

UTT/15/1615/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: 21 August 2015

CASE OFFICER: Karen Denmark

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 five 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 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/14/3675/DFO: 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) – Refused 1 May 2015 on grounds of cramped layout, lack of play facilities, insufficient boundary screening and lack of visitor parking.
- 5.2 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

Flitch Green Parish Council

- 7.1 Members would like to reiterate concerns highlighted by FGPC when the original planning application was submitted regarding the access road to the development. The parish councillors consider the entrance/exit road to be potentially dangerous and would stress that they would like reassurance that Essex County Council's Highways Department will be involved in advising on lights of sight to ensure that the road does not become a hazardous junction. The Flitch Green members would also like to stress that pedestrian access, i.e. a proper footpath must be provided from the new development ensuring safe access for pedestrians walking to school, the new shop at Flitch Green etc.

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.

Natural England

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

Highways Agency

- 8.5 Offers no objection.

ECC Ecology

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

ECC Highways

- 8.7 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to a condition requiring a Construction Method Statement.

ECC Flood and Water Management

- 8.8 We object to this application and recommend refusal of planning permission until a satisfactory surface water drainage scheme has been submitted.

NHS England

- 8.9 We have no objection to the proposal and as the number of dwellings falls below our criteria we will not be seeking a developer contribution.

Access and Equalities Officer

- 8.10 All plots, except bungalow need to show through lifts. House types F, F1, H and Ha3 do not meet the lifetime homes criteria. The bungalow on plot 5 does not meet the wheelchair accessible criteria.

9 REPRESENTATIONS

- 9.1 This application has been advertised and 4 letters of representation have been received. Notification period expired 29 June 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, doctors and schools
- Will add to congestion in Felsted
- Support the previous reasons for refusal
- Development cramped, lack of play facilities, lack of open space and visitor parking
- Concerns about flooding
- Felsted has enough housing
- No more than 10 houses should be allowed and they should be screened
- Figure of 40 houses is far too high for size of site
- Pavement between development and Little Dunmow is unsafe to use

10 APPRAISAL

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)

- 10.1 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.

- 10.2 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.
- 10.3 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 5 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.
- 10.4 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.
- 10.5 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. Only plot 21 falls 2sqm short of the requirement. Whilst this does not meet the required garden size for the property, the shortfall is minimal. In addition the site is constrained and planning permission has been granted for 40 dwellings on this site. Therefore, on balance, it is considered acceptable for this plot to be undersized. In this respect it is considered that the applicant has largely overcome the previous reason for refusal in respect of garden sizes.

Plot No	No of beds	Car parking	Garden size	Plot No	No of beds	Car parking	Garden size
1	3	2	137	21	3	2	98
2	4	3	115	22	3	2	104
3	3	2	102	23	3	2	102
4	4	3	117	24	3	2	128
5	2	2	92	25	3	2	100
6	2	2	69	26	3	2	100
7	2	2	66	27	4	3	103
8	2	2	80	28	4	3	124
9	2	2	136	29	4	3	113
10	3	2	144	30	3	2	117
11	3	2	119	31	3	2	100
12	3	2	118	32	3	2	100
13	3	2	113	33	3	2	100
14	2	2	60	34	4	3	114
15	2	2	76	35	3	2	105
16	3	2	102	36	3	2	102
17	3	2	100	37	3	2	98
18	3	2	100	38	4	3	114

19	3	2	107		39	4	3	101
20	3	2	113		40	3	3	102

- 10.6 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 some overlooking from plot 18 to the rear garden of plot 5, although the revised layout indicates additional screening to be planted on the boundary of plot 5, including a Hornbeam tree. 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.
- 10.7 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 plot 5 and between plots 24 and 25, although this area also includes the visitor parking spaces and the parking spaces to plots 25 and 26.
- 10.8 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. It is acknowledged that members previously refused the scheme on the basis of insufficient amenity space, however this is a reserved matters application and it complies with the parameters set in the outline application.
- 10.9 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. The scheme indicates a buffer zone of planting to the rear boundaries of plots 10-12. Whilst no buffer zone is indicated to the rear of plots 13-15, these would be bound by a significant area of planting along the modern section of the Flitch Way. This element of the scheme has not been amended and therefore the reason for refusal has not been overcome. However, as these plots back onto the modern stretch of the Flitch Way there needs to be a balance between providing a buffer and providing an environment that meets the reasonable needs of all potential users, for example by ensuring garden sizes are adequate. On this basis it is considered that the proposals are acceptable.

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

- 10.10 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.
- 10.11 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)

10.12 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.

10.13 The proposal has a requirement for 10 visitor parking spaces, and the previous scheme only indicated 3 such spaces. This revised scheme incorporates 10 visitor parking spaces, three adjacent to the electricity substation, three between plots 24 and 25, 1 adjacent to plot 30, 2 to the front of plots 32-33 and 1 adjacent to plot 31. It is therefore considered that the applicant has now overcome the previous reason for refusal in respect of visitor parking provision and the proposals now comply with Policy GEN8.

D Landscaping and open space (ULP Policies GEN2)

10.14 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, and a small 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. Whilst the scheme has not been amended to overcome the previous reason for refusal, it is considered that refusing the application purely on the basis of lack of open space provision, particularly when the provision proposed complies with the outline consent, can be substantiated.

10.15 A landscaping scheme has been submitted detailing the proposed planting. This indicates that the existing boundary screening will be retained. The new landscaping scheme still indicates that the frontage of the site would be planted with a “native hedgerow mix” including Field Maple, Common Hazel, Hawthorn, Privet, Buckthorn, Guelder Rose and Field Rose. The feature trees along the frontage would be Bird Cherry. Adjacent to the entrance of the site, where room is restricted, it is proposed to plant a privet hedge. This is considered to be acceptable in terms of the impact on the character of the rural area.

E Drainage (NPPF, ULP Policy GEN3)

10.16 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 acknowledged that not all the previous reasons for refusal have been overcome. However, on balance Officers considered the previous scheme was acceptable, given the previous grant for outline planning permission for 40 units on this site, and this revised scheme overcomes the shortfalls in garden sizes and parking provision. Therefore, on balance, the scheme is considered acceptable.
- 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 has been amended since the previously refused scheme and now meets the required parking standards.
- D The landscaping scheme has been amended and includes native planting to the front boundary, with privet hedging adjacent to the entrance to the site. The revised landscaping scheme is considered acceptable.
- 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. All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawing no PR029.01B. 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).

3. 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.

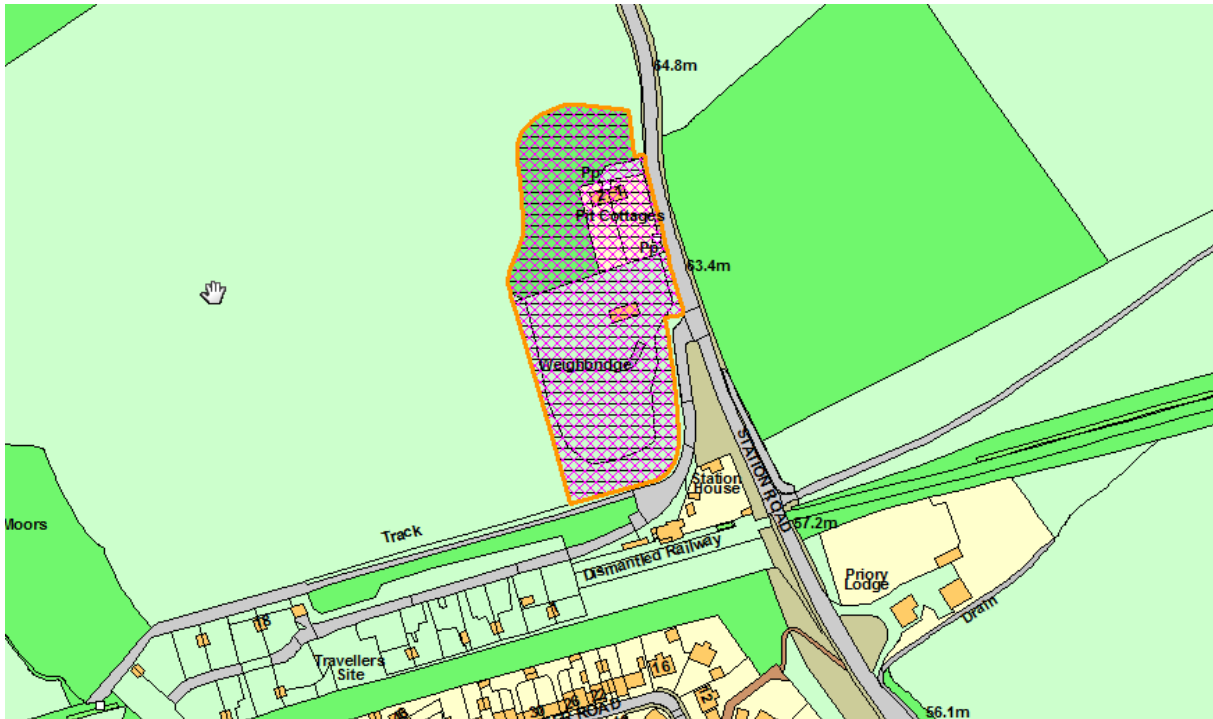
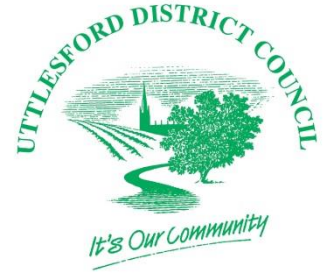
4. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide 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 Uttlesford Local Plan Policy GEN1 (adopted 2005).

STATEMENT: The above condition is required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Application Number: UTT/15/1615/DFO

Location: Former Dunmow Skips Station Road Felsted



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Organisation: Uttlesford District Council

Department: Planning

Date: 15 July 2015

SLA Number: 100018688