

## UTT/14/3675/DFO (LITTLE DUNMOW)

(MAJOR)

**PROPOSAL:** Details following outline application UTT/13/2340/OP (outline application for removal of existing earth bunds; demolition of 1 and 2 Pit Cottages and other buildings/hard standings on site; and erection of 40 dwellings with associated access, parking and garaging and provision of public open space) – details of appearance, landscaping, layout and scale

**LOCATION:** Former Dunmow Skips Site, Station Road, Little Dunmow

**APPLICANT:** Persimmon Homes

**AGENT:** Persimmon Homes

**EXPIRY DATE:** 25 March 2015

**CASE OFFICER:** Karen Denmark

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### **1. NOTATION**

1.1 Outside Development Limits

### **2. DESCRIPTION OF SITE**

2.1 The site is located to the north of the Flich Green estate on the western side of Station Road. It covers an area of 1.09ha and formerly comprised a pair of semi-detached cottages on the northern third of the site with the remaining two thirds formerly used as a waste transfer station. There were some structures on the site which were used as part of the previous use. The waste transfer activities have now been relocated to Chelmsford and the site is vacant and has now been cleared.

2.2 The site boundaries comprise a mix of native species hedging, an earth bund around the waste transfer station area and close boarded fencing to the road frontage.

### **3. PROPOSAL**

3.1 The proposal relates to the submission of reserved matters following the grant of planning permission for 40 dwellings, associated access, parking and garaging and provision of public open space under reference UTT/13/2340/OP.

3.2 The reserved matters relate to appearance, landscaping, layout and scale. Access was previously approved under the outline application.

3.3 The proposal relates to the provision of 21 x 3 bedroom and 8 x 4 bedroom market dwellings, 1 x 2 bed bungalow, 6 x 2 bedroom and 4 x 3 bedroom affordable housing units. The affordable units, with the exception of the bungalow, will be 2 storey and the market dwellings will be a mix of 2 and 2.5 storeys (7 dwellings will be 2.5 storey).

3.4 The majority of the dwellings would be brick finish, although 4 dwellings would be render and two would have a render frontage. Four dwellings would be clad in black hardiplank to the front elevations. The brick dwellings would be clad with farmhouse

red Grovebury concrete pantiles and the four render plots would be clad with Redland concrete Landmark slate.

#### **4. APPLICANT'S CASE**

##### **4.1 Summary of the Design and Access Statement:**

The proposed development at Felsted will provide:

1. A new and attractive development to the area
2. A safe, attractive and secure environment
3. High quality development with a sense of place
4. Character and identity which relates to its wider context
5. Additional visitor parking within the development
6. An increased parking standards for new development
7. Public Open Space to encourage interaction between residents
8. Retained and enhanced natural landscape features
9. Interesting views and vistas
10. A good mix of dwelling sizes and types
11. Sustainable drainage for the area
12. Sustainable development principles that achieves level 3 of the code for sustainable homes, lifetime homes and wheelchair accessible homes.

#### **5. RELEVANT SITE HISTORY**

- 5.1 UTT/13/2340/OP: Removal of existing earth bunds and demolition of 1 and 2 Pit Cottages and other buildings/hard standings on site. Outline application for the erection of 40 dwellings with associated access, parking and garaging and provision of public open space. All matters reserved except access – Approved subject to S106 27 October 2014.

#### **6. POLICIES**

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

- National Planning Policy Framework

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

- GEN2 – Design
- GEN4 – Good neighbourliness
- GEN8 – Vehicle Parking Standards
- H9 – Affordable Housing
- H10 – Housing Mix
- GEN7 – Nature Conservation
- ENV7 – The Protection of the Natural Environment – Designated Sites
- ENV8 – Other Landscape Elements of Importance for Nature
- GEN3 – Flood Protection
- GEN6 – Infrastructure Provision to Support Development

#### **7. PARISH COUNCIL COMMENTS**

### Felsted Parish Council

- 7.1 The proposed house adjacent to the site entrance will obscure the view of traffic approaching the junction around a blind bend. Parking facilities are unclear. The earlier phases of the Flitch Green development had inadequate on- and off-street parking facilities, restricting access for service and emergency vehicles. The development will add to the level of congestion experienced by Felsted residents because of traffic movements between Flitch Green and Chelmsford.

### Flitch Green Parish Council

- 7.2 Continue to be concerned about the road safety implications of the access to the site and the increased volume of traffic that will be generated. Flitch Green members still consider that increased traffic trying to join Station Road from the site will potentially cause serious hazards to vehicles travelling in both directions on the highway. Question the sustainability of the proposal and highlight the lack of transport links to this location plus the fact that the extra housing with increased families will put further strain on the local schools and GP surgeries and infrastructure such as broadband/ telephone exchange. Still concerned about the measures to be put in place to cope with the disruption and impact on the highway caused by volume of vehicles and debris during construction of these new houses.

## **8. CONSULTATIONS**

### **Sport England**

- 8.1 Does not wish to comment on this particular application.

### **Airside OPS Ltd**

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

### **NATS (En Route)**

- 8.3 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

### **ECC Minerals and Waste**

- 8.4 No comments.

### **Natural England**

- 8.5 No objection in relation to statutory nature conservation sites. Refer to standing advice in relation to protected species.

### **Highways Agency**

- 8.6 Offers no objection.

### **Network Rail**

- 8.7 Network Rail has no observations to make as the proposed development does not impact upon Network Rail land.

### **ECC Ecology**

- 8.8 No further comments to make or objections to raise.

### **ECC Highways**

- 8.9 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions relating to satisfactory site access, wheel cleaning and parking for employees; estate roads to accord with adopted standards; carriageways constructed up to and including at least base level prior to commencement of erection of dwellings; the provision and implementation of a Residential Travel Information Pack.

### **Environment Agency**

- 8.10 No longer providing planning advice for developments over 1 hectare in size in Flood Zone 1. Fully support the advice of Essex County Council regarding the lack of detail of surface water drainage at this stage.

### **ECC Sustainable Drainage Officer**

- 8.11 Concerns in relation to original FRA don't appear to have been addressed. Concerns relating to pluvial flood risk. Not clear intrusive ground investigations have taken place. If infiltration not viable then discharge should be limited to greenfield 1 in 1 year rate where possible. If not possible then a 50% betterment of current rates should be demonstrated. Above ground storage should be provided to enhance the amenity and biodiversity on site. Detailed drainage design should be submitted now. Evidence should also be provided that discharge onto the highway would no longer occur.

## **9 REPRESENTATIONS**

- 9.1 This application has been advertised and 5 letters of representation have been received. Notification period expired 5 February 2015.

- 9.2 Issues raised are as follows:

- Development inappropriate for the prevailing road conditions
- Road already stretched to its limit with continuing growth of Oakwood Park
- Lack of services such as bus service and doctors
- Felsted has enough housing
- Environmental impact in the form of visual destruction
- Detrimental effect on the local flora and fauna
- Figure of 40 houses is far too high for size of site
- Virtually no open green space in the plan
- Lack of public transport makes this site unsustainable
- No local employment
- Proposed entrance/exit is dangerous
- Station Road prone to flooding – development will raise pluvial flood risk

- In close proximity to traveller site – already cultural and lifestyle clashes between travellers and local residents
- Should be refused and new scheme for less houses, open areas and roads accessible to emergency services

## **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, ULP Policy GEN2)
- B Dwelling mix and affordable housing provisions (NPPF, ULP Policies H9 and H10)
- C Parking provision (ULP Policy GEN8; SPD Parking Standards – Design and Good Practice)
- D Landscaping and open space (ULP Policies GEN2)
- E Drainage (NPPF, ULP Policy GEN3)

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

- 10.2 Paragraph 58 of the NPPF 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 ULP 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 safeguard 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 In line with the outline application, the proposal relates to 40 dwellings. These would be a mix of 3 and 4 bedroom market dwellings and 2 and 3 bedroom affordable dwellings. The dwellings would range from single storey (1 unit) to 2.5 storeys (7 units). The dwellings would be largely constructed in multi-red bricks, 4 units would be render and 7 further units would have a render front elevation and 4 units would have a weatherboarded front elevation. Roofs would be a mix of farmhouse red concrete pantiles and Redland concrete slate.
- 10.5 This site does sit in relative isolation and was the former site of a skip business and there was a pair of semi-detached chalet bungalows finished in render and plain tiles. Pound Hill Cottages, located to the north of the site are a mix of render and brick properties and whilst predominantly two storey, there are some with dormer windows and thus the appearance of 2.5 storey dwellings. Flitch Green, located to the south is a mix of property types and finishes, including 2 and 2.5 storey dwellings and brick and render finishes.
- 10.6 The proposed dwellings are of an appropriate scale and design for the local area. The mix of materials and finishes for the proposal are considered acceptable. The garden areas largely comply with the standards set out in the Essex Design Guide. However, plots 16, 17, 22, 25, 26, 31, 33, 35 and 37 fall between 89 and 99 sqm for 3 bedroom properties. Plot 39 has a garden size of 90sqm for a 4 bedroom property. Whilst these do not meet the required garden sizes for the properties, the site is constrained and

planning permission has been granted for 40 dwellings on this site. Therefore, on balance, it is considered acceptable for these plots to be undersized, subject to a condition removing permitted development rights. (Please note garden sizes are as measured by officers and not as per the table submitted by the applicant)

Plot No	No of beds	Car parking	Garden size	Plot No	No of beds	Car parking	Garden size
1	3	2	147	21	3	2	98
2	4	3	137	22	3	2	97
3	3	2	102	23	3	2	108
4	4	3	137	24	3	2	115
5	2	2	90	25	3	2	95
6	2	2	57	26	3	2	96
7	2	2	53	27	4	3	108
8	2	2	65	28	4	3	122
9	2	2	111	29	4	3	155
10	3	2	170	30	3	2	106
11	3	2	117	31	3	2	97
12	3	2	117	32	3	2	101
13	3	2	113	33	3	2	90
14	2	2	53	34	4	3	114
15	2	2	60	35	3	2	93
16	3	2	94	36	3	2	102
17	3	2	89	37	3	2	99
18	3	2	109	38	4	3	118
19	3	2	106	39	4	3	90
20	3	2	112	40	3	3	102

10.7 Due to the location of the site there would not be any adverse impacts on existing properties in the locality due to overlooking, overshadowing or overbearing. Within the development itself, there would be overlooking from plot 18 to the rear garden of plot 5. The private amenity space of plot 3 is located to the side of the dwelling and there would be some overlooking from plot 38. Whilst these issues raise some concern, on balance it is not considered that these are sufficient to warrant a refusal of the scheme.

10.8 The outline planning application indicated an area of public open space along the western boundary. However, due to the condition imposed on the outline consent requiring the reserved matters application to comply with the garden sizes as set out in the Essex Design Guide, and a requirement for the parking provision to meet adopted standards, this larger area of public open space has been substantially reduced. The S106 legal obligation requirement was just to provide open space which would be areas outside the residential curtilages. The reserved matters application shows three small areas of open space. These are located to the front of plots 5 and 16 and between plots 24 and 25, although this area also includes the visitor parking spaces and the parking spaces to plots 25 and 26.

10.9 The open space provision does not provide any meaningful area of open space that can be used for enjoyment by the residents. However, as already stated, this element of the proposals has been significantly diluted in order to comply with the condition requiring compliance with garden sizes. The areas provided comply with the definition of open space as set out in the S106 legal obligation and therefore it is considered, on balance, that there are not sufficient grounds to warrant a refusal in relation to this element of the proposals.

10.10 The site adjoins the Flitch Way with the rear boundaries of plots 12-15. Other development proposals in the district backing onto the Flitch Way have required a buffer zone of 5m of additional planting. This is not proposed in this scheme. However, this section of the Flitch Way is not part of the historical railway but is a modern path created following the construction of the traveller site which is constructed on land forming the original railway line. As such it is considered that the environmental sensitivity of this section of the Flitch Way is not as great as the main parts and on balance the buffer zone planting would not be required.

## **B Dwelling mix and affordable housing provisions (NPPF, ULP Policies H9 and H10)**

10.11 The proposed development includes 11 affordable dwelling units. These are located at plots 5-15 on the southern part of the site. These would comprise a 2 bedroom bungalow, 6 semi-detached 2 bedroom dwellings and 4 semi-detached 3 bedroom dwellings. This has been revised from the original submission and now meets the requirements in respect of affordable housing and complies with Policy H9.

10.12 The proposed market housing would consist of a mix of 21 three bedroom and 8 four bedroom houses. The proposed mix would be in accordance with Policy H10.

## **C Parking provision (ULP Policy GEN8; SPD Parking Standards – Design and Good Practice)**

10.13 The proposed parking provision for each property is set out in the table above. As can be seen, each property would have the required number of parking spaces as set out in the adopted standards. Plot 40 would have an additional parking space. In terms of parking provision for the proposed dwellings the proposal complies with the standards.

10.14 However, the proposal has a requirement for 10 visitor parking spaces. Only 3 parking spaces are proposed and these are provided at the expense of the public open space, as shown on the outline application. The requirement to comply with the condition imposed on the outline consent to ensure all properties meet the garden standards as set out in the Essex Design Guide has resulted in there being insufficient space within the site to accommodate the visitor parking. On balance, therefore, it is considered that the proposals are acceptable.

## **D Landscaping and open space (ULP Policies GEN2)**

10.15 As previously stated, the provision of open space within this scheme has been compromised by the requirement to comply with the condition relating to garden sizes. The open space provision is now limited to small areas next to the visitor parking between plots 24 and 25, a small area in front of plot 16 and a larger area in front of plot 5. The provision technically complies with the requirements of the S106 legal obligation. There was no condition relating to the provision of open space, and as such it is considered that the provision is adequate given the limits of the consent already granted.

10.16 A landscaping scheme has been submitted detailing the proposed planting. This indicates that the existing boundary screening will be retained. New hedge planting is indicated as being *Fagus sylvatica* (beech) adjacent to plot 35. Other hedging throughout the site will be *Potentilla Abbotswood* (a shrubby cinquefoil), *Ligustrum ovalifolium* (privet) and the majority being *Hebe x franciscana* Blue Gem (an evergreen shrub).

10.17 The proposed feature trees within the site would be 1 *Amelanchier lamarckii* Robin Hill, 4 *Carpinus betulus* Frans Fontaine (hornbeam) and 5 *Malus trilobata* (crab apple).

10.18 Given the rural location of this development, and the fact that the site is very visible within the landscape, it is important to ensure the landscaping retains the rural character of the location. The proposed planting is very urban in its nature and therefore would not represent an appropriate scheme for this location. Therefore it is recommended that a condition be imposed requiring the submission of a revised landscaping scheme.

## **E Drainage (NPPF, ULP Policy GEN3)**

10.19 The outline application was submitted with a FRA which the Environment Agency raised no concerns with, subject to a condition requiring the development to be carried out in accordance with the measures contained within the FRA. Since the outline consent was granted the responsibility for flood risk has transferred to the Lead Local Flood Authority (LLFA) which is Essex County Council. They have raised concerns in relation to the FRA and the fact that a detailed drainage scheme has not been submitted. Further information has been submitted to the LLFA by the applicant and the officer is currently awaiting a formal response. The applicant has stated that they would expect the submission of the full drainage scheme to be the subject of a condition. This is a reasonable request and as such it is considered the proposals comply with Policy GEN3.

## **11 CONCLUSION**

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

- A The house types, design and materials are considered appropriate to the area. The layout of the scheme has some design flaws, but these are not considered sufficient to warrant a refusal. It is recommended permitted development rights are removed on the plots with undersized gardens.
- B The private and affordable housing mixes are considered appropriate. The affordable housing provision meets the required size standards.
- C The parking provision for the properties meets the required standards. The visitor parking falls short by 7 spaces, but the site is constrained by the grant of planning permission for 40 dwellings and the requirement to comply with the garden sizes. On balance the scheme is considered acceptable.
- D The landscaping scheme is considered to fail to protect the character of the rural area and a condition is required for the submission of a further landscaping scheme.
- E The FRA submitted with the outline application was considered acceptable by the Environment Agency. The LLFA has raised some concerns but these can be dealt with by way of a condition.

## **RECOMMENDATION – CONDITIONAL APPROVAL**

Conditions/reasons:

1. Prior to the commencement of the development details of the drainage scheme shall be submitted to and approved in writing by the local planning authority. Subsequently the development shall be carried out in accordance with the approved details.



REASON: To ensure the development does not increase the risk of flooding within the site or the vicinity of the site, in accordance with Uttlesford Local Plan Policy GEN3 (adopted 2005)

STATEMENT: This condition is required to ensure that the drainage scheme is capable of being delivered to the requirements of the LLFA as this has not been clearly demonstrated with the details submitted.

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

- hard surfacing, other hard landscape features and materials
- existing trees, hedges or other soft features to be retained
- planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- details of siting and timing of all construction activities to avoid harm to all nature conservation features
- location of service runs
- management and maintenance details

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

STATEMENT: The retention of existing landscaping and the provision of appropriate landscaping is important to ensure the rural character of the site is retained.

3. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development, in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

4. Notwithstanding the landscaping scheme submitted, prior to the commencement of development a scheme showing the measures for the protection of the existing boundary trees and hedges shall be submitted to and approved in writing by the local planning authority. The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be

maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity, in accordance with Uttlesford Local Plan Policy GEN2 (adopted 2005).

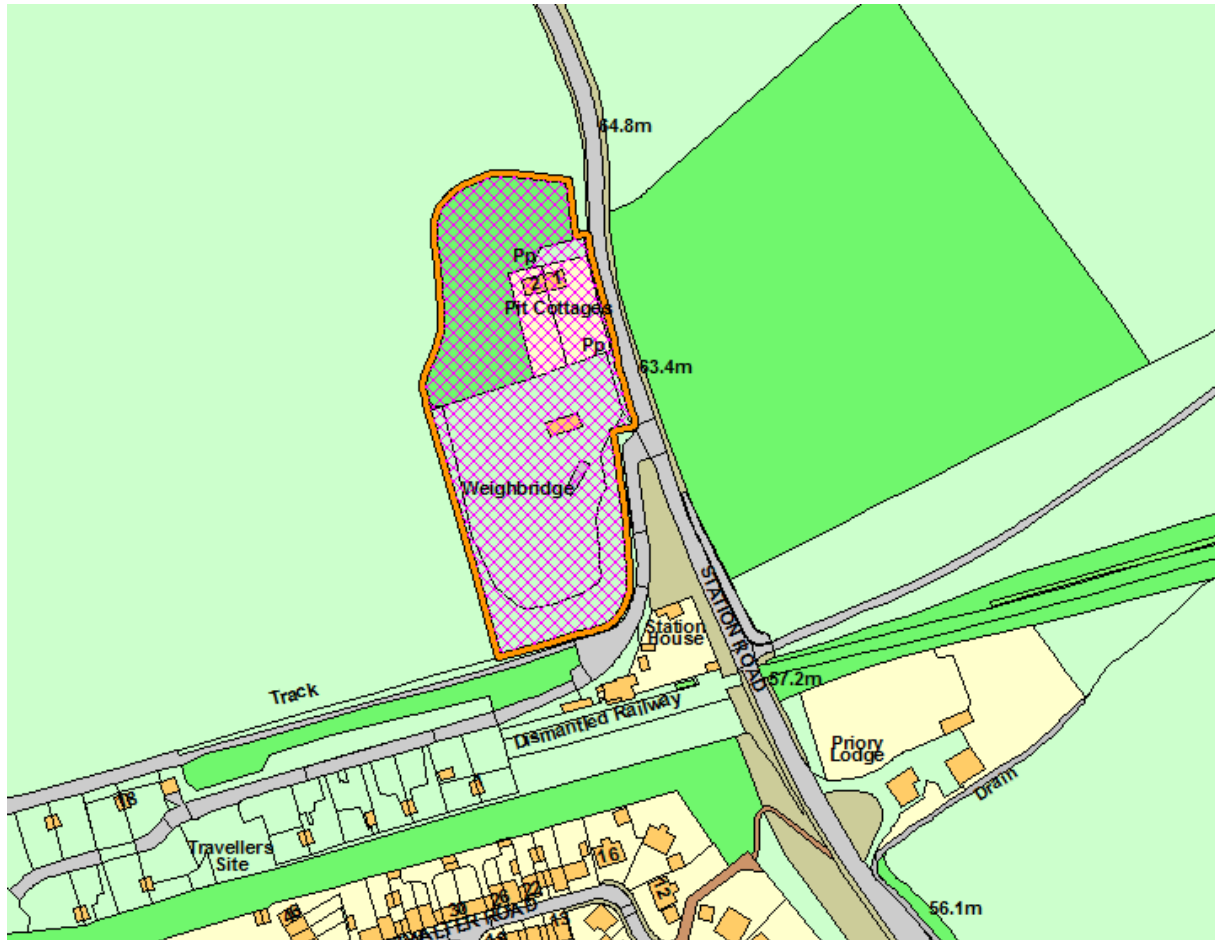
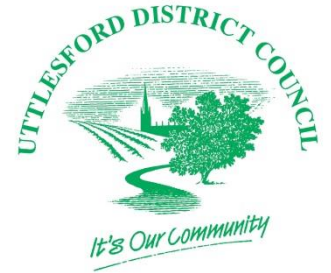
STATEMENT: The protection of the existing boundary screening is a fundamental element of the development of this site, given its countryside setting.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (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 on plots 16, 17, 22, 25, 26, 31, 33, 35 and 39.

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

Application no.: UTT/14/3675/DFO

Address: Former Dunmow Skips Site Little Dunmow



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