to the ecology and biodiversity of the surrounding area and in particular Alsa Wood.
- F An appropriate surface and foul water drainage strategy and FRA have been submitted that provides details on the mitigation measures to be undertaken to reduce potential surface water flooding within and outside the site.
- G The proposal would not lead to excessive harm upon the amenities of adjoining property occupiers surrounding the site.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. The development hereby permitted shall be constructed entirely of the materials details of which are shown on plan No. BH056-PL-05 Rev I and as shown on the schedule of materials unless otherwise agreed in writing by the Local Planning Authority.

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

2. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with policies GEN1 and GEN8 of the Local Plan.

3. Prior to occupation of any dwelling, the provision of a priority junction formed at right angles to Stansted Road, Elsenham exactly as shown on MLM Drawing No. 665145/110 Rev P3 dated August 2014.

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 in accordance with policy GEN1 of the Local Plan.

4. Prior to occupation of any dwelling, the provision of a scheme of traffic management to include a gateway feature at the commencement of the 30 mph speed limit along Stansted Road to encourage lower speeds of traffic passing the site and an extension of the street lighting on Stansted Road westwards to incorporate the proposed priority junction. Details to be submitted to and approved in writing with the Local Planning Authority and implemented.

REASON: In the interests of highway safety in accordance with policy GEN1 of the Local Plan.

5. 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 dwellings, the completion of the development, or in agreed phases whichever is the sooner, and any plants 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: 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. The development hereby permitted shall be completed in accordance with the approved details within the Flood Risk Assessment and the mark up drainage strategy plan No. 665145/SK/19012015 unless otherwise agreed in writing by the Local Planning Authority.

REASON - To prevent flooding on the proposed site and the local area by ensuring the satisfactory storage of/disposal of surface water in a range of rainfall events and ensure the system operates as designed for the lifetime of the development in accordance with policy GEN3 of the Local Plan.

7. The development hereby permitted shall be implemented in accordance with the Phase 1 Habitat Survey undertaken by J.B Consultancy Service Ltd (January 2015) submitted with the application in all respects and any variation there to shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

10. The development hereby permitted shall be implemented in accordance with the scheme of mitigation/enhancement submitted with the application in all respects and any variation thereto shall be agreed in writing by the local planning authority before such change is made.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

11. No development shall take place until a Lighting Plan is submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved plans.

REASON: In the interest of the protection of the wildlife value of the site in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

12. Prior to commencement of the development, a drawing demonstrating compliance with 'Lifetime Homes' standards shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved drawing.

REASON: To ensure that the dwelling is accessible for all, in accordance with the 'Accessible Homes and Playspace' Supplementary Planning Document and Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Appendix A. – Housing Tenure.

Plot	Tenure	House Type	Position	Number of bedroom	Floor area (m ²)	Parking Spaces	Garden Size sq.m
1	Private	Carsington	Detached	4	148.6	4	191
2	Private	Bungalow A	Detached	2	62.0	2	103
3	Private	Bungalow B	Detached	2	60.8	2	83
4	Private	Bungalow B	Detached	2	60.8	2	77
5	Private	Bungalow B	Detached	2	60.8	2	66
6	Private	Bungalow C	Detached	2	61.6	2	59
7	Private	Ashworth	Detached	3	94.7	2	81
8	Private	Greenvale	Detached	5	184.6	4	163
9	Private	Banbury	Detached	3	95.3	2	119
10	Private	Greenvale	Detached	5	184.6	4	286
11	Private	Greenvale	Detached	5	184.6	4	128
12	Private	Carsington	Detached	4	148.6	3	114
13	Private	Carsington	Detached	4	148.6	3	154
14	Private	Staunton	Detached	4	158.2	3	107
15	Private	Staunton	Detached	4	158.2	3	112
16	Private	Greenvale	Detached	5	184.6	6	149
17	Private	Greenvale	Detached	5	184.6	6	151
18	Private	Midford	Detached	4	111.0	3	100
19	Private	Greenvale	Detached	5	184.6	4	148
20	Private	Ashworth	Detached	3	94.7	2	100
21	Private	Banbury	Detached	3	95.3	2	100
22	Private	Chesterfield	Detached	3	96.6	2	101
23	Private	Wroxham	Detached	4	139.2	3	100
24	Private	Ashworth	Detached	3	94.7	3	119
25	Private	Staunton	Detached	4	158.2	3	139
26	Private	Wroxham	Detached	4	139.2	3	122
27	Private	Greenvale	Detached	5	184.6	4	156
28	Private	Carsington	Detached	4	148.6	3	125
29	Private	Greenvale	Detached	5	184.6	4	133
30	Private	Greenvale	Detached	5	184.6	4	122
31	Private	Greenvale	Detached	5	184.6	4	212
32	Private	Greenvale	Detached	5	184.6	5	210
33	Private	Midford	Detached	4	111.0	3	161
34	Private	Carsington	Detached	4	148.6	3	101
35	Private	Greenvale	Detached	5	184.6	4	180
36	Private	Carsington	Detached	4	148.6	3	137
37	Private	Midford	Detached	4	111.0	2	144
38	Private	Greenvale	Detached	5	184.6	6	210
39	Private	Midford	Detached	4	111.0	3	113
40	Private	Carsington	Detached	4	148.6	3	114
41	Private	Wroxham	Detached	4	139.2	3	130
42	Shared	Ha Ap2	Apartment, ground	2	60.0	2	communal
43	Shared	Ha Ap2	Apartment, first	2	60.0	2	communal
44	Shared	Ha Ap1a	Apartment, ground	1	53.0	2	communal

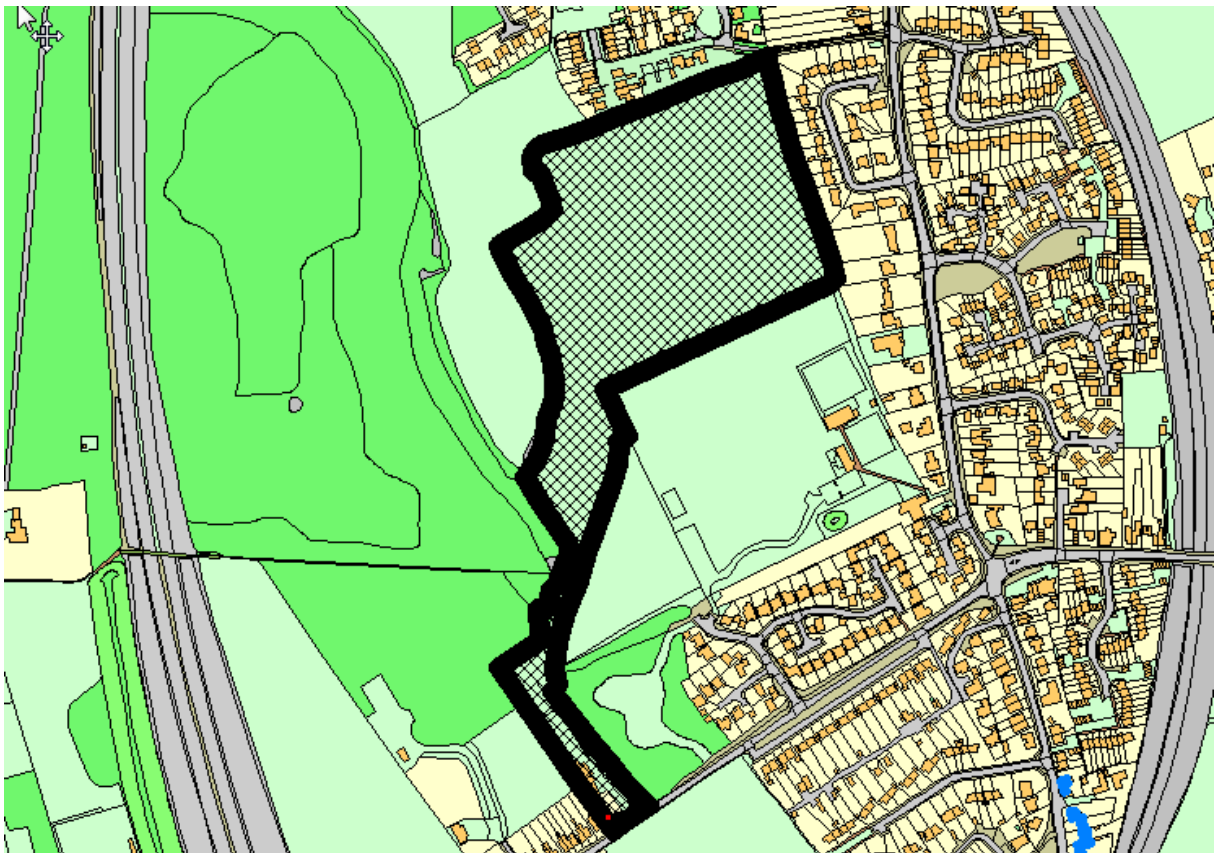
Plot	Tenure	House Type	Position	Number of bedrooms	Floor area (m ²)	Parking Spaces	Garden Size sq.m
45	Shared	Ha Ap1a	Apartment, first	1	53.0	1	communal
46	Shared	Ha Ap1e	Apartment,	1	46.5	1	communal
47	Shared	Ha Ap2	Apartment, first	2	60.0	1	communal
48	Private	Colmer	Semi-detached	3	86.4	2	100
49	Private	Colmer	Semi-detached	3	86.4	2	100
50	Private	Ashworth	Semi-detached	3	94.7	2	100
51	Private	Ashworth	Semi-detached	3	94.7	2	100
52	Private	Ashworth	Detached	3	94.7	2	107
53	Affordable	Ha Ap1b	Apartment,	1	53.0	1	communal
54	Affordable	Ha Ap1b	Apartment, first	1	53.0	1	communal
55	Affordable	Ha Ap1b	Apartment,	1	53.0	1	communal
56	Affordable	Ha Ap1a	Apartment,	1	60.0	1	communal
57	Affordable	Ha Ap1a	Apartment, first	1	60.0	1	communal
58	Affordable	Ha Ap1a	Apartment,	1	60.0	1	communal
59	Affordable	Ha Ap1e	Apartment,	1	45.7	2	communal
60	Affordable	Ha Ap2	Apartment, first	2	60.0	2	communal
61	Affordable	Ha Ap2	Apartment,	2	60.0	2	communal
62	Affordable	SH27	Semi-detached	2	69.7	2	50
63	Affordable	SH48	Semi-detached	4	102.4	3	101
64	Private	Chesterfield	Detached	3	96.6	3	100
65	Private	Midford	Detached	4	111.0	2	100
66	Private	Ashworth	Detached	3	94.7	2	103
67	Private	Staunton	Detached	4	158.2	3	110
68	Private	Midford	Detached	4	111.0	3	100
69	Private	Wroxham	Detached	4	139.2	3	100
70	Private	Staunton	Detached	4	158.2	3	120
71	Private	Staunton	Detached	4	158.2	3	120
72	Private	Wroxham	Detached	4	139.2	4	107
73	Private	Lancaster	Detached	5	213.0	4	127
74	Private	Lancaster	Detached	5	213.0	4	120
75	Private	Ashworth	Semi-detached	3	94.7	2	100
76	Private	Ashworth	Semi-detached	3	94.7	2	102
77	Shared	SH27	End terrace	2	69.7	2	59
78	Shared	Argyll	Mid terrace	2	68.9	2	Private
79	Shared	SH27	Mid terrace	2	69.7	2	50
80	Affordable	SH27	Mid terrace	2	69.7	2	53
81	Shared	Argyll	Mid terrace	2	68.9	2	Private
82	Affordable	SH27	End terrace	2	69.7	2	62
83	Affordable	Wellow	Detached	2	60.9	2	100
84	Affordable	SH39	Semi-detached	3	86.0	2	101
85	Affordable	SH39	Semi-detached	3	86.0	2	100
86	Private	Chesterfield	Detached	3	96.6	2	100
87	Private	Colmer	Semi-detached	3	86.4	2	100
88	Private	Colmer	Semi-detached	3	86.4	2	100

Plot	Tenure	House Type	Position	Number of bedrooms	Floor area (m ²)	Parking Spaces	Garden Size sq.m
89	Private	Chesterfield	Detached	3	96.6	2	100
90	Affordable	SH39	End terrace	3	86.0	2	100
91	Affordable	SH27	Mid terrace	2	69.7	2	50
92	Shared	Argyll	Mid terrace	2	68.9	2	Private
93	Affordable	SH27	Mid terrace	2	69.7	2	50
94	Affordable	SH27	End terrace	2	69.7	2	50
95	Private	Banbury	Semi-detached	3	95.3	2	100
96	Private	Banbury	Semi-detached	3	95.3	3	100
97	Private	Carsington	Detached	4	148.6	3	113
98	Affordable	SH39	End terrace	3	86.0	2	106
99	Affordable	SH27	Mid terrace	2	69.7	2	51
100	Shared	Argyll	Mid terrace	2	68.9	2	Private
101	Affordable	SH27	Mid terrace	2	69.7	2	50
102	Affordable	SH27	Mid terrace	2	69.7	2	50
103	Affordable	SH39	End terrace	3	86.0	3	100
104	Private	Argyll	End terrace	2	68.9	2	Private
105	Private	Belmont	Mid terrace	2	67.9	2	50
106	Private	Belmont	End terrace	2	67.9	2	63
107	Private	Belmont	Semi-detached	2	67.9	2	56
108	Private	Belmont	Semi-detached	2	67.9	2	50
109	Private	Colmer	Semi-detached	3	86.4	2	100
110	Private	Colmer	Semi-detached	3	86.4	2	101
111	Private	Chesterfield	Detached	3	96.6	2	100
112	Private	Belmont	Detached	2	67.9	2	64
113	Affordable	SH39	End terrace	3	86.0	2	100
114	Shared	Argyll	Mid terrace	2	68.9	2	Private
115	Affordable	SH35	End terrace	3	98.0	2	102
116	Affordable	SH39	End terrace	3	86.0	2	106
117	Affordable	SH27	Mid terrace	2	69.7	2	57
118	Affordable	SH39	End terrace	3	86.0	2	117
119	Affordable	SH39	Semi-detached	3	86.0	2	100
120	Affordable	SH39	Semi-detached	3	86.0	2	100
121	Affordable	SH39	Semi-detached	3	86.0	2	100
122	Affordable	SH48	Semi-detached	4	102.4	3	113
123	Private	Banbury	Semi-detached	3	95.3	2	105
124	Private	Banbury	Semi-detached	3	95.3	2	117
125	Private	Ashworth	Semi-detached	3	94.7	2	124
126	Private	Ashworth	Semi-detached	3	94.7	2	105
127	Private	Carsington	Detached	4	148.6	2	100
128	Private	Belmont	End terrace	2	67.9	2	64
129	Private	Belmont	Mid terrace	2	67.9	2	50
130	Private	Belmont	End terrace	2	67.9	2	51
131	Private	Ashworth	Detached	3	94.7	2	100
132	Shared	SH39	Semi-detached	3	86.0	2	100

Plot	Tenure	House Type	Position	Number of bedrooms	Floor area (m ²)	Parking Spaces	Garden Size sq.m
133	Shared	SH39	Semi-detached	3	86.0	2	100
134	Shared	SH27	Semi-detached	2	69.7	2	55
135	Shared	SH39	Semi-detached	3	86.0	2	100
136	Affordable	SH39	Semi-detached	3	86.0	2	100
137	Affordable	SH39	Semi-detached	3	86.0	2	100
138	Shared	Wellow	Detached	2	60.9	2	109
139	Private	Carsington	Detached	4	148.6	3	121
140	Private	Staunton	Detached	4	158.2	3	101
141	Private	Carsington	Detached	4	148.6	3	10
142	Private	Wroxham	Detached	4	139.2	3	116
143	Private	Wroxham	Detached	4	139.2	3	100
144	Private	Wroxham	Detached	4	139.2	3	100
145	Private	Colmer	Semi-detached	3	86.4	3	100
146	Private	Colmer	Semi-detached	3	86.4	2	100
147	Private	Ashworth	Detached	3	94.7	2	109
148	Shared	Argyll	Semi-detached	2	68.9	2	32
149	Shared	Argyll	Semi-detached	2	68.9	2	32
150	Affordable	Ha Ap1d	Apartment,	1	51.3	2	Communal
151	Affordable	Ha Ap1d	Apartment, first	1	51.3	1	Communal
152	Affordable	Ha Ap1d	Apartment,	1	51.3	1	Communal
153	Affordable	Ha Ap1c	Apartment,	1	51.3	1	Communal
154	Affordable	Ha Ap1c	Apartment, first	1	51.3	1	Communal
155	Affordable	Ha Ap1c	Apartment,	1	51.3	1	Communal

Application no.: UTT/14/3279/DFO

Address: Land North Of Stansted Road, Elsenham



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Organisation: Uttlesford District Council

Department: Planning

Date: 29 January 2015

SLA Number: 100018688

UTT/14/3295/DFO Takeley

PROPOSAL:	Details following outline application UTT/13/1393/OP. Proposed residential planning application for the erection of up to 100 dwellings, to include provision for 6.3 hectares of public open space, details of appearance layout and scale.
LOCATION:	Brewers End Takeley
APPLICANT:	Bovis Homes Ltd
AGENT:	CHBC Architects Limited
EXPIRY DATE:	06 January 2015
CASE OFFICER:	Andrew Taylor

1. NOTATION

- 1.1 Reserved Matters application following the approval of outline application.

2. DESCRIPTION OF SITE

- 2.1 The site comprises 9.7 hectares and occupies a roughly rectangular area of open land to the south of Dunmow Road on the western edge of Takeley. The northern frontage of the site extends along a section of Dunmow Road while the wider, eastern boundary is shared with another development site (application ref: UTT/1335/12/FUL) for 41 dwellings. The site narrows to the west, where it is bounded by the existing dwelling Southside and the land to the rear. To the south the site is bounded by the Flitch Way public bridleway which is largely hidden from view by the intervening hedgerow and trees. Opposite the site on the north side of Dunmow Road is Church Lane and a listed building 'Millers', a dwelling that has curtilage buildings fronting the site.

The site was given outline planning permission under UTT/13/1393/OP for erection of up to 100 dwellings to include provision of 6.3 hectares of public open space.

3. PROPOSAL

- 3.1 The application is for 100 dwellings, associated infrastructure and ancillary buildings plus the provision of 6.3 hectares of public open space. This application has had several revisions making changes to the layout and architectural style of the proposed dwellings. The latest set of drawings which have developed from the illustrative layout within the Design and Access Statement of the Outline permission.
- 3.2 The layout consists of a rectilinear grid on predominantly shared surface streets with small private drives around the edges of the development. There are variations to the form of the streets and enclosure. The grid is emphasised by a regular setback of houses with front gardens making up the public realm. The alignment of houses is in a stricter grid pattern than the road layout, following straight building lines rather than the road alignment.

- 3.3 Storey heights are predominantly two storeys. There are 8 three storey buildings which are in the centre of the site to form a key central area and 5 bungalows are also provided.
- 3.4 Tenure mix. The proposals include 40% affordable dwellings delivered across a range of flats, houses and bungalows. The Affordable homes are predominately smaller 2 bedroom units whilst the market provision is generally providing larger family houses of 3, 4 and 5 bedrooms.
- 3.5 Architecture – there is a limited range of house/flat types which are varied through the applied finishes and variations in detailing.
- 3.6 Parking – There is a range of on plot garages with parking spaces in front together with some undercroft, some frontage parking courts and some rear parking courts.

4. APPLICANT'S CASE

- 4.1 A Design and Access Statement accompanies the application which contains a social and economic justification for the scheme. It should be noted that the principle of a 100 unit development has been previously established as part of the outline application.

5. RELEVANT SITE HISTORY

- 5.1 UTT/13/1393/OP established the principle of development with an illustrative layout for up to 100 dwellings and 6.3 hectares of public open space
- 5.2 UTT/14/0783/DFO - reserved matters application for up to 100 dwellings and 5.7 hectares of public open space was refused earlier this year. There were four reasons for refusal:
- *The application is a poorly designed scheme which fails to provide an inclusive and mixed development as required by the NPPF. The distinctly different architecture and arrangements of market and affordable housing cannot be considered high quality design capable of providing community cohesion as required by paragraph 58 of the NPPF.*
 - *The layout and detailing do not reflect local character. The architectural form and layout cannot be considered visually attractive as required by paragraph 58 of the NPPF and the supplementary planning documents of the ULP in relation to policy GEN2.*
 - *The arrangements for car parking for the affordable elements of the scheme and the provision for visitor parking do not meet the standards required by the supplementary planning document of the ULP in relation to policy GEN8.*
 - *The design of the Public Open Space creates greater potential for bird strike on airplanes flying to and from Stansted Airport. The design has therefore not fully considered the constraints on the land failing to provide mitigation for the impact on neighbours in accordance with policy GEN2 of the ULP 2005.*

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- GEN2 Design and supplementary planning guidance
- GEN8 Vehicle Parking Standards and supplementary planning guidance
- ENV2 Development Affecting Listed Buildings
- H3 New Houses within Development limits
- H9 Affordable Housing
- H10 Housing mix

7. PARISH COUNCIL COMMENTS

7.1 Whilst TPC acknowledges that the proposal has been redesigned to exclude allotments with a car park, and an equipped play area, there are elements of the design which TPC views as unacceptable:

1. This development is poorly designed and does not reflect the local character. The scale and form of the proposed development conflicts with the character and countryside setting of this area of Takeley village in contravention with policies S3, S7 CPZ, and S8 which stipulate that development outside development limits, within the CPZ should 'be compatible with the settlements character and countryside setting', 'should not affect the open character of the zone', should 'protect/enhance the particular character of the part of the countryside within which it is set'.
 - The layout of the dwellings is too regimented and monotonous.
 - TPC remains strongly opposed to 3 storey development which will have an overbearing and overly dominant impact on surrounding dwellings; both within and adjacent to this development.

The layout and detailing do reflect local character. The architectural form and layout cannot be considered visually attractive as required by paragraph 5 8 of the NPPF and the supplementary planning documents of the ULP in relation to policy GEN2.

2. The proposal refers to 2 exit/entry points to the site. TPC objects to 2 access points along Cooks Hill. This site is on a hill (40mph speed limit). In addition to existing access points for residential dwellings and Takeley Church, there has recently been 2 planning applications approved that will add a further 2 access points (Brewers End - Countryside Develop. 41 dwellings, Land adj. The Chalet - 10 dwellings). The B1256 is a busy road carrying high volumes of HGV traffic to/from Elsenham as well as local traffic to/from Bishop's Stortford, Dunmow and Stansted Airport. For safety reasons TPC strongly recommends a single point of access for all vehicle traffic; sufficiently wide for 2 lorries.
3. As per previous comments to both the developer and UDC, TPC strongly recommends:
 - a. The speed limit on Cooks Hill is currently 40mph (positioned between two 30mph limit zones). The speed limit on Cooks Hill should be reduced to 30mph (between Brewers End & Takeley Street).

- b. A safe crossing point from the south -north side of the (B1256) road to join up with village footways and most importantly the walk to school route from the village centre.
- c. The proposed new footway that is to run the length of the development must join up and extend to the village centre (Four Ashes B1256).
4. All housing, whether 'affordable' or 'market' housing should provide an allocation of car parking that accords with current Essex Design guidelines (see D&A page 14 - '2 per affordable dwelling').

The arrangements for car parking for the affordable elements of the scheme and the provision for visitors should meet the standards required by the supplementary planning documents of the ULP in relation to policy GEN8.

5. TPC recommends a condition to retain all existing trees and original boundary treatments on all sides of the development. Experience from the neighbouring development shows that the developer did not factor in sufficient space between dwellings/between dwellings and boundaries in order to maintain the existing hedgerow.

TPC requests that UDC officers verify the accuracy of the plans to ensure that the design on paper will translate on to the plot of land without unnecessary/unforeseen loss or damage to existing hedgerows and trees. In addition UDC should approve accurate plans that correctly identify existing trees before any work is undertaken.

6. South verge Cooks Hill - all existing established trees must be retained. These are TPC trees and an important feature of the street scene.
7. The public open space should include mature, good quality planting that is low maintenance.

TPC objects to the planting of whips that are subject to a high degree of failure and will take many years to mature and provide the desired environment

8. CONSULTATIONS

Natural England

- 8.1 No Objection

Thames Water

- 8.2 No Objection

BAA Aerodrome Safeguarding

- 8.3 The submitted proposals conflict with aerodrome safeguarding criteria. Stansted Airport objects to this development proposal due to the increased risk of bird-strike. The airport would be prepared to review its objection if the additional measures listed above are incorporated into the landscaping strategy and proposed BHMP.

Highways Agency

- 8.4 No Objection

NERL Safeguarding Office

8.5 No Objection

ESP Utilities

8.6 No objection

Health and Safety Executive

8.7 No Objection (Housing only)

Sports England

8.8 No Objection

ECC Minerals and Waste

8.9 No Objection

ECC SUDS

8.10 If the developer is making significant changes to the amount of hard standing on the above development then this should be reflected in an updated surface water strategy. As far as I can tell they haven't done that with this allocation. We would be happy to make further comment when they do submit this information. Alternatively evidence should be provided to show that the changes won't have negatively impact the drainage scheme.

9. REPRESENTATIONS

9.1 There are twelve representations from neighbouring properties, all of which object to the proposal. The principle reasons for objection are;

- The development does not relate to the character of the village.
- There is harm to the Countryside Protection Zone, the Flich Way and the hedgerows around the site. Ecological damage on the site itself.
- There is insufficient infrastructure in the village to support the application; this covers roads, shops, school facilities and doctors.
- Flood risk will be increased
- Public Rights of Way are not continued through the open space.
- No parking is included to serve people visiting the Public Open Space.

10. APPRAISAL

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

A Design of the development

A Design of the development

10.1 Previously this scheme was refused for four reasons; these are material considerations in the determination of this resubmission and are dealt with individually below.

- 10.2 Reason for refusal 1 - *The application is a poorly designed scheme which fails to provide an inclusive and mixed development as required by the NPPF (paragraph 50). The distinctly different architecture and arrangements of market and affordable housing cannot be considered high quality design capable of providing community cohesion as required by paragraph 58 of the NPPF.*
- 10.3 The applicant has sought to address this reason for refusal by providing the central, north/south road through the site with a more uniform appearance. This has involved the creation of a mews appearance to the street and the use of weatherboarding on the two storey elements. This has made the architecture of the affordable provision visually similar to the private houses in this street.
- 10.4 Other elements of the scheme have also been altered and improved to reflect a different character to that of the central north/south road. This has involved altering the materials used in other streets which has strengthened the individual character areas within the scheme.
- 10.5 Overall the scheme has been improved over the design which was refused. The scheme is now considered to be acceptable and the reason for refusal overcome.
- 10.6 Reason for refusal 2 - *The layout and detailing do not reflect local character. The architectural form and layout cannot be considered visually attractive as required by paragraph 58 of the NPPF and the supplementary planning documents of the ULP in relation to policy GEN2.*
- 10.7 The changes detailed in above can also be considered in response to this reason for refusal. A strategic landscape drawing has been submitted although full soft landscape details are due to be submitted at a later stage. The submitted plan shows how additional planting could be introduced to increase the distinction between areas of the scheme. This is an improvement over the previous, more monotonous arrangement and will lead to a better scheme. While a further landscaping submission is required a condition has been added linking the future scheme with the strategic landscaping drawing.
- 10.8 The amended layout (as shown in the table below) has ensured provision of private amenity space in accordance with the adopted guidance for all but one plot. Four plots, 38, 46, 94 and 95, fall just below the threshold of 100sqm with garden provisions of 94sqm to 99sqm. This is considered to be acceptable given the small under-provision.
- 10.9 The design is considered to provide an acceptable layout when taking into account private amenity space, overlooking, secured by design, relationship to existing dwellings and Listed Building, frontages to roads and frontages to the public open space. The improvements to the scheme mean that the design is now considered to be acceptable and the reason for refusal overcome.
- 10.10 Reason for refusal 3 - *The arrangements for car parking for the affordable elements of the scheme and the provision for visitors do not meet the standards required by the supplementary planning documents of the ULP in relation to policy GEN8.*
- 10.11 The parking arrangements have been reconsidered and now each house has allocated parking in accordance with the Uttlesford adopted standards. The applicant has submitted a table of accommodation which details the tenure, garden size and type of parking allocated to each dwelling.

10.12 Reason For refusal 4 – *The design of the Public Open Space creates greater potential for bird strike on airplanes flying to and from Stansted Airport. The design has therefore not fully considered the constraints on the land failing to provide mitigation for the impact on neighbours in accordance with policy GEN2 of the ULP 2005.*

10.13 As no landscaping for the public open space has been submitted as a reserved matter this reason for refusal is not applicable to this application and will be considered at a later stage.

Plot No	No of Bedrooms	Garden Size - sqm	Parking provision	Tenure - Affordable highlighted
1	5	146.38	4	Open Market
2	4	131.55	3	Open Market
3	4	127.25	3	Open Market
4	4	132.86	3	Open Market
5	4	145.64	3	Open Market
6	5	172.17	3	Open Market
7	4	139.32	3	Open Market
8	3	120.57	2	Open Market
9	3	100.91	2	Open Market
10	2	63.92	2	Affordable
11	2	79.17	2	Affordable
12	2	97.59	2	Affordable
13	2	103.96	2	Open Market
14	2	82.57	2	Open Market
15	1	communal 155.29	1	Affordable
16	1		1	Affordable
17	2		2	Affordable
18	1		1	Affordable
19	1		1	Affordable
20	2		2	Affordable
21	1		1	Affordable
22	2		2	Affordable
23	1		1	Affordable
24	2		2	Affordable
25	5	123.71	3	Open Market
26	4	101.84	3	Open Market
27	4	100.24	3	Open Market
28	2	102.22	2	Open Market
29	3	101.37	2	Open Market
30	3	101.57	2	Open Market
31	3	100.11	2	Open Market
32	2	100.76	2	Affordable
33	2	100.58	2	Affordable
34	3	100.89	2	Affordable
35	3	100.8	2	Affordable
36	3	100.27	2	Affordable
37	3	115.59	2	Affordable
38	4	97.51	3	Open Market
39	4	145.64	3	Open Market

40	4	124.76	3	Open Market
41	5	129.91	4	Open Market
42	3	117.66	3	Open Market
43	3	131.23	2	Open Market
44	3	114.64	2	Open Market
45	3	101.48	2	Open Market
46	3	97.77	2	Open Market
47	3	119.72	2	Affordable
48	3	100.2	2	Affordable
49	1	48.46	1	Affordable
50	4	144.6	3	Affordable
51	4	109.91	3	Open Market
52	5	148.06	4	Open Market
53	5	141.87	4	Open Market
54	5	221.6	4	Open Market
55	5	215.87	4	Open Market
56	5	145.3	4	Open Market
57	5	121.5	4	Open Market
58	3	107.02	2	Open Market
59	3	104.52	2	Open Market
60	3	101.22	2	Open Market
61	3	101.15	2	Open Market
62	3	100.03	2	Open Market
63	3	101.04	2	Open Market
64	3	100.9	2	Open Market
65	1	communal 103.64	1	Affordable
66	1		1	Affordable
67	1		1	Affordable
68	1		1	Affordable
69	2	100.05	2	Affordable
70	2	100.02	2	Affordable
71	2	100.23	2	Affordable
72	2	107.42	2	Affordable
73	2	105.32	2	Affordable
74	2	107.47	2	Affordable
75	3	110.33	2	Open Market
76	2	121.84	2	Open Market
77	3	103.74	2	Affordable
78	3	100.42	2	Affordable
79	3	101.48	2	Open Market
80	3	100.71	2	Open Market
81	3	104.17	2	Open Market
82	4	115.51	3	Open Market
83	4	101.12	3	Open Market
84	5	111.84	4	Open Market
85	4	107.26	3	Open Market
86	4	119.19	3	Open Market
87	4	106.73	3	Open Market
88	5	111.12	4	Open Market
89	5	136.6	4	Open Market

90	5	123.49	4	Open Market
91	3	125.31	3	Open Market
92	3	114.15	2	Open Market
93	3	113.94	2	Open Market
94	3	99.16	2	Open Market
95	3	94.67	2	Open Market
96	3	124.96	2	Open Market
97	3	104.59	2	Affordable
98	3	100.55	2	Affordable
99	3	100.78	2	Affordable
100	3	109.49	2	Affordable

RECOMMENDATION CONDITIONAL APPROVAL

- 1 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

- 2 The development shall not be occupied until a revised surface water strategy to take into account the greater extent of hard surfaces in the layout has been submitted to and approved in writing by the local planning authority.

REASON: To ensure suitable drainage for the development, in accordance with Policies GEN2 and GEN3 Uttlesford Local Plan (adopted 2005).

- 3 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v. wheel washing facilities
 - vi. measures to control the emission of dust and dirt during construction
 - vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

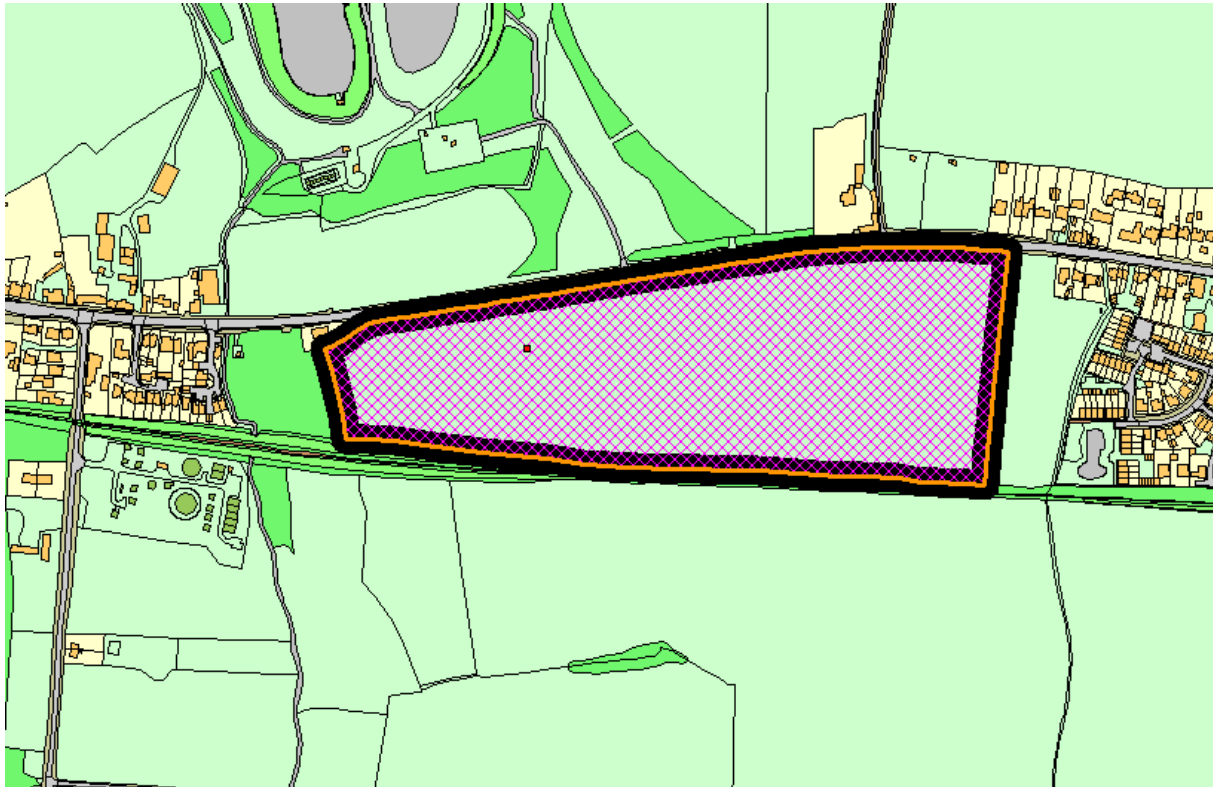
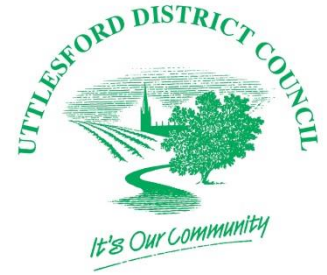
REASON: the submitted Construction Method Plan does not relate to the site specifically and in the interests of the amenity of surrounding locality residential/business premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 4 Prior to the commencement of the development, details of the number, location and design of cycle parking facilities shall be submitted to and approved, in writing, by the Local Planning Authority. The approved facility shall be secure, convenient and covered and shall be provided prior to occupation and retained for that purpose at all times thereafter.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and in accordance with policy GEN8 of the ULP 2005.

Application number: UTT/14/3295/DFO

Address: Land South Of Brewers End Dunmow Road
Takeley



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Organisation: Uttlesford District Council
Department: Planning

Date: 30 January 2015

SLA Number: 100018688

UTT/14/3182/FUL (SAFFRON WALDEN)

This matter was deferred from Planning Committee on 14 January 2015 for further discussion about the purpose of extra care schemes.

PROPOSAL: **Demolition of existing buildings and the erection of part two storey and part three storey building comprising 73 extra care apartments with associated communal facilities, hard and soft landscaping and parking spaces together with single storey sub-station to serve application and adjacent site.**

LOCATION: **Site at 119 Radwinter Road Saffron Walden**

APPLICANT: **East Thames Group**

AGENT: **Hunters Architects**

EXPIRY DATE: **20 January 2015**

CASE OFFICER: **Emmanuel Allanah**

1. NOTATION

1.1 Safeguarded Employment Land.

2. DESCRIPTION OF SITE

2.1 The site is approximately 0.66 hectares and it is located on the northern side of Radwinter Road. It is bounded at the western side by Saffron Walden Community Hospital; to the east and north by proposed care home from an existing Ministry of Defence Fuel Depot to the east. And the southern part is bounded by Radwinter Road and Tesco store. The area is characterised by mixed use development comprising of different scale and mass of residential buildings, community hospital, retail store and other light industrial buildings.

2.2 There is a substantial tree/hedgerow along the western boundary providing good screening between the site and the community hospital which is set at lower level.

2.3 The current access to the site is at the south western alongside the boundary with the community hospital with a gated access.

3. PROPOSAL

3.1 The proposal would involve the demolition of existing buildings and the erection of part two storey and part three storey building comprising 73 extra care apartments with associated communal facilities, hard and soft landscaping and parking spaces together with single storey sub-station to serve application and adjacent site.

3.2 For the benefit of the update on this proposed application the Planning Officers liaised with the applicant and the provider of this proposed Extra care 73 apartments to secure the understanding of the meaning behind "Extra Care Housing" and such scope of definition have been provided below in the remaining paragraphs for Planning Committee consideration.

- 3.3 Extra Care housing is for people who want to remain as independent as possible living in their own self-contained apartment, but who are no longer able to live completely without some care or support. The most important fact though, is that extra care housing is very much housing first. In an Extra Care Housing tenants have their own self-contained flats (one or two bedroom usually) and there are Carers on site 24/7 to help with washing and dressing, getting into and out of bed/bath/shower, shopping, laundry, cleaning and meals as agreed in the residents individual support plan.
- 3.4 Residents within extra care scheme will have differing levels of care and support requirements. Emergency support is available on site at all times. There are numerous communal facilities for residents such as communal lounge, dining room/café, hobby rooms, treatment rooms, hair and beauty salon, assisted bathing facilities and accessible outside spaces. These facilities can be used as and when the residents so desires.
- 3.5 In some schemes where flats can be bought outright or on a shared ownership basis, support charge are then paid for separately by the individual. Where the properties are rented, the tenants pay their rent with an additional charge for the extra support they receive. More commonly, extra care schemes provide the full range of tenure options under the same roof. People in extra care sheltered accommodation continue to be eligible for benefits such as housing and council tax benefits, attendance allowance, pension credits and winter warmth payment. Extra Care Accommodation sits between sheltered housing and care homes.
- 3.6 The proposed access would be from the south eastern side off Radwinter Road.

4. APPLICANT'S CASE

- 4.1 The application is the result of several pre-application discussions with the local planning authority and local stakeholders.
- 4.2 The applicant has submitted the following supporting documents:

- Design and Access Statement
- Air Quality Assessment
- Site Waste Management Plan (re the demolition and clearance of the site)
- Archaeological desk based assessment
- Phase 1 Habitat Survey
- Bat survey
- Breeding Bird survey
- Groundwater Investigation report
- Geo-Environmental Assessment
- Contamination Assessment

- 4.3 The entire supporting documents demonstrate how the proposed development is sustainable and would help to provide the supply for such types of residential dwellings, social and health support services in accordance with the adopted development plan.

5. RELEVANT SITE HISTORY

- 5.1 UTT/13/1981/OP: Approved subject to Section 106 Agreement. Outline proposal with all matters reserved, for 60 units extra-care home facility including demolition of existing buildings. Not implemented.

5.2 UTT/1808/06/FUL: Approve with condition. Demolish cycle shed and erection of exterior spiral staircase for means of escape from the first floor.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S1 - Development Limits for the main urban areas
- Policy GEN1 - Access
- Policy GEN2 – Design
- Policy GEN4 – Good Neighbourliness
- Policy GEN6 – Infrastructure provision to support development
- Policy GEN7 – Nature Conservation
- Policy GEN8 – Vehicle Parking
- Policy E2 – Safeguarding Employment Land
- Policy ENV14 – Contaminated Land
- Policy H1 – Housing Development
- Policy H3 – New Housing within Development Limits
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix
- Policy SW6 – Safeguarding of Existing Employment Areas

7. TOWN COUNCIL COMMENTS

7.1 Saffron Walden Town Council – No objection.

8. CONSULTATIONS

ECC Highways Authority

8.1 No objection.

BAA Aerodrome Safeguarding

8.2 There are no aerodrome safeguarding concerns.

Affinity Water

8.2 The site lies within a groundwater Source Protection Zone (GPZ) corresponding to Uttlesford Bridge Pumping Station. The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk.

Natural England

8.3 No objection.

Sports England

8.4 Does not wish to comment on this particular application.

Minerals and Waste Planning

8.5 No comments.

Flood and Water Management (SuDS)

8.6 As the current application is less than 1ha there is no separate Flood Risk Assessment and therefore we cannot provide further comments.

GPSS

8.7 No implication to GPSS apparatus in the vicinity.

NHS Property Services

8.8 Proposal would add pressure to existing health care facilities in addition to GP services. In order to mitigate the impact applicant would need to make a financial contribution of £14,680. This would be secured through Section 106 Agreement.

Anglia Water

8.9 In order to protect and safeguard Anglia Water infrastructure and the amenity of the area the following condition should be placed on any planning permission:

CONDITION

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Access and Equality Officer

8.10 Welcome the attention to detail regarding the internal colours to be used to support residents with dementia. This will meet the requirements of the SPD on Accessible Homes and Playspace.

9. REPRESENTATIONS

9.1 Neighbouring properties

9.2 Two letters of objection and concerns received regarding the following issues:

- Proposed access point
- Traffic generation

10. APPRAISAL

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

- A The principle of the proposed development (ULP Policies S1, E2, H9, SW6 and GEN2)
- B Whether the scale, mass, form, layout and appearance would harm the character of the area or the living condition of the adjoining occupiers. (ULP Policy GEN2)
- C The impact on heritage assets (ULP Policy ENV4)
- D Impact on nature conservation (ULP Policy GEN7)
- E The highways impact (ULP Policy GEN1)
- F Impact on local infrastructure (ULP Policies H9 and GEN6)

A The principle of the proposed development

- 10.1 In land use terms the application site lies within a designated employment site area; although following the review of the emerging Local Plan process this site has been granted planning permission for the development of 52 dwellings in addition with another separate outline planning permission for 60 bed Extra Care Unit.
- 10.2 Given the planning history of the site involving the redevelopment of the site for residential development; the principle of the current proposed development involving the development of 73 extra care apartments is therefore considered acceptable. Hence, the principle of the development of the current proposed development can be considered acceptable subject to the evaluation of its impact on the character and amenity of the area.

B Impact of the scale, form, layout, appearance and materials to the surrounding buildings

- 10.2 Policy GEN2 affirms that development will not be permitted unless for example; it is compatible with the scale, form, layout, appearance and materials of the surrounding buildings...; it would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing...”
- 10.3 The application site area is characterised by different scale, form, layout, appearance and materials designed buildings with their different land use activities. The scale of the buildings in the area range from single, two and part three storey detached and semi-detached buildings including other commercial buildings and the nearby community hospital.
- 10.4 The applicant and his agent had a series of pre-application discussion and explored different options of scale, mass and design approach which help to reflect the character and appearance of the existing buildings in the area. It is against such rationale the proposed new extra care housing scheme design evolution incorporated features of nearby existing buildings both in terms of the scale, layout and appearance for example; ranging from two to three storey buildings. The massing of the proposed development is 3 storeys high. It is stepped in the middle to accommodate the level change across the length of the site.
- 10.5 In order to address different housing needs the internal layout has been designed to accommodate sufficient circulation space. And the proposed accommodation range from 49 one bed apartments to 24 two bed apartments bringing the total to 73. All

designed to Lifetime Homes Standards; wheelchair accessible with built in facilities. For example; the typical apartment layout for a 1 bed apartment is approximately 54sq.m and a 2 bed apartment is approximately 68sq.m respectively.

- 10.6 The lower ground floor would include 15 apartments, plant room, laundry, buggy charging store and access to communal garden. The ground floor consist of 21 apartments, central communal areas (lounge, multifunction room, restaurant and café, hair salon, shop, treatment room, assisted bath etc; buggy charging stores and access to communal terrace via the lounge and multifunction room. The first floor would comprise of 26 apartments, staff room, Jacuzzi, bath, guest room, buggy charging stores. Whilst the second floor would comprised of 11 apartments, buggy charging store, and access to communal roof terrace; in addition with long institutional corridors that characterise development of this scale are prevented by introduction of a number of fully glazed break out areas and atriums.
- 10.7 In order to make the buildings sustainable and energy efficiency the scheme adopts a modern design with high quality materials that reflects the adjacent residential buildings. With solar PV panels on the roof hidden behind the parapet walls and assist in reducing the carbon footprint of the development. This is welcome and in accordance with Policies GEN2 and ENV15.
- 10.8 The façade of the main building materials would be constructed with red multi brick; charcoal brick; white silicone based render; grey composite windows and doors; frameless glass balustrade. And full height windows are proposed to allow maximum natural light and unobstructed views out. These facing materials are considered sympathetic to the character of the area and in accordance with Policy GEN2.
- 10.9 The scale, mass and layout of the buildings and their orientation has been carefully considered along with the topography of the ground level in order to ensure it would not lead to overlooking, overbearing or overshadowing to other nearby existing buildings including the community hospital, hence on balance the proposed development would not harm the living conditions of the adjoining occupiers. The proposal therefore is not in conflict with Policies GEN2 and H3.

C Impact on heritage assets

- 10.10 Policy ENV4 states that “where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there will be a presumption in favour of their physical preservation in situ...in situations where there are grounds for believing that sites, monuments or their settings would be affected developers will be required to arrange for an archaeological field assessment to be carried out before the planning application can be determined thus enabling an informed and reasonable planning decisions to be made...”
- 10.11 The application site lies within archaeological priority zone area and the applicant has commissioned a specialist agent to that effect in order to ascertain the likely archaeological findings within the proposed site in order to put forward a mitigation measure in place to protect and safeguard any such heritage assets in accordance with Policy ENV4.
- 10.12 In conclusion the desk-based assessment has established that study site does not contain any sites designated as Scheduled Monuments. There is one Scheduled Monument within the study zone, relating to a medieval turf maze (SM EX25). This monument and its setting would not be affected by any development within the study site.

10.13 The Essex Historic Environment Record identifies two archaeological monuments within the site boundary. These relate to a 19th Century railway line and later, 20th Century, railway sidings; and both of these monuments are considered to be of little archaeological interests. The proposal on balance is not in conflict with Policy ENV4.

D Impact on nature conservation

10.14 Policy GEN7 affirms development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and or compensate for potential impacts of development, secured by planning obligation or condition will be required. The enhancement of biodiversity through the creation of appropriate new habitats will be sought.

10.15 Given the derelict state of the application site in addition with the unattended plants and trees, the biodiversity mitigation and enhancement plan submitted concluded that some of the habitats on site, such as the semi-improved grassland and scattered trees, have some ecological value as they currently help support a population of reptiles and badgers. The calcareous grassland is also important habitat for biodiversity supporting a number of herbaceous species, providing insects with nectar and pollen resources. The proposed development will have a direct impact on these habitats and therefore an impact on foraging and sheltering reptiles, badgers and invertebrates. There will also be a direct risk of injury and death to reptiles and badgers utilising the site.

10.16 Details of the mitigation measures to protect and safeguard wildlife within the site would be updated verbally during planning committee.

E Highway impact

10.17 Policy GEN2 affirms that “development will only be permitted if it access to the main road network must be capable of carrying the traffic generated by the development safely; the traffic generated by the development must be capable of being accommodated on the surrounding transport network; the design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired; it must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access; and the development encourages movement by means other than driving a car”.

10.18 Policy GEN8 objective includes “development will not be permitted unless the number, design and layout of vehicles parking places proposed is appropriate for the location...”

10.19 The proposed access would be from the south eastern side off Radwinter Road. The proposed details of the access and car parking layout has been considered by the Highway Authority and have no objection subject to recommended planning conditions in order to protect and safeguard traffic within the area.

F Impact on local infrastructure

10.20 Policy GEN6 states that development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed

development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory.

10.21 The proposal would involve 73 extra care apartments and in consultation with the NHS property services, they confirmed that the proposal would add pressure on health care facilities in addition with General Practitioner services within the area. In order to mitigate the impact applicant would need to make a financial contribution of £14,680. This would be secured through Section 106 Agreement. This is welcome and in accordance with Policy GEN6.

10.22 The outline approval for the Extra Care site is 100% affordable housing therefore the provision across the wider development sites (including adjacent 52 dwellings development) equates 53.6%.

10.23 To ensure the financial viability of this scheme, it is proposed this application for example; would include an additional 13 apartments for private sale. The development will provides 60 affordable housing units on the site (82% of total units), split into 40 social rented (67%0 and 20 intermediate (33%). This results in a 48% provision of affordable housing units across the wider development sites, which still exceeds the Council's requirement at 40%. The tenures will be spread throughout to promote a mixed community and the proposal will provide much needed accommodation for older people within Uttlesford District Council area. This is welcome and in accordance with Policies H9 and GEN6.

11. CONCLUSION

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

- A The principle of the proposed 73 extra care apartments with associated communal facilities are considered acceptable considering the site is currently derelict and vacant for some time, has been marketed with no interest in bringing it back to employment use. Given that the acceptability of this proposed scheme would not be prejudicial to Local Plan policy protecting designated employment site area, the principle of the proposal is therefore acceptable because the benefit of the proposal to local communities and elderly citizens extra care apartments outweigh the harm.
- B The design approach taken including the mass, height, form, layout, appearance and materials are considered sympathetic to the character of the area and it would not harm the living condition of the adjoining occupiers in terms of overlooking, overbearing, overshadowing or lead to loss of sunlight.
- C Notwithstanding that the application site lies within a designated archaeological zone and with appropriate mitigation measures in place such as through the means of planning conditions; it is considered that the proposal is acceptable and it would not adversely harm any archaeological remains within the site area.
- D Given the existing derelict state of the site in addition with existing hedgerows and plants, in order to protect and safeguard the existing wildlife within the site appropriate planning conditions would be put in place following the findings of the ecological survey within the site.
- E Despite the proposal is acceptable the additional pressures on local infrastructure has been identified and the applicant agreed to make some financial contributions recommended by NHS Property Services; in order to support local health facilities and

General Practitioners services that would be required to deliver the effective services associated with the proposed scheme. Such financial contribution and the provision of affordable housing units from this proposed development would be secured through the completion of Section 106 Agreement.

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 by the 27 February 2015 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) **Transfer of cleared land to the Council, free from contamination and with services and infrastructure, including access provided to the boundary of the site.**
 - (ii) **In the event that a care home cannot be built on the site, that the site should be used for affordable housing.**
 - (iii) **Pay monitoring costs**
 - (iv) **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 in his discretion at any time thereafter for the following reason:**
- (i) **Lack of provision of Care Facility**
 - (ii) **Lack of affordable/social housing**

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. Before development commences 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 Policy GEN2 of the adopted Local Plan (2005).

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

REASON: To prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety in accordance with the adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

4. Prior to commencement of any development, the provision of suitable access arrangements to the application site in connection with the construction of the development, to include wheel and under body cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas, turning and parking facilities for delivery /construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site.

REASON: In the interests of highway safety and efficiency in accordance with the adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

5. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with the adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

6. Prior to occupation of the proposed development, any redundant vehicle access width shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, incorporating the reinstatement/provision to full height of the footway and kerbing, to the satisfaction of the Highway Authority immediately the proposed new access is brought into use.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety in accordance with the adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

7. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with Policy GEN2 of the adopted Local Plan (2005).

8. Notwithstanding the details submitted in support of the application , the following conditions are recommended to ensure the site is suitable for the intended use:
- (a) Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority
 - (b) A preliminary risk assessment which has identified;
 - all previous uses;
 - potential contaminants associated with those uses and any adjacent uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 - (c) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - (d) The results of the site investigation and detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - (e) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action .

Any changes to these components require the express consent of Uttlesford planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

9. Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

10. Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to

the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long- term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

11. 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, and obtained written approval from the local planning authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of Controlled Waters or harm to human health, and in the wider interests of safety and residential amenity, in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

12. Prior to the commencement of any works, a Construction Method Statement shall be submitted in writing to, and approved by Uttlesford Planning Authority. The statement shall include details relating to:

- the control of noise and vibration emissions from construction activities including operating and delivery times and arrangements to monitor noise emissions from the development site during the construction phase
- the control of dust including arrangements to monitor dust emissions from the development site during the construction phase
- measures to reduce mud deposition offsite from vehicles leaving the site.

REASON: Development shall be carried out in compliance with the approved Construction Method Statement, and adhered to throughout the construction period unless otherwise approved in writing by Uttlesford Planning Authority in order to protect and safeguard the amenity of the area in accordance with Policy GEN2 of the adopted Local Plan (2005).

13. The acoustic specification for all fixed plant and equipment including the electricity substation and building services, and a scheme of attenuation and mitigation where found to be necessary shall be submitted to and approved by Uttlesford Planning Authority prior to installation. The scheme shall ensure that noise emitted from the equipment cumulatively shall not exceed the existing background noise level at any time. The measurements and assessment shall be made according to BS 4142: 2014.

REASON: In order to protect and safeguard the amenity of the adjoining occupiers in accordance with Policies GEN2 and GEN4 of the adopted Local Plan (2005).

14. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by Uttlesford Planning Authority. The details shall ensure the lighting is designed in such a way to minimise potential impacts upon nearby light sensitive premises. The lighting shall

thereafter be erected, installed and operated in accordance with the approved details.

REASON: In order to protect and safeguard the amenity of the adjoining occupiers in accordance with Policies GEN2, GEN4 and GEN5 of the adopted Local Plan (2005).

15. Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), details of the measures for the provision of an electric vehicle charging point in the car park area, facilitation of cycling and provision of travel information to staff, visitors and residents shall be submitted and approved by the Local Planning Authority.

REASON: In order to ensure that the Council is satisfied that the approved development is sustainable and environmental friendly in order to protect and safeguard the air quality in the vicinity and Saffron Walden town centre in accordance with Policies GEN2, GEN4 and GEN5 of the adopted Local Plan (2005).

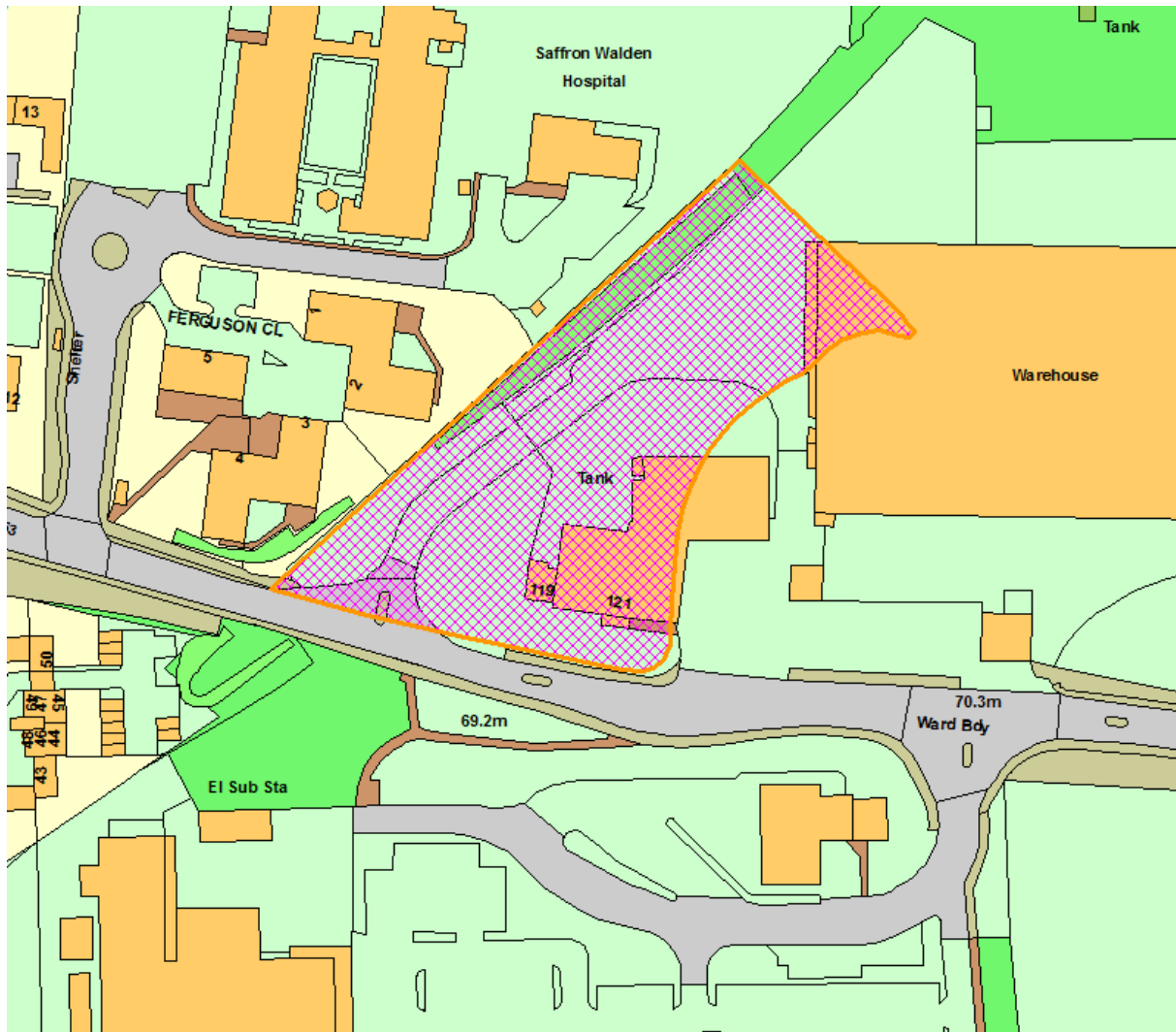
16. No development shall take place, including any ground works or demolition until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials
 - iii. storage of plant and materials used in constructing the development
 - iv. wheel and underbody washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

Informative

An informative is recommended to advise that the method for removal and disposal of asbestos containing material must comply with the Control of Asbestos Regulations 2012 and to refer the developer to the Uttlesford District Code of Development Practice which covers wider issues.

Application no.: UTT/14/3182/FUL
Address: Site at 119 Radwinter Road Saffron Walden



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Organisation: Uttlesford District Council
Department: Planning
Date: 29 December 2014
SLA Number: 100018688

UTT/14/3506/DFO NEWPORT

(MAJOR)

PROPOSAL: Details following outline application UTT/12/5198/OP for the construction of 21 dwellings, including 8 affordable housing (following demolition of existing building) including access, parking, garaging, drainage and all ancillary works

LOCATION: Carnation Nurseries, Cambridge Road, Newport.

APPLICANT: Bloor Homes Eastern.

EXPIRY DATE: 20 February 2014.

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site comprises a redundant nursery extending to 0.67ha located on the eastern side of Cambridge Road behind a line of frontage dwellings to the north of The Coach & Horses PH. The site slopes down from the road to the River Cam, which forms its eastern rear boundary, whilst vehicular access into the site and an adjacent nursery located to the immediate north is gained from Cambridge Road at its northern end adjacent to Carnation Bungalow. The site includes a large former packing shed situated onto the rear boundary associated with the previous nursery use now used for separate business purposes and also an adjacent frontage property known as Cedardale which stands at the southern end of the site. The glasshouses on the site have now been demolished, whilst a gym which was previously run from the converted packing shed ("Get Up "n" Go") vacated the site in December 2014 following the end of its extended tenancy and now occupies a former commercial unit at Britannia Works, Clavering following the grant of planning permission by the Council for change of use of that premises on 19 December 2014.

3. PROPOSAL

3.1 This revised reserved matters application seeks approval for the erection of 21 dwellings comprising 13 open market dwellings and 8 affordable housing units, new vehicular access from Cambridge Road, parking, garaging, drainage and ancillary works involving the demolition of Cedardale where matters relating to layout, scale, appearance and landscaping fall to be considered and where access was agreed at outline stage under application UTT/12/5198/OP.

3.2 The development would comprise mainly two storey dwellings and a small amount of two and a half storey units spread across the development and would incorporate a mixture of house types and styles and a combination of mainly on-site garaging and hardstanding spaces. The proposed dwellings would face onto a single access road from Cambridge Road, whilst a small parking court would be formed at the end of the access road adjacent to the affordable housing.

3.3 The revised changes result from detailed application UTT/14/2234/DFO, which was refused planning permission by Members of the Planning Committee on 15 October 2014 contrary to officer recommendation on the grounds that the layout, scale and design of the proposed layout was considered unacceptable by reason of its sub-standard parking layout resulting in the potential for on-street parking to the detriment of pedestrian and highway safety. The changes made for the revised application seeking to overcome Members' concerns have been the subject of a pre-application meeting held between the applicant and officers and are as follows:

- The overall density of the site layout has been reduced from 23 dwellings down to 21 dwellings where this has resulted in the loss of one open market dwelling and one affordable unit;
- The six visitor parking spaces originally shown at the entrance to the site off Cambridge Road have now been positioned throughout the site and away from the junction;
- The rear garden to Plot 9 has been reduced in size to increase amenity space;
- Revised parking arrangements have been made to various dwellings across the site;
- Some dwellings have been positioned further back from carriageways to create greener frontages and allow more room for tree planting.

4. APPLICANT'S CASE

4.1 The application is accompanied by an updated Planning Statement and Design and Access Statement reflecting the layout revisions as described. The statement addresses the site and its surroundings, the planning submission, planning policy, design, accessibility and landscaping. The Addendum section of the statement (November 2014) concludes by stating *"Bloor Homes believes that with the above changes the revised application will deliver a robust and successful solution for the future of this site and the wider community of Newport"*.

4.2 The application is further accompanied by the following documents:

- Planning Supporting Statement
- Design and Access Statement
- Extended Phase 1 Habitat Survey/Water Vole Survey/Bat Emergence Survey
- Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan
- Landscaping Proposal
- Contamination Report
- Remediation Strategy and Verification Plan
- Written Scheme of Investigation for an Archaeological Evaluation and Watching Brief
- Energy Statement

5. RELEVANT SITE HISTORY

5.1 Outline planning permission granted in 2013 for the principle of residential development at Carnation Nurseries for up to 23 dwellings and estate road involving the demolition of existing buildings, including a single dwelling (Cedardale) and with all matters reserved except access. The officer report for that application addressed the issue of flood risk given the location of the site within a Flood Risk 2/3 area adjacent to the River Cam following consultations with the Environment Agency and also the loss of employment at the site with regard to the converted packing building relating to the former nursery.

The officer report also addressed the issue of site remediation given the previous nursery use of the site.

5.2 Subsequent Reserved Matters application for the erection of 23 dwellings, including 9 affordable units, parking, garaging, new estate road, drainage and ancillary works at Carnation Nurseries involving demolition of Cedardale refused by the Council in October 2014 for the following reason:

1. "The proposed development by reason of its layout, scale and design is unacceptable by reason of its substandard parking layout resulting in on-street parking to the detriment of the pedestrian and highway safety, contrary to Policies GEN8 and GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF".

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- ULP Policy GEN2 – Design
 - ULP Policy GEN7 – Nature Conservation
 - ULP Policy GEN8 - Vehicle Parking Standards
 - ULP Policy H9 - Affordable housing
 - ULP Policy H10 – Housing Mix
 - ULP Policy ENV3
- SPD on Accessible Homes and Playspace.

7. PARISH COUNCIL COMMENTS

7.1 Object for the following reasons:

- The proposed development would be outside development limits and within the flood plain. We note the site is being raised by filling.
- The access to Cambridge Road is safe, but 21 houses will add to the additional traffic from the developments in Saffron Walden.
- Existing businesses are currently working there and this would result in the loss of a commercial area.
- There are no details of drainage or soakaways. We assume surface water drainage will be to the River Cam. Please confirm and send us copies of drawings pre-fixed "S" on drawing 2812103.
- We would remind you that this is a further addition to the already overloaded sewage system.
- The distance to the primary school and village amenities is considered unreasonable and we can foresee parents taking their children by car which would add to the current problems in Bury Water Lane and School Lane which we have repeatedly said are not fit for purpose.
- UDC plan for 50 "windfall" houses per year. Newport seems to have had a very large share of these.
- Concerns regarding tandem parking arrangements.

8. CONSULTATIONS

Natural England

- 8.1 Natural England has previously commented on this proposal and made comments to the local authority in July 2014 (UTT/14/2234/DFO). The advice provided in its previous response applies equally to this revised application, although it raised no objections to the original proposal. Should the proposal be amended in a way which significantly affects its impact on the natural environment, then Natural England should be consulted again in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006.

Anglian Water

8.2 Section 1 – Assets Affected

- 1.1 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted. “Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.”

Section 2 – Wastewater Treatment

- 2.1 The foul drainage from this development is in the catchment of Newport Water Recycling Centre that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

- 3.1 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.

Section 4 – Surface Water Disposal

- 4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SUDS) with connection to sewer seen as the last option. Building Regulations (Part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.
- 4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency.

We request a condition requiring a drainage strategy covering the issue(s) to be agreed.

Section 5 – Trade Effluent

5.1 Not applicable.

Section 6 – Suggested Planning Conditions

6.1 Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning permission.

Surface Water Disposal (Section 4)

Condition:

No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority.

No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

Affinity Water

8.3 The proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Uttlesford Bridge 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. For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

BAA Safeguarding

8.4 The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

ECC Highways

8.5 The impact of the proposal as shown in principle on Drawing No E247-SL-001F is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions

ECC Ecology

8.6 I note our response in relation to UTT/12/5198/OP requested a more detailed ecological survey was undertaken at the site leading to the imposition of condition 7. Further to this recommendation, an updated Extended Phase 1 Habitat Survey (EP1), Bat Survey and Water Vole Survey have been undertaken by SES. The Bat Survey identifies activity by common and soprano pipistrelles to the west of the site, but no roosts have been identified on the site. Sensitive lighting is recommended as well as night scented plantings and bat boxes. These can be conditioned.

The Water Vole Survey has found no evidence of use by water vole or any other mammal close to the site. A mammal hole has been identified 40m to the north of the site, but a motion controlled camera erected observed no usage.

The EP1 noted presence of giant hogweed (a schedule 9 invasive species) along the banks of the river and recommends that a specialist contractor is employed to eradicate it. This should be covered by condition. In light of the above, I have no further objections or comments subject to the imposition of appropriate conditions.

Environmental Health Officer

- 8.7 A satisfactory investigation and remediation strategy has been submitted by the developer, but not yet approved. I would repeat my comments for previous application UTT/14/2234/DFO, namely that a site investigation report has previously confirmed the presence of contaminants on this site. Remediation of contamination potentially harmful to human health is the subject of condition 14 imposed under UTT/12/5198/OP. A site remediation strategy and verification strategy have been submitted by the developer for the current revised application, but have not yet been approved by the planning authority. Unless otherwise agreed by the local planning authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts 1 to 6 of the condition as previously recommended by the Environmental Health Officer have been complied with.

9 REPRESENTATIONS

- 9.1 Notification period expired 25 December 2014. Advertisement expired 28 August 2014. Site notice expired 28 August 2014.

3 representations of objection received, including one from "Save Newport Village" (summary):

- Site susceptible to flooding - flooding occurrence at the rear of the site in 2014.
- Sewerage/surface water drainage system already poor and will not cope with extra capacity
- Still insufficient visitor parking (5 spaces for 21 dwellings). Site still includes tandem parking
- Site not conducive to traditional foundations for dwellings.

Comments on representations

- 9.2 The comments expressed by the Parish Council relating to the principle of residential development at this redundant nursery site were addressed at outline application stage under UTT/12/5198/OP and do not therefore fall to be considered for this current, revised reserved matters application which relates to detailed design, clarification on housing mix and extent of affordable housing, revised parking arrangements and further ecology assessment where the only reason for refusal resulting from the previous reserved matters application submitted under UTT/14/2234/DFO related to the issue of parking which by reason of its sub-standard visitor parking arrangements and excessive tandem resident parking compromised the site layout as presented. Excessive tandem parking has now been removed from the site layout as discussed further below. Anglian Water has confirmed during consultation that the foul drainage from this development is in the catchment of Newport Water Recycling Centre that will have available capacity for these flows and that the sewerage system in the area at present has available capacity for these flows. As previously mentioned, the issue of existing businesses at the site has been substantially resolved whereby the largest

business user, “Get-up-“n”-Go” has now vacated the site and found a suitable alternative site within the district following the grant of permission by the Council. Visitor parking space standards would be met (see further below).

- 9.3 The comments by the Parish Council and other third parties relating to flood risk at the site and to adjacent land are noted. However, it is the case that the Environment Agency was consulted on the proposal at outline stage when the principle of development was considered, who had initially raised a flood risk objection, but later withdrew this objection following the submission of further technical information by the developer showing how the development would not be vulnerable to flood risk and how measures would be undertaken to reduce flood risk to adjoining land. The applicant would be required by condition 9 imposed under outline permission UTT/12/5198/OP to submit a surface water drainage scheme for approval prior to commencement of development based upon sustainable drainage principles (SUDS) where the drainage scheme would need to accommodate a 1 in 100 year critical rainstorm event inclusive of climate change allowances and for these approved details to be subsequently implemented prior to development – Reason: To prevent the increased risk of flooding. It should be noted also that all dwellings for the current reserved matters application have finished floor levels above the minimum AOD level of 54.2 metres as required by the Environment Agency at Condition 8 of the outline approval.
- 9.4 Following concern expressed by one or two committee members at the October 2014 meeting for UTT/14/2234/DFO regarding flooding, the applicant has clarified some of the queries raised relating to flood risk and will be providing further technical details to demonstrate that flood risk would be minimised and will be providing an update to Members in advance of the forthcoming committee meeting for the current application in this respect.

10 APPRAISAL

The issues to consider in the determination of this reserved matters application are:

- A Layout, Scale, Appearance and Landscaping (ULP Policies GEN2 and ENV3);
- B Housing Mix and Affordable Housing (ULP Policies H9 and H10);
- C Impact on residential amenity (ULP Policy GEN2);
- D Whether parking arrangements would be satisfactory (ULP Policy GEN8);
- E Impact on ecology (ULP Policy GEN3).

A **Layout, Scale, Appearance and Landscaping (ULP Policy GEN2).**

- 10.1 The proposed site layout submitted for this revised reserved matters application is similar to the indicative layout approved at outline stage under UTT/125198/OP, but with plot variances to take into account detailed design and similar to the layout for UTT/14/2234/DFO. Vehicular access into the site would be in the same position from Cambridge Road involving the demolition of the dwelling, Cedardale, where access was agreed at outline stage in consultation with Essex County Council Highways. The site layout would have a density of 31.8 dwellings per hectare.
- 10.2 The scheme as submitted has attention to detail to the design, appearance, scale and external materials of the proposed dwellings to ensure the scheme reflects the Essex vernacular as set out in the Essex Design Guide where it should be noted that the general design concept has not altered from the previous DFO application submission. The dwellings have been designed to incorporate aspects of traditional building features which are considered to be compatible with the character of the local area. For example, whilst the predominant material used would be brick, the external facades to

the dwellings would be broken up with the use of render and contrasting roof tiles. Additionally, elevations would be further enhanced across the site through features such as bay windows, decorative door canopies, chimneys, cottage style window casements and doors. The proposed dwellings for both the market and the affordable housing units have been designed in a variety of styles with a number of different house types all with private gardens. As such, and, crucially, the design quality is shown to be the same across the whole site whereby the affordable housing units would not be distinguishable from the market housing units.

10.3 The proposed dwellings have been designed to take into account Lifetime Homes Standards, whilst one of the affordable housing units (Plot 15 – ground floor 2 bedroomed flat) would be the nominated fully wheelchair accessible unit. The Council’s Access & Equalities Officer commented for the previous DFO application that compliance with the Lifetime Homes requirements as set out in the Council’s SPD on Accessible Homes and Playspace would be met, although queried which would be the nominated fully wheelchair accessible unit. This has now been identified. In terms of rear garden amenity, all of the dwellings and the FOG unit (Flat over Garage) would meet or exceed the amenity standards set out in the Essex Design Guide, including the affordable dwellings. The rear garden serving Plot 9 has been increased in size to reflect the concerns expressed by Members from the previous committee meeting for UTT/14/2234/DFO, albeit that it should be noted that technically this size was previously policy complaint in terms of the design guide standards. Details have been shown of refuse collection points from the development whereby a refuse collection strategy has been devised and which is considered acceptable. As such, the site layout and the design of the proposed dwellings would comply with ULP Policy GEN2 and relevant supplementary planning guidance.

10.4 In terms of landscaping, the key principles of the submitted landscape strategy for the proposed scheme as indicated on the submitted drawings would be to create active frontages that respect the character of the surrounding areas and to clearly delineate shared and private space. New planting has been shown which would contribute to the legibility of the scheme and define further the sense of place through identity and character which would generally comprise trees and hedge planting. It should be noted that the revised scheme has where possible positioned dwellings further back from the hardstandings and carriageways at the previous request of officers to create greener frontages and to allow more room for tree planting. The landscaping scheme is therefore considered acceptable and complies with ULP Policies GEN2 and ENV3.

B Housing Mix and Affordable Housing (ULP Policies H9 and H10).

10.5 In terms of creating mixed communities, ULP Policy H10 requires all developments on sites of 0.1 hectares and above or of 3 or more dwellings to provide a significant proportion of market housing comprising small properties. The proposal provides a mix of both market and affordable housing as set out in the table below.

House types	Market Housing	Affordable Housing	Total
2 bed FOG	0	1	1
2 bed flat	0	2	2
2 bed house	0	3	3
3 bed house	6	2	8
4 bed house	5	0	5
5 bed house	2	0	2
Total	13 (61.9%)	8 (38.1%)	21

- 10.6 The proposal would provide for a variety of house types ranging in size from 2-bed to 5-bed dwellings. This provides for a variety of properties across the scheme to suite different household types, including individuals and couples and well as families, albeit that the scheme has an emphasis on providing family sized housing with around 70% of the proposed new homes being three bedroomed or more. The market housing proposed within the development would be a mixture of 3, 4 and 5 bedroomed properties, albeit that it would exclude 2-bedroomed units. The Council's stance has been that "significant" will equate to approximately 50% of the dwellings. The proposal provides just under 50% (around 46%) of the market units as 3-bedroomed properties and accordingly would be generally in compliance with the Council's housing mix requirements. The proposal would therefore comply with ULP Policy H10.
- 10.7 The S106 Agreement relating to the outline planning permission for residential development at this nursery site specified that 40% of the total number of housing units shall be affordable housing whereby the tenure would be split between 70% affordable rent and 30% shared ownership and where it was a requirement of that agreement that the affordable housing units be positioned within two separate groups and not contiguous and that each group would not comprise more than four affordable units,. The affordable housing indicated on the submitted plans amounts to 8 units (40% total) of a number and type which complies with the specifications of the S106 Agreement where the affordable housing would relate to Plots 8-15 at the rear end of the development as a single cluster. The breakdown is specifically as follows:
- 3 No. 2 bedroomed 4 person houses,
 - 2 No. 3 bedroomed 5 person houses,
 - 1 No. 2 bedroomed 4 person flat over car ports,
 - 2 No. 2 bedroomed 3 person maisonettes
- 10.8 Members will recall that concurrent with the submission of the earlier reserved matters application that they considered by way of a separately presented officer report at the October 2014 meeting a request by the applicant to obtain a committee resolution to vary the S106 agreement to allow for a percentage of the affordable housing units to be provided and offered to the Council to form part of its housing stock as "gifted units" and a request to allow all of the affordable housing to be provided in a single cluster. Members agreed to the developer request at their meeting and the option variation is currently awaited in terms of S106 Agreement variation.

C Impact on residential amenity (ULP Policy GEN2).

- 10.9 The proposed layout for the development takes into account the position and orientation of the existing adjacent properties, whilst the scheme complies with the distances set out in the Essex Design Guide to prevent any significant overlooking and loss of privacy to the occupiers of existing properties, namely along the east side of Cambridge Road. There is also sufficient distance between existing and proposed dwellings to prevent material detrimental overshadowing and overbearing impacts from occurring. The proposal would therefore comply with the requirements of ULP Policy GEN2 in this respect.

D Parking arrangements (ULP Policy GEN8).

- 10.10 The revised application reduces the number of dwellings down from 23 to 21, which has provided for a more relaxed site layout by reducing slightly the layout density. The principal layout change from the previously refused application has been the removal of the need to create visitor parking at the site entrance to the development which was a

key concern of Members at their October committee meeting. The 6 No. visitor parking spaces originally shown in tandem form at this entrance point have now been positioned throughout the site and away from the junction with Cambridge Road, albeit that this has now been reduced to 5 No. spaces. The removal of these front visitor parking spaces more centrally within the site will thus now avoid any potential conflict with other vehicles entering or leaving the site and will also increase the likelihood of them being used for their intended purpose rather than possibly for ad-hoc street parking where this concern was also raised by Members. A resultant effect of this layout change is that it has also afforded the opportunity for on-plot parking arrangements to be rationalised, which it is considered would make the street scene less car dominant and create an improved sense of place, whilst the front entrance to the site can be soft landscaped as shown on the revised site layout drawing.

Plot No.	Parking Spaces	Garage	Car Port	Total
1	2	0		2
2	2	0		2
3	2	0		2
4	2	0		2
5	1	2		3
6	2	0	1	3
7	2	0	1	3
8	1	0	1	2
9	1	0	1	2
10	1	0	1	2
11	2	0		2
12	2	0		2
13	2	0		2
14	2	0		2
15	2	0		2
16	0	0	2	2
17	2	1		3
18	2	1		3
19	2	1		3
20	2	0		2
21	2	1		3
Total	36	6	7	49

10.11 Parking for each dwelling unit would be either in the form of on-plot garage/hardstanding provision or on parking bays sited immediately adjacent to the dwellings in question with a small informal parking area at the rear end of the site. All of the dwellings for the proposed development as with the previous application would meet both ECC Highways and UDC parking standards in terms of the number of allocated garage/hardstanding spaces per dwelling and in terms of bay sizes, albeit that some on-plot tandem parking would remain. Furthermore the 5 No. visitor spaces to be provided would also be compliant with parking standards where 0.25 of a parking space is required to be provided per dwelling ($21 \times 0.25 = 5.25$). As such, the proposal would now comply with ULP Policies GEN2 and GEN8.

E Ecology.

10.12 A further report of ecology findings and additional desk top information has been submitted by the applicant to show the extent by which the development could impact

upon protected species at the site, including water voles, particularly given the site's location immediately adjacent to the River Cam. This was because the ecology information submitted with the outline application was found to be deficient. However, the enhanced ecology survey information now received demonstrates that the impact of the development upon protected species at the site would be low given the site's low habitat value where this view has been confirmed by ECC Ecology. As such, the proposal now complies with ULP Policy GEN7.

11. CONCLUSION

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

- A The layout, scale, appearance and landscaping of the site would be acceptable.
- B The house type mix proposed for the development both for the market and affordable housing elements would be acceptable.
- C The development through its design would have an insignificant impact on adjacent residential amenity.
- D Parking arrangements would now be satisfactory and would meet adopted car parking standards where previous Member concerns relating to visitor parking and resident parking have been addressed where the reduction in the number of units proposed from 23 to 21 units has provided an improved parking layout.
- E The development would not have a harmful impact on nature conservation following submission of further ecology surveys which ECC Ecology has inspected.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. No development shall take place, including any ground works or demolition until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody washing facilities

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

2. The submitted remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works. Any changes to these components require the express written consent of the local planning authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV14 of the adopted Uttlesford Local Plan. Furthermore, to protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, the Cam and Ely Ouse River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2012) position statements Part A A5 and Part J J5 to J7 inclusive.

3. No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV14 of the adopted Uttlesford Local Plan. Furthermore, to protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, the Cam and Ely Ouse River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2012) position statements Part A A5 and Part J J5 to J7 inclusive.

4. 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.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy ENV14 of the adopted Uttlesford Local Plan. Furthermore, to protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF; paragraphs 109 and 121), EU Water Framework Directive, the Cam and Ely Ouse

River Basin Management Plan, and Environment Agency Groundwater Protection (GP3:2012) position statements Part A A5 and Part J J5 to J7 inclusive.

5. Infiltration systems should only be used where it can be demonstrated that they will not pose a risk to groundwater quality. A scheme for surface water disposal needs to be submitted to and approved by the local planning authority. The scheme shall be implemented as approved.

REASON: To protect and prevent the pollution of controlled waters (particularly the River Cam, the Nodular Chalk Formation, the Chalk Rock Member and the New Pit Chalk Formation which are protected waterbodies under the EU WFD) in line with the National Planning Policy Framework (paragraph 109) and the Environment Agency's Groundwater Protection (GP3:2012) position statements Part G G1 to G13 inclusive. The water environment is potentially vulnerable and there is an increased risk of pollution from inappropriately located and/or designed infiltration sustainable drainage systems (Suds), such as soakaways, unsealed porous paving systems or infiltration basins.

6. Using penetrative methods shall not be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON: To protect and prevent the pollution of controlled waters in line with Environment Agency Groundwater Protection (GP3:2012) position statement Part N, N7 and N8. Piling or any other foundation designs using penetrative methods can result in risks to potable supplies from, for example, pollution / turbidity, risk of mobilising contamination, drilling through different aquifers and creating preferential pathways. Thus it should be demonstrated that any proposed piling will not result in contamination of groundwater. In accordance with Policy ENV12 of the Uttlesford Local Plan adopted 2005.

7. The applicant shall submit to the local planning authority a post-excavation archaeological 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 in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

REASON: 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. The trial trenching should be undertaken prior to any detailed application being approved in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

8. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal Giant Hogweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

REASON: To ensure that an adequate means of eradicating or containing the spread of the plant is considered and thereafter implemented to prevent further spread of the plant which would have a negative impact on biodiversity and existing or proposed landscape features in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

9. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting throughout the site is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

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

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

REASON: To ensure that the dwellings can be readily used by people with physical disabilities in accordance with national policy and in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the Council's adopted SPD "Accessible Homes and Playspace".

11. 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 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/buildings in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/3506/DFO

Address: Carnation Nurseries, Cambridge Road, Newport



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Organisation: Uttlesford District Council
Department: Planning
Date: 30 January 2015
SLA Number: 100018688

UTT/14/3791/FUL (LITTLE BARDFIELD)

(Referred to Committee by Cllr Perry if refusal due to impact on community and sustainability)

PROPOSAL: **Erection of 1 no. detached dwelling.**

LOCATION: **Land East Of Guivers, West Of Three Chimneys,
Little Bardfield Road, Little Bardfield.**

APPLICANT: **Mr R Jones.**

AGENT: **Mr D Walker.**

EXPIRY DATE: **10 February 2015.**

CASE OFFICER: **Samantha Stephenson.**

1. NOTATION

1.1 Outside Development Limits; adjacent Grade II listed building.

2. DESCRIPTION OF SITE

2.1 This application site is located centrally in the small village of Little Bardfield on the southern side of Little Bardfield Road; this side of the road has an open loose knit pattern of development compared to the northern side which is much more dense. It relates to a rectangular shaped area of land that has an area of 570m², a road frontage of 30m and a maximum depth of 20m. It was once part of curtilage of Three Chimneys, the adjacent listed building, but is now in separate ownership. There are existing dwellings to the east, west and north with a cricket pitch and open countryside to the south. The land is currently very overgrown and unused with a number of trees and hedging to all boundaries, there is a small gated access.

3. PROPOSAL

3.1 It is proposed to erect a two storey dwelling on this site. The dwelling would have three bedrooms and a footprint of approximately 75m². The dwelling would have maximum dimensions of 9.5m in width, 9.5m in depth with a ridge height of 7m. Proposed materials are brick, render, weatherboarding and clay tiles.

3.2 There would be two parking spaces and a cartlodge, the existing access would be modified to improve entrance visibility splays involving the removal of part of the existing hedge.

3.3 However there are discrepancies on the submitted plans that would need to be addressed should the proposal be recommended for approval these are;
The west elevation plan shows two windows at first floor level however on the submitted floor plan only one window is shown
The south elevation plan shows two openings on the ground floor however the floor plan shows three.

4. APPLICANT'S CASE

- 4.1 Outlined in Design and Access Statement, also submitted is a Lifetime Homes Statement, Protected Species Survey & Supporting Statement.

5. RELEVANT SITE HISTORY

- 5.1 UTT/1209/98/OP Erection of two-storey dwelling and garage. Refused 10.12.98 and dismissed at Appeal.
- 5.2 UTT/14/1958/FUL Erection of 1 no. detached dwelling. Refused 12.09.14.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework (2012)

6.2 Uttlesford District Local Plan 2005

- Policy S7 - The Countryside
- Policy GEN1 - Access
- Policy GEN2 - Design
- Policy GEN7 - Nature Conservation
- Policy GEN8 - Vehicle Parking Standards
- Policy ENV2 - Development affecting Listed Buildings
- SPD Accessible Homes and Playspace
- SPD Energy Efficiency and Renewable Energy
- Uttlesford Local Parking Standards 2013

7. PARISH COUNCIL COMMENTS

- 7.1 Proposed dwelling is appropriate to “infill” what has been a long standing gap in the build line. Application is well presented and would sympathetically fit amongst the existing varied styles of adjacent properties. It is less so than the planning application recently approved for an additional building at “Fridays”. In relation to previously lodged objections the term “loose grouping” is in appropriate as it is being applied to this one gap in the existing build line. The proposed property would not “adversely affect the appearance of the village” but to contrary would remove what is currently an overgrown distraction. Misleading and irrelevant to refer to “unsustainable due to inaccessibility to local services”, all of the properties in Little Bardfield suffer from inaccessibility to local services but very few move away. No one walks to Thaxted or Great Bardfield as there are no safe or paved walkways out of Little Bardfield in any direction. All children of school age are either picked up by school bus or taken either directly to school or to another bus stop in Thaxted. The Parish Council fully supports this application. Expired 20.01.15.

8. CONSULTATIONS

ECC Ecology

- 8.1 Thank you for consulting us on the above application. I note the Ecology Survey dated November 2014. The report found the site to be unsuitable for protected species and considers no further surveys to be necessary. I agree with these findings. I have no objections to the proposals. Expired 13.01.15.

ECC Highways

- 8.2 From a highway and transportation perspective the impact of the proposal as shown in principle on Drawing No. 1109/PL02 is acceptable to the Highway Authority subject to conditions. Expired 13.01.15.

9. REPRESENTATIONS

- 9.1 16 Neighbours were notified. Consultation expired 20.01.15.
5 responses objecting to the application were received. Comments as follows;
Planning application was refused in September 2014 and the re-submission provides no substantial reason for the decision to be altered.

Site is not brownfield.

Development is not sensitive infilling. Site is of historic architectural merit; a modern chalet type property will detract from the appearance of this part of the village and be out of keeping, out of character, adverse impact on adjacent listed building. Will dwarf adjacent site Three Chimneys.

Site is not an eyesore

Road is dangerous with bends and speeding traffic another access opposite an existing access would be extremely dangerous.

Site is unsustainable due to inaccessibility of local services, Little Bardfield is 1.6km from the nearest local services. Little Bardfield has a church but no other local amenities. There is no footpath and the road from Little Bardfield to Great Bardfield and from Little Bardfield to Thaxted is a narrow and winding road.

There is no regular public transport. There is a community bus which runs only on a Wednesday. The bus picks up from Little Bardfield at 10.17am on route to Braintree. It then returns from Braintree at 13.16pm. This means we have one bus out and one bus back - hardly adequate. Residents rely primarily on private car as a means of accessing work, school, shops etc.

Application not discussed at a Parish Council meeting, no opportunity for local residents to discuss application.

Rising land elevation of site and subsequent run-off cause periodic flooding on the road, this will be exacerbated by development of a property on this site.

New dwelling would block sunlight of existing dwelling opposite and overlook it.

Plot is haven for wildlife.

10. APPRAISAL

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

- A Principle of development / Design (NPPF, ULP Policies S7, GEN2 and SPDs "Accessible Homes and Playspace and "Energy Efficiency and Renewable Energy";
- B Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8, UDC Parking Standards);

- C Impact on adjacent residential amenity (ULP Policy GEN2).
- D Impact on adjacent listed building (ULP Policy ENV2)
- E Nature Conservation (ULP Policy GEN7)

A Principle of development and whether the proposed works would be of an appropriate design and scale

- 10.1 The application site lies beyond the Development Limits on land classed as countryside where policies are generally restrictive. ULP Policy S7 of the adopted local plan states that the countryside will be protected for its own sake and that planning permission will only be granted for development that needs to take place there or is appropriate to a rural area where dwellings are not normally considered as an exception to policy. The exception to this constraint is whether the proposal would qualify as an appropriate infill site as a small gap within a small group of dwellings outside development limits, but close to settlements subject to being acceptable in terms of design etc.
- 10.2 Officers are in agreement with the Appeal Decision APP/C1570/A/99/1017593/P8 on this site in 1998 in which it was stated that Little Bardfield is a small village within a predominantly linear form. Most of the development is on the north side of the road which runs through the village. Three Chimneys, a Grade II listed building, is one of a widely spaced group of three dwellings on the south side of the road. The village does not have a 2-sided street, there is a continuous ribbon of development on the north side of the road but the loose group of dwellings containing Three Chimneys has a character which is transitional between the built-up north side of the road and the surrounding countryside. I am of the opinion that the 55m wide gap between Three Chimneys and Guivers is too wide to count as a small gap in terms paragraph 6.13 and 6.14 of the Housing Chapter of the Uttlesford Local Plan. More importantly I consider that the erection of another house in that gap would begin to consolidate the existing loose grouping and would have an adverse effect on the character and appearance of the village and on the setting of the adjacent listed building. Even though much of the frontage hedge is proposed to be retained, the house would be clearly visible from the road, as demonstrated by the site block plan/elevation sketch submitted with the planning application. The proposal would not therefore be acceptable in terms of design, siting and appearance.
- 10.3 LPA's are now required under government policy to grant permission in favour of sustainable development where they cannot currently demonstrate a five year supply of deliverable housing within their districts. The Council is currently able to demonstrate a five year housing supply within its district, nevertheless even when the Council has a 5 year land supply it is important for the Council to continue to consider, and where appropriate, approve development which is sustainable, to ensure delivery in the future and to ensure that the level of housing supply is robust and sustained over time in the years to come.
- 10.4 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 roles 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 in this case.
- 10.5 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of

infrastructure. Beyond the activity of its construction this proposal for one new home would not appear to deliver a lasting economic role.

- 10.6 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. If permitted the proposal might make a contribution towards the delivery of the housing needed for Uttlesford District as a whole. However implementation of permission for one three bedroomed dwelling could not be considered to significantly address elements of the pressing locally arising need for a variety of new homes in and around the community of Little Bardfield. Indeed the Village Design Statement states that new construction should be tailored towards the elderly, first time buyers and low cost housing.
- 10.7 In assessing the sustainability of the application site in terms of its accessibility to local services that reflect the community's needs and support its health, social and cultural well-being. Paragraph 29 of the NPPF advises - "...The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas". Little Bardfield is not listed as a defined settlement within the adopted local plan where it does not benefit from any local services or facilities. This lack of local provision and distance from a full range of services and employment opportunities is recognised by the applicant, although the applicant has argued that the site's location halfway between Thaxted and Great Bardfield and the existence of a local bus service through the village (times/frequency not specified) makes the site sustainable. However, whilst noting this, this is not a location that has good accessibility by a range of transport modes, there is a community bus but this runs only on a Wednesday. The bus picks up from Little Bardfield at 10.17am on route to Braintree. It then returns from Braintree at 13.16pm. Residents are likely to rely heavily on private vehicles for most journeys, the access road is very narrow, with blind bends on route and there are no pedestrian footpaths. It is considered from this and lack of service provision that the proposal would not represent a sustainable form of development at this location.
- 10.8 Environmental role: The NPPF identifies this as contributing to protecting and enhancing the natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. At present the application site is a well hedged area that represents an important gap in this sporadic pattern of development. In that guise it contributes to the visual and functional openness of the countryside which Policy S7 of the ULP seeks to protect. It follows that the site is fundamentally unsustainable in environmental terms.

B Whether access and parking arrangements would be satisfactory

- 10.9 The proposed access arrangement has been assessed by ECC Highways who have not objected to the intensification of the existing access on highway grounds despite the bends in the road either side of the site subject to existing visibility sight lines being improved where a 2.m wide visibility band should be achieved across the entire site frontage. As such, the proposal would comply with ULP Policy GEN1. Sufficient parking space is shown within the proposed hardstanding parking area to accommodate 3+ cars given the three bedroomed size of the dwelling, whilst sufficient on-site turning would be able to be achieved also. The proposal would therefore comply with ULP Policy GEN8 and UDC Parking Standards. .

C Impact on adjacent residential amenity (ULP Policy GEN2, ULP Policy ENV2)

10.10 With regards to the design, the submitted details indicate that the site would be capable of accommodating the indicated dwelling without impacting on the amenity of neighbouring properties. However if this were to be approved a condition would be imposed requiring the two first floor windows on the western elevation be obscure glazed to prevent overlooking to Guivers. The proposed dwelling would have sufficient amenity space in accordance with Local Plan Policy GEN2 and as advised by the Essex Design Guide (adopted 2005).

D Impact on adjacent listed building (ULP Policy ENV2)

10.11 Three Chimneys, a Grade II listed building lies adjacent to the proposed site; it is one of a widely spaced group of three dwellings on the south side of the road. The village does not have a 2-sided street, there is a continuous ribbon of development on the north side of the road but the loose group of dwellings containing Three Chimneys has a character which is transitional between the built-up north side of the road and the surrounding countryside. The erection of another house in that gap would begin to consolidate the existing loose grouping and would have an adverse effect on the setting of the adjacent listed building.

E Nature Conservation (ULP Policy GEN7)

10.12 Policy GEN7 seeks to ensure that development would not have a harmful effect on wildlife. As part of the application a Biodiversity Questionnaire and Protected Species Survey have been submitted. As part of the determination of the application the County Ecologist has been consulted who commented that as the report found the site to be unsuitable for protected species and considers no further surveys to be necessary, there are no objections.

11. CONCLUSION

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

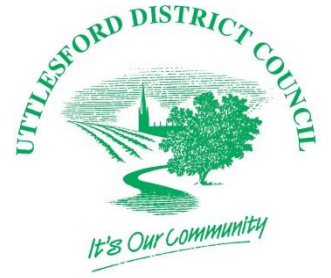
- A The erection of a house on this site would begin to consolidate the existing loose grouping and would have an adverse effect on the character and appearance of the village and on the setting of the adjacent listed building.
- B The site is not in a suitable or accessibly "sustainable" location accessibility to local services that reflect the community's needs and support its health, social and cultural well-being.

RECOMMENDATION – REFUSAL

REFUSE FOR THE FOLLOWING REASONS

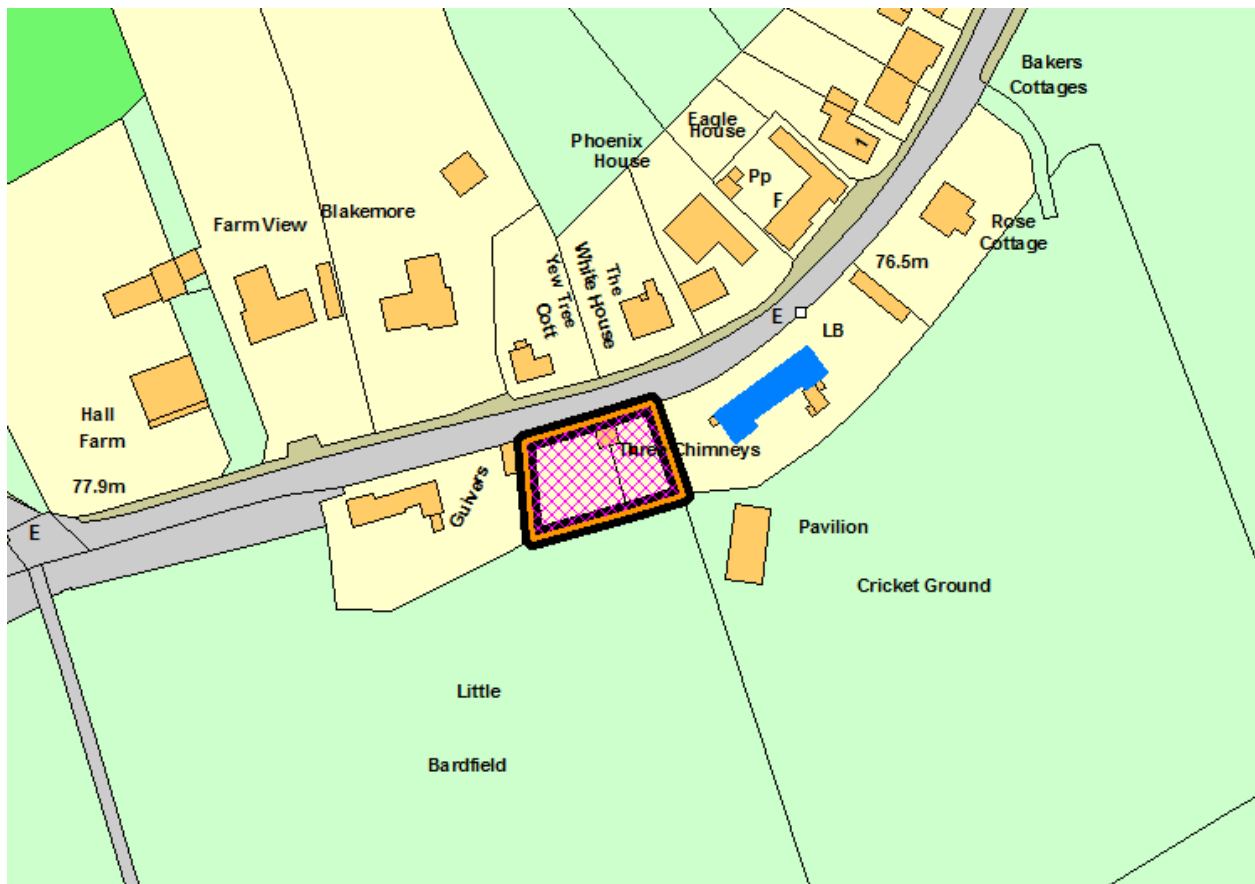
1. The application site is situated within a location where new development would begin to consolidate the existing loose grouping on the south side of the road and would have an adverse effect on the character and appearance of the village and on the setting of the adjacent listed building contrary to Policies S7, GEN2 and ENV2 of the Uttlesford Local Plan (adopted 2005).
2. The application site forms part of the open countryside and the proposed development is fundamentally unsustainable by virtue of the location's relative inaccessibility to local services that reflect the community's needs and support its health, social and cultural well-being. The proposed development would therefore be contrary to Policy S7 of the

Uttlesford Local Plan (2005) and Paragraph 17 - "Core Planning Principles" (fifth, eleventh and twelfth bullet points) within the National Planning Policy Framework.



Application no.: UTT/14/3791/FUL

Address: Land East Of Guivers West of Three Chimneys, Little Bardfield Road,
Little Bardfield



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Organisation: Uttlesford District Council
Department: Planning
Date: 29 January 2015
SLA Number: 100018688

UTT/14/2464/OP (Widdington)

(Referred to Committee by Cllr Rose if recommended for approval. Reason:
Overdevelopment of the site, excessive massing of dwellings, impact on wildlife)

PROPOSAL:	Outline application for the demolition of the existing detached dwelling to be replaced with 3 no. dwellings and new access with all matters reserved except access, layout and scale.
LOCATION:	Churchmead, Church Lane, Widdington.
APPLICANT:	The Ellis Campbell Group.
AGENT:	Cheffins.
EXPIRY DATE:	16 October 2014.
CASE OFFICER:	Clive Theobald.

1. NOTATION

- 1.1 Within Development Limits / Adjacent to Conservation Area.

2. DESCRIPTION OF SITE

- 2.1 The site lies at the eastern end of Church Lane and contains a 1960's constructed 1½ storey chalet style detached dwelling which stands towards the front of an established garden plot of approximately 0.2 ha with mature hedged frontage. The site is enclosed on its northern side by Dorf House, a two storey detached dwelling and on its southern side by Meadow Croft, a 1½ storey detached dwelling. Widdington Hall, a Grade II listed building stands within large enclosed grounds opposite the site within the village conservation area. A small recently constructed development of 2 to 2½ storey dwellings (Church View) lies to the immediate rear (west) of the site with vehicular access from Church Lane. The dwelling on the application site appears to be unoccupied and the garden has become somewhat overgrown. The site is level.

3. PROPOSAL

- 3.1 This outline application proposal relates to the erection of 3 No. dwellings with garaging and new access provision involving the demolition of the existing dwelling on the site (Churchmead). Access, layout and scale are those matters which have been selected by the applicant to be considered at outline application stage.
- 3.2 The indicative site layout drawing for this development proposal shows that the dwellings for Plots 1 and 2 would front onto Church Lane and be accessed from the lane, whilst the dwelling for Plot 3 to be positioned to the rear would face onto Plots 1 and 2, but would be accessed separately via a new entrance from Church View. The development would have a stated density of approximately 15 dwellings per hectare.
- 3.3 The proposed dwellings for Plots 1 and 2 are shown in two storey traditional form, but with differing footprints, whilst both dwellings would have the same indicated overall ridge height of 7.6 metres with double-pile gabled roofs running across the width of the dwellings. The dwellings are shown to have differing external finishes between brick and render, although materials are indicative only. The proposed dwelling for Plot 3 is

shown to be of 1½ storey form on an L shaped footprint with a ridge height of 6.9 metres with indicated render on brick as external finishes. Each dwelling would be served by a double garage with additional hardstanding parking space and would each have a rear garden amenity area shown to be in excess of 100sqm.

- 3.4 It should be noted that the ridge and eaves heights of the proposed dwellings for Plots 1 and 2 were shown on the originally submitted elevation drawing as being higher than as now indicated and as so described where they have now been reduced from 2½ storeys to two storeys in height at the request of Officers. The height of the dwelling for Plot 3 remains unchanged.

4. APPLICANT'S CASE

- 4.1 The application is accompanied by a supporting planning statement and an arboricultural report providing details of the condition of existing trees at the site. The supporting planning statement describes in more detail the site and its surroundings, the proposed scheme and the planning policy justification for the proposal. The conclusion from the supporting statement is extracted below as follows.

“The application is situated within the settlement boundary for Widdington where there is a presumption in favour of new housing development. The scale and layout of the development is considered to be acceptable, and access, amenity space and parking provision meet all of the relevant adopted standards. The proposed new dwellings are of a scale and massing that is in keeping with the surrounding residential development. For all of the reasons above, we consider that the proposal is in accordance with national and local planning policy and that outline planning permission should therefore be granted”.

5. RELEVANT SITE HISTORY

- 5.1 None (various minor domestic additions relating to Churchmead). However, Members should note that outline planning permission was granted in 2009 for the erection of four dwellings and garages involving the demolition of Church View off Church Lane to the immediate rear of the application site (UTT/1268/09/OP) and a subsequent reserved matters application for the four dwellings was approved in 2011 with minor amendments being subsequently approved. That approved scheme has since been implemented (see site description above) having a site density of approximately 12 dwellings per hectare.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework.

6.2 Uttlesford District Local Plan 2005.

- ULP Policy S3 – Other Settlement Boundaries
- ULP Policy H3 – Infilling with new houses
- ULP Policy H4 – Backland Development
- ULP Policy H10 – Housing Mix
- ULP Policy ENV1 – Development affecting Conservation Areas
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN7 – Nature Conservation

- ULP Policy GEN8 – Vehicle Parking Standards

6.3 Widdington Village Design Statement.

7. PARISH COUNCIL COMMENTS

7.1 Object on following grounds:

Principle of development - site represents an unsustainable location following a Planning Inspector's previous remarks relating to Widdington's lack of reasonable access to services and amenities in respect of an appeal in respect of proposed residential development at Wood End. Site represents only partially "previously developed land" by NPPF definition and therefore contrary to ULP Policy H3;

Scale – the 2.5 storey dwellings proposed for Plots 1 and 2 seek to replicate the inappropriately scaled and built 2.5 storey development at Church View where this approved scheme should not be viewed as an acceptable precedent. Proposed dwellings would also stand higher on the skyline as the ground rises up from Church View to the application site. Submitted scheme would therefore fail to have good design. The scheme should be reduced to 1½ stories across the site were the Council to be mindful to grant planning permission in principle.

8. CONSULTATIONS

ECC Highways

8.1 From a highway and transportation perspective the Highway Authority has no comments to make on this proposal as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

UDC Access & Equalities Officer

8.2 Whilst the application is at outline stage, the applicant makes no reference to the SPD on Accessible Homes and Playspace and the layout and design will need to meet the criteria set out in that document at detailed stage relating to Lifetime Homes.

9. REPRESENTATIONS

9.1 Neighbour notification period expired 7 November 2014. Advertisement expired 2 October 2014. Site notice expired 25 October 2014.

17 objections, including one from CPRE, received against the proposal, which are summarised as follows:

- Inappropriate development for the site's edge of village location adjacent to the conservation area
- Overdevelopment of the site
- Dwellings too large
- Inappropriate housing type/mix
- Frontage dwellings would be intrusive and overbearing
- Proposal should be for a single replacement dwelling only
- Lack of affordable housing

- Historic lane
- Church Lane not able to cope with further development after Church View
- Inappropriate building form for this edge of village site
- Widdington recognised as being unsustainable for future housing development
- Building on garden land
- Would set future building precedent for remaining frontage dwellings along Church Lane
- No evidence that the site needs to be developed
- Construction works would block access to Widdington Hall beyond
- Would compound local flooding problems
- Restrictive covenants for Churchmead (no more than two dwellings)
- Insufficient level of detail provided within the application to allow a decision to be properly made at outline stage
- 2.5 storey dwellings reflecting mass and scale of Church View considered too high as a design rationale for this more rural lane location
- Forward facing garages onto Church Lane would not be commensurate with existing building line

Comments on representations received:

Restrictive covenants are not a material planning consideration. The site is not at high risk of flood (Flood Zone 1).

It should be said that a general theme runs through the representations received in that a lot of local resentment is still felt for the granting of planning permission for the adjacent Churchview development and that there are local concerns that the proposed development the subject of the current application at Churchmead could result in a similar massing development.

10. APPRAISAL

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

- A Principle of development (NPPF, ULP Policies S3, H3 and H4);
- B Layout and scale of the proposed dwellings (ULP Policy GEN2);
- C Whether access and parking arrangements would be satisfactory (ULP Policies GEN1 and GEN8);
- D Impact on ecology (ULP Policy GEN7).

A Principle of development (NPPF, ULP Policies S3, H3 and H4)

10.1 The application which has been submitted is in outline form only with some matters reserved, but where matters concerning access, scale and layout fall to be considered. The site lies within development limits at the north-east end of the village where the general building grain, scale and character of existing housing is mixed and of generally low density varying between older frontage terraces along the northern end of High Street, to a looser row of detached dwellings along Church Lane extending round to the application site and beyond and the recently constructed Church View development built in between. Other approved developments for the village in recent years have been limited to occasional infilling, the development of a redundant poultry farm at Cornells Lane and the aforementioned Church View development

10.2 The current application in effect comprises both infill development along the Church Lane frontage consisting of two dwellings (Plots 1 and 2) and backland development off

Church View consisting of one dwelling (Plot 3) where the proposal would represent a net gain of two dwellings at the site given the existence of the dwelling to be demolished. Whilst the dwellings for Plots 1 and 2 would be built over the existing dwelling at Churchmead to be demolished, which is of no architectural merit, the dwelling for Plot 3 would be built on garden land pertaining to that residential property. However, given the overall length of the existing garden plot and the availability of access from Church View, it is considered that this additional dwelling would make more efficient use of the land. At approximately 15 dwellings per hectare, the proposed development would respect the character of this part of the settlement and would reflect the low density of existing development within the area generally.

- 10.3 The NPPF has a presumption in favour of sustainable development encompassing the economic, social and environmental strands of sustainability and requires LPA's to determine planning applications in accordance with this general guidance principle as well as in accordance with its development plan. It should be noted in this respect that the adjacent Church View development was granted planning permission prior to the NPPF coming into effect in 2012. It is acknowledged that Widdington has limited local services, albeit that it has a village hall, public house and a bus service running through the village, a position which has been recognised by separate planning inspectors when considering successive planning appeals against the refusal of planning permission by the Council for the erection of a line of dwellings on a parcel of frontage land at Wood End, Widdington which lies outside development limits to the south of the High Street and considered not to constitute infilling by definition within the countryside (appeal decision currently awaited for the reduction to just one dwelling at this site). The Inspector for the last determined appeal for that site (February 2014) in respect of four dwellings remarked that the occupiers of the new dwellings would need to rely to a significant extent on the use of private transport to satisfy daily needs and services, including employment, shopping and schools. However, he found that the condition of the road links to Newport was reasonable and in this respect the proposal would meet the requirements of ULP Policy GEN1, but that the distance to be travelled to services was "considerable".
- 10.4 Whilst these remarks are noted, the site the subject of the current application lies within existing development limits for the village compared to this greenfield site lying outside development limits within the countryside and this material factor is considered to carry weight in consideration of whether planning permission ought to be granted in principle for infill at Churchmead as proposed as representing further residential development for the village following the completion of the Church View development. The 2009 Widdington Village Design Statement has been adopted as Council Guidance in determining planning applications and can therefore be given some weight. The statement discourages further development within village development limits for Widdington and within the conservation area stating that there is no remaining development space available, adding that any further housing should be confined to suitable infill sites outside development limits or as a village extension and that the existing village infrastructure should be taken into account. The statement also seeks to generally continue to maintain the low density of Widdington, to restrict building to no more than ten houses and to minimise the loss of gardens through residential infill.
- 10.5 The applicant makes the case within the submitted Design and Access Statement accompanying the current application that the site at Churchmead represents an opportunity as a "windfall" infill site in line with ULP Policy H3 which states that infilling with new houses will be permitted on land within the identified settlements (including Widdington) if the development would be compatible with the character of the settlement. Whilst the planning merits relating to the principle of this development proposal therefore has to be viewed against the sustainability of Widdington as a

settlement taken as a whole, it is considered on balance that the proposal would be acceptable at this location within settlement limits where it would have a low density subject to an assessment of access, layout and scale as discussed below.

B Layout and scale of proposed dwellings (ULP Policy GEN2)

- 10.6 The proposed dwellings are shown for illustrative purposes only, although layout and scale are matters which fall to be considered with this outline application. In terms of scale, the proposed dwellings for Plots 1 and 2 as infill dwellings are now indicated at two storey level as previously mentioned, having been subsequently reduced by the applicant from 2½ storeys during consideration stage at the request of Officers as it was considered that such ridge heights would have been too dominating within the context of the site's rural edge compared to the more mews court feel of Church View located behind. The reduction in height of the dwellings to two storey level where the ridge height of the dwellings would now be set at 7.6 metres compared to 8.8 metres (reduction by 1.2 metres) and eaves height at 5.0 metres compared to 6.4 metres as originally shown is now considered to represent a more appropriate scale and massing for its location adjacent to the conservation area with a more traditional appearance and more in keeping with the two storey height of Dorf House located to the immediate north. As such, the dwellings would be stepped down slightly from the larger height and massing of some of the dwellings in Church View to the immediate west.
- 10.7 The proposed dwelling for Plot 3 to the rear of Plots 1 and 2 would be set at 1½ storey level as originally shown with a ridge height of 6.6 metres. The dwelling would therefore have a reduced height and scale as the "backland" unit where it would stand between the 2 storey dwellings proposed at the front of the site and Church View behind. An established 3 metre high hedge runs along the south side of the private drive leading into Churchview, which would be retained by the proposal save for the removal of a section of hedge at the front corner of the drive to provide the vehicular access point to serve Plot 3. Given the height of the hedge, only the upper part of the wall and the roof would be visible from Church Lane at the bottom end of the private drive in terms of streetscene impact. Whilst appearance of the dwelling is a reserved matter, the design of the dwelling as indicated is considered to be acceptable.
- 10.8 In terms of site layout, the dwellings for Plots 1 and 2 would have a similar building frontage as the existing dwelling on the site, whilst there would be a separation distance of 3 metres between the two new dwellings and a distance to the flank boundaries with Dorf House and Meadow Croft respectively of 2 metres. Each dwelling would have private garden amenity areas well exceeding the Essex Design Guide recommended minimum 100sqm amenity standard for 4 bedroomed dwellings and would therefore be acceptable in this respect. With regard to the dwelling for Plot 3, the dwelling would sit comfortably within its site plot and would also have a private amenity area well in excess of 100sqm as an indicated 3-4 bedroomed dwelling.
- 10.9 Other design matters: The final external treatment of the proposed dwellings would be properly addressed at reserved matters stage where no specific written details of external finishes have been provided with the current application. The dwellings would be required to meet Lifetime Homes standards under the Council's SPD, which can also be addressed in the detailed design stage for the subsequent reserved matters application. In terms of likely impact on residential amenity, it would be necessary at detailed design stage to ensure that the residential amenities of the occupants of the new dwelling for Plot 3 in particular would be sufficiently protected from overlooking from the two storey dwellings at the front given this dwelling would represent the backland dwelling at lower height. The indicative site layout plan shows that a separation distance of 24 metres would exist between the rear elevations of the

dwellings for Plots 1 and 2 and the rear boundaries of these properties, whilst an “eye to eye” distance of 32 metres would exist between the dwellings for Plots 1 and 2 and the dwelling for Plot 3. These distances, together with boundary planting should ensure that adequate levels of amenity would be protected for all three dwellings, whilst the reasonable amenities of Dorf House and Meadow Croft either side of the dwellings for Plots 1 and 2 should also be able to be adequately protected subject to detailed design at reserved matters stage.

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

10.10 Vehicular access into the proposal site would utilise the existing “in-out” access points situated at the front of Churchmead from Church Lane to individually serve the dwellings for Plots 1 and 2, whilst a new access would be formed off the private drive into Church View to serve the dwelling for Plot 3 where a hammerhead already exists in front of the hedge line. The end of Church Lane is a private road, whilst Church View is a shared private drive. Church View currently serves four dwellings and the addition of a fifth dwelling off this private drive for Plot 3 would still comply with ECC Highway standards. ECC Highways has been consulted on the proposal and has not raised any highway objections. Whilst it is recognised that the proposal is likely to increase the number of vehicle movements along Church Lane, the increase would not adversely affect the character of the lane, which is not a designated protected lane. The proposal would therefore comply with ULP Policy GEN1.

10.11 All three dwellings would be served by double garages/car ports in the positions indicated on the submitted layout plan and by an additional hardstanding space. The dwellings are indicated to be 4+ bedroomed and there would therefore be a requirement for each dwelling to have a minimum of 3 No. parking spaces under currently adopted parking standards. This requirement would therefore be met. The garages/car ports for Plots 1 and 2 would be located behind the established frontage hedge along Church Road and would not be readily visible subject to height restrictions where it would be expected that any grant of permission for the proposal would require this hedge to be retained in the interests of the protection of rural amenity.

D Impact on ecology (ULP Policy GEN7)

10.12 The site currently contains a 1960’s chalet dwelling with front driveway and rear garden with a number of trees located within the site and along its boundaries. The residential nature of the site with a lack of suitable hibernacula or ponds does not make the site conducive to suitable habitats for protected species such as reptiles or Great Crested Newts. Whilst the site is located within 500 metres of a large pond located to the east within the grounds of Widdington Hall, the existence of a lawned area between the pond at this nearby property and Church Lane and the presence of the lane itself is likely to discourage any frequent migration of newts from the pond to the application site. Whilst the chalet dwelling on the site appears to be currently unoccupied, the building does not contain any obvious entry points for bats with sealed soffits and is very unlikely in the consequences to represent a roosting site for bats. Whilst reference is made in some of the representations received that the bottom end of Church Lane is a natural corridor for bats coming from the nearby church, it is likely that this corridor would remain after building construction were to be completed should permission be granted for the proposal.

11. CONCLUSION

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

- A The development is considered acceptable in principle as an identified small infill/backland residential scheme within development limits where the low density of the scheme would be consistent with the housing density of the surrounding area.
- B The layout and scale of the proposed development is considered acceptable following the reduction in height of the dwellings for Plots 1 and 2 at the front of the site from 2½ to 2 storeys where the dwellings would now be more appropriate in scale for their edge of village siting adjacent to the conservation area.
- C Access and parking arrangements are considered satisfactory.
- D The proposal would not have any significant harmful impact upon protected species.

RECOMMENDATION – CONDITIONAL APPROVAL

Conditions/reasons

1. Approval of the details of the 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 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. Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 3 years from the date of this permission.

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. The development hereby permitted shall be begun no later than the expiration of 2 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

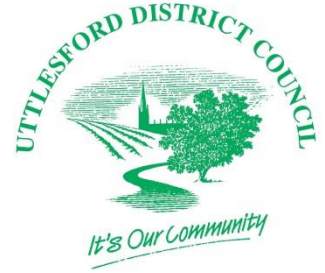
4. An accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority relating to the reserved matters application. The details submitted shall set out measures to ensure that the building is accessible to all sectors of the community. The buildings shall 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 in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

5. All garages/car ports shown to be provided for the development hereby permitted shall meet the specified bay sizes as contained within “Parking Standards – Design and

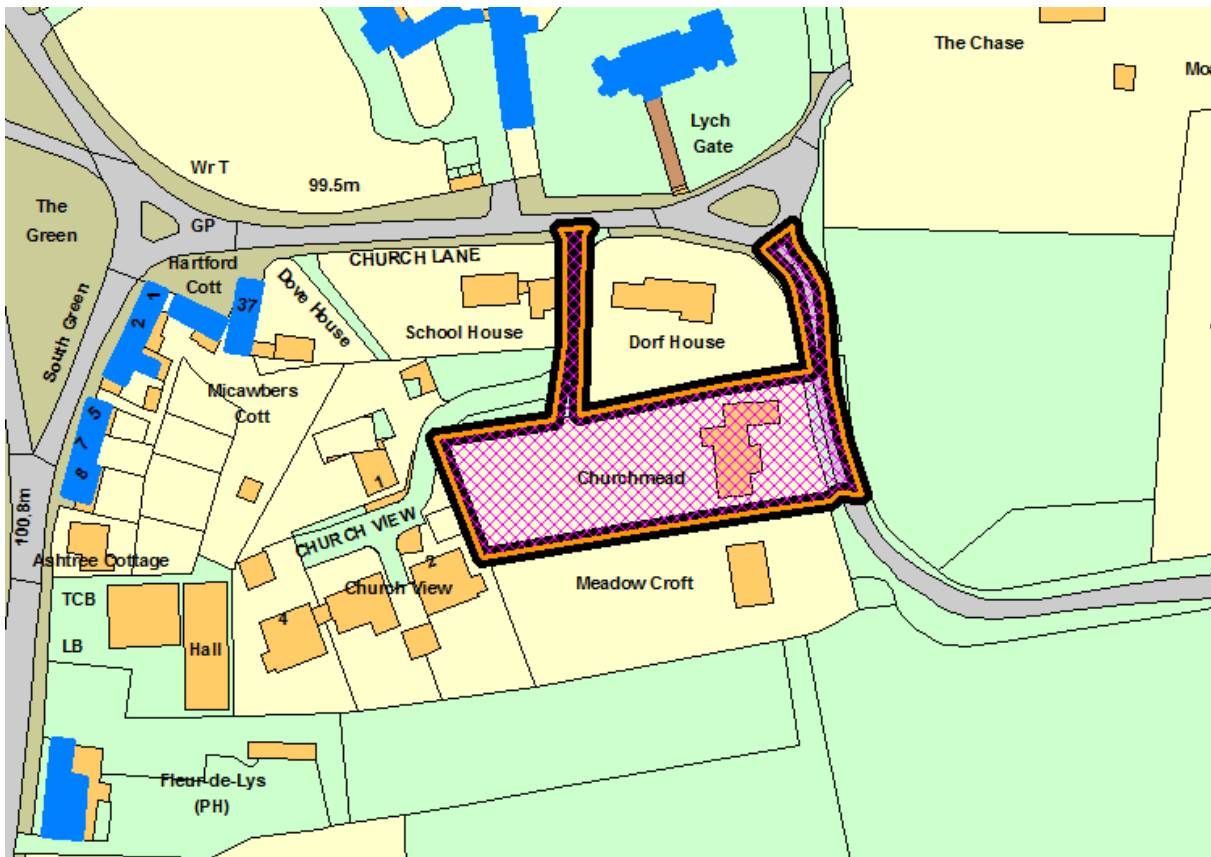
Good Practice”, (Essex County Council, September 2009) in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

REASON: To ensure that a satisfactory level of resident parking is achieved at the site and to avoid the necessity for on-street car parking in the interests of highway safety in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).



Application no.: UTT/14/2464/OP

Address: Churchmead, Church Lane, Widdington



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Organisation: Uttlesford District Council

Department: Planning

Date: 29 January 2015

SLA Number: 100018688

UTT/14/3257/HHF (Littlebury)

(Reason: Applicant related to Councillor)

PROPOSAL: **Erection of open sided car port.**

LOCATION: **Chestnut Barn, Green Farm, Littlebury Green Road, Littlebury.**

APPLICANT: **Mr P and Mrs S Menell.**

EXPIRY DATE: **30 December 2014.**

CASE OFFICER: **Clive Theobald.**

1. NOTATION

1.1 Outside Development Limits / Curtilage listed buildings to adjacent Grade II Listed Building.

2. DESCRIPTION OF SITE

2.1 The site is situated towards the western end of Littlebury Green on its south side at the end of a short section of shared access driveway and comprises a curtilage listed two storey traditional midstreyed barn converted to residential use with single storey subservient outbuilding range leading off to the side with associated domestic curtilage. The site is enclosed to the immediate north by Hillbury House, to the immediate east by Greenswood Barn and to the immediate south by the Grade II listed Teapond House with converted curtilage outbuilding (formerly known as Green Farmhouse).

2.2 Chestnut Barn has a steeply pitched peg tiled roof with black weatherboarded wall cladding with stained timber windows, whilst the subservient outbuilding range to the side has shallower and stepped down pantiled roofs with brick and weatherboarded wall cladding and timber windows also. The front of the site is at split level running north to south with a paved hardstanding area to the side at higher ground level enclosed by 1.8 metre high close boarded entrance gates onto the shared drive. Planted vegetation exists along the northern boundary of the site, whilst a Sweet Chestnut tree which is subject to a TPO stands close to the site frontage with the entrance gates.

3. PROPOSAL

3.1 This proposal relates to the erection of an open-sided cart lodge style double bay car port to be sited on the existing paved hardstanding area at the front corner of the site adjacent to the site entrance. The car port would have a clay pantiled gable roof with black shiplap gable ends and green oak upright support beams set onto brick piers with a stated height to the underside of the ridge of 4 metres and a stated width of 6 metres. A distance of 2.2 metres would be maintained between the outer side of the car port and the northern frontage boundary with Hillbury House beyond. The ridge height of the car port would be level with the ridge height of the lower height single storey extension range to Chestnut Barn.

4. APPLICANT'S CASE

4.1 None submitted, although not required.

5. RELEVANT SITE HISTORY

- 5.1 Conversion of barn with new extensions to form one residential dwelling at Green Farm (Barn 3) approved in 1992. Retention of chimney approved in 1995. Conversion and alterations to existing double car port garage and kitchen to form utility room and enlarged kitchen area approved in 2005. Insertion of 4 no. additional windows to ground floor approved in 2010. Installation of triangular window to east elevation and strengthening/alteration to tie beam approved in 2012. Preliminary enquiry made in 2014 in respect of proposed car port and rear porch to Chestnut Barn where this enquiry (car port only) forms the basis for the current planning application submission.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework.

6.2 Uttlesford District Local Plan 2005

- ULP Policy S7 – The Countryside
- ULP Policy ENV2 – Development affecting Listed Buildings
- ULP Policy ENV3 - Trees
- ULP Policy GEN2 – Design
- ULP Policy GEN8 – Vehicle Parking Standards

7. PARISH COUNCIL COMMENTS

- 7.1 Comments not received.

8. CONSULTATIONS

Specialist Advice on Conservation and Listed Buildings

- 8.1 Chestnut Barn is viewed as being listed by virtue of the former historic curtilage with the adjacent Green Farmhouse (now Teapond House). When the application for conversion of the barn to residential use was originally considered, the conclusion was reached that the historic benefits of retaining the building in the context of the historic farmstead was sufficient to outweigh national and local planning policies to restrict residential development in the open countryside. It could be said that the agricultural appearance of the site has been in great measure retained despite the barn's residential conversion.
- 8.2 Following the aims of protecting the character of such buildings, typically domestic features should be avoided. The proposed car port the subject of the current application has been subject to preliminary design advice. The car port would have a traditional pitched roof and would incorporate traditional external cladding materials. The proposed development is therefore considered acceptable in principle at this listed curtilage location and I am therefore able to support the application as submitted.

9. REPRESENTATIONS

- 9.1 1 representation received. Neighbour notification expired 27 November 2014. Advertisement expired 4 December 2014. Site notice expired 5 December 2014.

Teapond House, Green Farm, Littlebury Green

No objections providing the overall height of the proposed structure is not greater than the nearest existing building to ensure that the proposed development supports the massing of existing buildings.

10. APPRAISAL

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

- A Whether the proposed development by reason of its siting, design and scale would adversely affect the rural amenities of the area (ULP Policies S7 and GEN2);
- B Whether the development would adversely affect the character and setting of the curtilage listed building within the site and adjacent listed farmhouse (ULP Policy ENV2);
- C Impact of proposal on existing parking arrangements (ULP Policy GEN8);
- D Impact on residential amenity (ULP Policy GEN2);
- E Impact on adjacent TPO tree (ULP Policy ENV3).

A Whether the proposed development by reason of its siting, design and scale would adversely affect the rural amenities of the area (ULP Policies S7 and GEN2).

10.1 The site is located within the countryside within a small tightknit cluster of dwellings on the south side of Littlebury Green Road. ULP Policy S7 of the adopted local plan seeks to protect the countryside for its own sake, although this rural constraint policy allows for the provision within the countryside of appropriately sited, designed and scaled domestic extensions and curtilage outbuildings where significant harm to rural amenity would not occur by way of their introduction.

10.2 The proposed car port the subject of this householder application would be erected within the residential curtilage of Chestnut Barn immediately forward of the side extension range to the barn and would be partially screened by both the side entrance gates to the property and the hedged frontage boundary with Hillbury House. As such, the car port would be sited within a discreet and unobtrusive position within the application site close to the dwelling to which it would relate and would not by reason of these factors have an adverse impact on the rural amenities of the area. As such, the development would comply with ULP Policies S7 and GEN2.

B Whether the development would adversely affect the character and setting of the curtilage listed building within the site and adjacent listed farmhouse (ULP Policy ENV2).

10.3 The car port as a domestic curtilage outbuilding would be subservient in size and scale to Chestnut Barn given its single storey nature and would have a traditional design and appearance incorporating a clay pantiled roof and the use of green oak timber. The roof to the carport would have a ridge and eaves line commensurate with that of the roofs of the single storey side range to the main barn with matching roof pitch and roof tiles. The development would therefore maintain consistency with the architectural treatment and materials of the existing curtilage listed barn and extension range so as to minimise its impact on the barn's character and setting and those of the principal listed building (Tea Pond House) located to the immediate south. The proposal would therefore comply with ULP Policy ENV2 and also addresses the representation received concerning adjacent building compatibility.

C Impact of proposal on existing parking arrangements (ULP Policy GEN8).

- 10.4 The existing paved parking area to the front of the site currently has space for the parking of two resident cars where it should be noted that a former covered parking area originally incorporated into the footprint of the single storey side extension range for the barn conversion was subsequently converted to a utility room and enlarged kitchen area following the grant of planning permission by the Council in 2005 where the two remaining hardstanding spaces for the dwelling was considered to be an acceptable level of parking.
- 10.5 The proposed double bay car port would have stated size dimensions of 5.5m (W) x 6m (D) and would effectively fill the front hardstanding parking area. These stated dimensions would meet currently adopted parking standards of 5.5m x 2.9m for a single parking bay meaning that two cars could be adequately accommodated at the site as at the present time, only under cover again with no further loss of parking at the site. No parking objections are therefore raised to the proposal under this basis under ULP Policy GEN8.

D Impact on residential amenity (ULP Policy GEN2).

- 10.6 The car port would be sited a stated distance of 2.2 metres from the site's northern boundary with Hillbury House. The now established planting line along this northern boundary would ensure that only the roof of the structure would be visible from the rear garden of this adjacent property, which has a generous site curtilage. No amenity objections are therefore raised under ULP Policy GEN2.

E Impact on adjacent TPO tree (ULP Policy ENV3).

- 10.7 A mature Sweet Chestnut tree which is subject to a TPO stands just to the north-west of the site entrance along the shared access way. However, this tree would not be affected by the proposal given the separation distance involved and the open nature of the car port structure without reliance upon new strip footings. The proposal would therefore comply with ULP Policy ENV3.

11. CONCLUSION

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

- A The proposed car port would not be harmful to the rural amenities of the area, existing heritage assets or residential or tree amenity by reason of its siting, scale, design and external appearance, whilst adopted parking standards would be met. The proposal would therefore comply with ULP Policies S7, ENV2, ENV3, GEN2 and GEN8 of the adopted local plan and would be acceptable subject to appropriate conditions.

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. The clay roof pantiles for the car port hereby permitted shall match the pantiled roofs of the existing adjacent single storey range to the curtilage listed barn on the site.

REASON: To ensure that the development is compatible with the character and setting of the curtilage listed barn and the wider listed setting of Teapond House in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

3. The gable ends of the car port hereby permitted shall be of featheredged boarding.

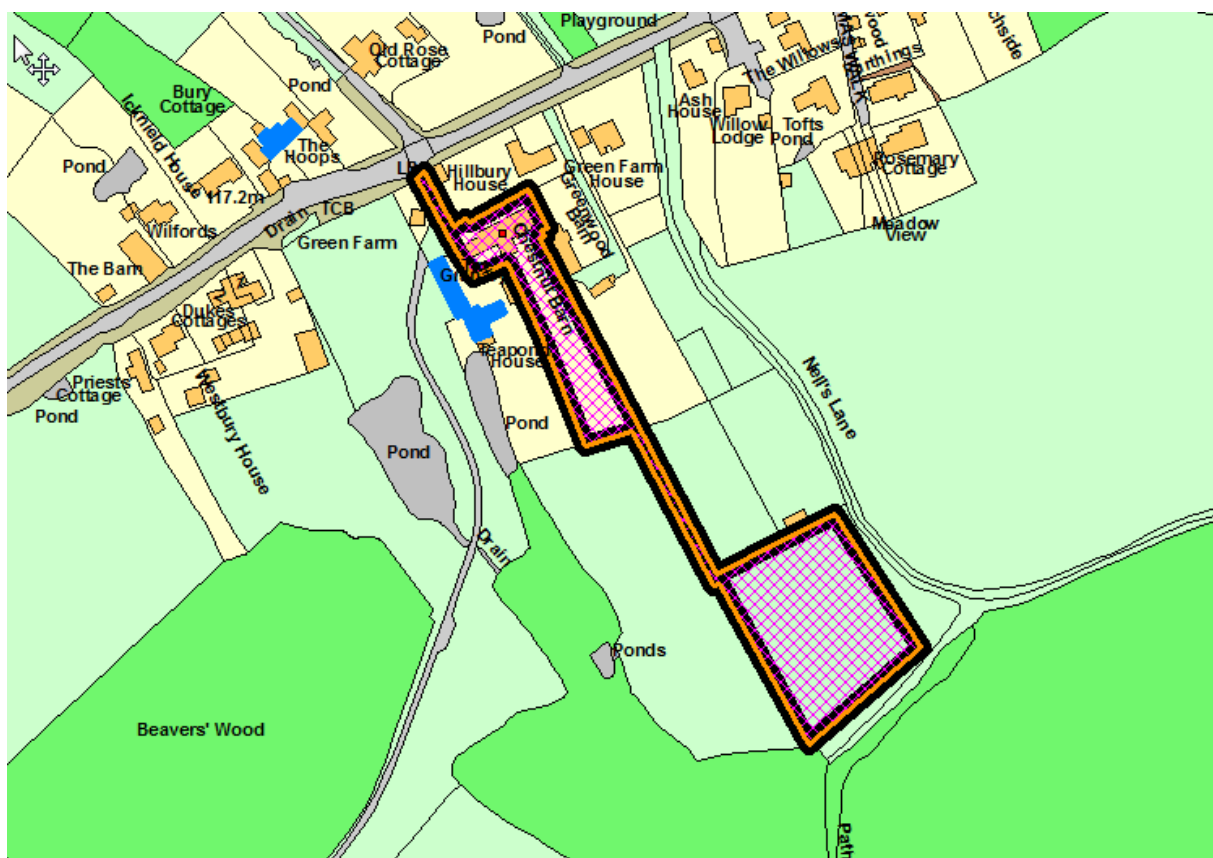
REASON: To ensure that the development is compatible with the character and setting of the curtilage listed barn and the wider listed setting of Teapond House in accordance with ULP Policy ENV2 of the Uttlesford Local Plan (adopted 2005).

4. 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), the car port hereby approved shall be retained for the parking of domestic vehicles in connection with the use of the property and shall not be converted to another use, including conversion to habitable accommodation, without the prior approval in writing of the local planning authority.

REASON: To ensure that sufficient off-road parking is provided and maintained at the site and to avoid the requirement for further buildings for this purpose in accordance with ULP Policies GEN8 and S7 of the Uttlesford Local Plan (adopted 2005).

Application no.: UTT/14/3257/HHF

Address: Chestnut Barn, Green Farm, Littlebury Green Road, Littlebury



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Organisation: Uttlesford District Council

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