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Uttlesford District Council

Chief Executive: Dawn French

Planning Committee

Date: Wednesday, 10th April, 2019

Time: 2.00 pm

Venue: Council Chamber - Council Offices, London Road, Saffron Walden,
CB11 4ER

Chairman: Councillor A Mills

Members: Councillors R Chambers, P Fairhurst, R Freeman, E Hicks,
M Lemon, J Lodge, J Loughlin (Vice-Chair), H Ryles and L Wells

Substitutes: Councillors T Farthing, A Gerard, G LeCount, J Redfern and G Sell

Public Speaking

At the start of each agenda item there will be an opportunity for members of the public to make statements to the Committee subject to having given notice by 2pm on the day before the meeting. Please refer to further information overleaf.

AGENDA PART 1

Open to Public and Press

1 Apologies for Absence and Declarations of Interest

To receive any apologies for absence and declarations of interest.

2 Minutes of the Previous Meeting

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To consider the minutes of the previous meeting.

3 UTT/18/1256/OP Land to West of Stortford Road, Clavering

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To consider application UTT/18/1256/OP

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| 11 | UTT/19/0043/FUL 25 Loompits Way, Saffron Walden | 117 - 124 |
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| | To consider The Chief Officer's Report on application UTT/18/0386/FUL | |
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Agenda Item 2

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 13
MARCH 2019 at 2.00 pm**

Present: Councillor A Mills (Chairman)
Councillors P Fairhurst, R Freeman, E Hicks, M Lemon,
J Lodge, J Loughlin, H Ryles and L Wells

Officers in attendance: N Brown (Development Manager), K Denmark (Development
Management Team Leader), A Mawson (Democratic Services
Officer), L Mills (Planning Officer), E Smith (Solicitor) and
C Tyler (Planning Officer)

PC142 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Chambers.

Councillors Freeman and Fairhurst declared a non – pecuniary interest as members of the Saffron Walden Town Council.

Councillors Freeman, Fairhurst and Lodge declared a non – pecuniary interest in item 3 as the applicant is a personal friend.

Councillor Lodge declared a non – pecuniary interest in item 4 as the applicant is known to him.

PC143 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting were approved and signed as an accurate record.

Councillors Fairhurst, Freeman and Lodge left the meeting

PC144 **UTT/18/3278/FUL - REAR OF 22 THAXTED ROAD, SAFFRON WALDEN**

The Planning Officer presented the application for the retrospective removal of the existing timber shed building and the proposed erection of a single dwelling. The dwelling will be a terrace dwelling two storey to the front of the site and three storeys to the rear. The application revised the previously refused planning application (UTT/18/1824/FUL).

The Committee raised concerns about the space required for parking and manoeuvring on site to enable safe access and exit of the site.

The Planning Officer confirmed that there was parking allocated at the rear.

The Chairman proposed a deferral on the grounds that a parking layout was required by The Committee.

Councillor Hicks seconded the motion for a deferral.

RESOLVED to defer the application pending the provision of a parking layout.

Councillors Fairhurst, Freeman and Lodge returned to the meeting.

PC145 UTT/18/3451/HHF - 3 LITTLE WALDEN ROAD, SAFFRON WALDEN

The Planning Officer presented the application for the proposed construction of a single storey rear extension with a 1.2m addition to the side. With the proposal to convert the loft space and insert two rear facing dormers with roof lights to the front facing roof slope. Changes to internal layout.

Councillors Freeman, Ryles and Fairhurst raised concerns in relation to the roof lights and dormers in a conservation area. They said that a conservation area is a special area and that a higher standard should be applied.

Councillor Hicks said that he didn't see any problems with overlooking and had no objection to the plans.

The Chairman said that although there were no other dormers in the immediate vicinity that there were in fact fairly prominent ones in the conservation area and that they were needed to make practical use of the loft space and that he had no problem with the development.

Councillor Lemon proposed the motion to approve the application.

Councillor Hicks seconded the motion.

RESOLVED to grant permission in line with the conditions in the decision notice.

PC146 UTT/18/2055/FUL - CUTLERS GREEN FARM, CUTLERS GREEN, THAXTED

The Development Management Team Leader presented the application for a change of use of Grade II Listed barn to provide a residential dwelling, change of use and extension of curtilage barn to residential, change of use and residential conversion of existing agricultural silos, demolition of other agricultural buildings and structures, and erection of new agricultural-style dwellings and link buildings to provide seven residential dwellings with associated parking, landscaping and private amenity space and erection of new garage to serve plot one.

The Development Management Team Leader said in response to a request to move or remove the roof lights, that there is evidence that there were historically roof light structures on the agricultural building and that they were in keeping

with the design. She also advised that she would be happy to remove permitted development rights in line with the Committee's requests.

In response to a Member's query the Development Management Team Leader said that the submission of materials was an administrative function and that the conditions stipulated full submission. The Development Manager said that the Planning Officer would make the judgement and that this would not come back to Committee.

Councillor Fairhurst said that with the removal of the permitted development rights he would be happy to propose approval.

The Chairman asked for conservation roof lights to be conditioned and The Development Management Team Leader advised that this was covered in Condition 13.

Councillor Fairhurst proposed the motion for approval of the application.

Councillor Ryles seconded the motion.

RESOLVED to grant permission with the conditions laid out in the decision notice.

V. Forbes and L. Dudley-Smith spoke on the application and application UTT/18/2238/LB.

PC147 UTT/18/2238/LB - CUTLERS GREEN FARM, CUTLERS GREEN, THAXTED

The Development Management Team Leader presented the application for the conversion of and alterations to Grade II Listed barn to provide a residential dwelling, conversion, extension and alterations to curtilage barn to residential. In connection with the previous application UTT/18/2055/FUL.

The Chairman proposed approval of the application.

Councillor Fairhurst seconded the proposal.

RESOLVED to grant permission with the conditions laid out in the decision notice.

PC148 UTT/18/3326/PIP - LAND WEST OF STORTFORD ROAD, CLAVERING

The Planning Officer presented the application for permission in principle for the erection of a minimum of six dwellings and a maximum of eight dwellings.

Councillor Loughlin said that it was felt that the application was not in accordance with the local plan.

Councillor Fairhurst said that the cumulative impact on the village of developments was a concern.

Councillor Lodge proposed a motion for deferral, however following debate withdrew his motion with no seconder.

Councillor Fairhurst proposed a motion for refusal.

Councillor Loughlin seconded the proposal for refusal.

RESOLVED to refuse permission for the following reasons:

1. The proposed development would result in the urbanisation of open countryside, thereby causing substantial harm to the rural character of the area in conflict with Policy S7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework (NPPF). In the context of paragraph 11 of the NPPF, this adverse effect would significantly and demonstrably outweigh the benefits of the proposal.
2. The proposed development conflicts with policies S7 and H1 of the Uttlesford Local Plan (adopted 2005) insofar as they relate to the location of housing.

P. Walters spoke on behalf of Councillor Oliver, F. Woods, S. Gill and C. Hutchinson spoke on the application.

PC149 **UTT/18/3457/FUL - SAFFRON WALDEN CASTLE, MUSEUM STREET, SAFFRON WALDEN**

The Planning Officer presented the application for works to the ruins of Walden Castle to allow for public access, comprising a new internal floor to the castle, new security gates and fence and an external lighting scheme.

The Members expressed a desire to set a curfew on the light illuminating the castle.

Councillor Mills proposed a motion to approve with conditions.

Councillor Ryles seconded the motion.

RESOLVED to grant permission with conditions as laid out in the decision notice.

PC150 **UTT/18/3422/FUL - SAFFRON WALDEN MUSEUM, MUSEUM STREET, SAFFRON WALDEN**

The Planning Officer presented the application to repair and rebuild section of boundary wall at Saffron Walden Museum.

Councillor Fairhurst proposed a motion to approve the application.

Councillor Lemon seconded the proposal.

RESOLVED to grant permission for the application.

PC151 **UTT/18/3421/LB - SAFFRON WALDEN CASTLE, MUSEUM STREET, SAFFRON WALDEN**

The Planning Officer presented the application for listed building consent to repair and rebuild section of boundary wall at Saffron Walden Museum.

Councillor Fairhurst proposed a motion to approve the application.

Councillor Lemon seconded the proposal.

RESOLVED to grant permission for the application.

PC152 **UTT/19/0194/FUL - WASTE LAND SPACE, RADWINTER ROAD, SAFFRON WALDEN**

The Planning Officer presented the application for a change of use from waste land to domestic garden land including the erection of 1.8m high closed board fencing with concrete posts and gravel boards.

In response to a member's question the Planning officer advised that the land is owned by Uttlesford District Council.

The Chairman added that this was a tidying up exercise of a problematic piece of land.

Councillor Fairhurst said that he would have liked this to have been offered to the cemetery which had a growing demand and restricted space.

Councillor Mills proposed a motion to approve the application.

Councillor Ryles seconded the motion.

RESOLVED to grant permission for the application.

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UTT/18/1256/OP (CLAVERING)

(MAJOR)

PROPOSAL: **PROPOSAL: Outline application for up to 31 no. Dwellings (net gain of 30 units), with all matters except access reserved. Demolition of 'Poppies' and alterations to access onto Stortford Road to create access road. Provision of 38 no. parking spaces for visitors to adjacent school. Extension of school playing field and creation of sports pitch. Provision of open space and play areas, balancing pond and associated infrastructure.**

LOCATION: Land West of Stortford Road

APPLICANT: Mrs Pat Rowe

AGENT: Mr Christopher Hennem

EXPIRY DATE: 17 August 2018

CASE OFFICER: Sara de Barros

1. NOTATION

1.1 Outside of development limits, SSSI Impact Risk Zones

2. DESCRIPTION OF SITE

2.1 The application site consists of a detached dwelling which faces onto Stortford Road on the Western side, is bounded on all sides by residential properties and Clavering Primary School which lies on the eastern boundary.

2.2 Open fields lies to the rear of the residential curtilage of dwelling known as Poppies. The application site consists of a detached dwelling which faces on to Stortford Road and benefits from a detached double garage to the front side.

2.3 The host dwelling is comprised of a one and half storey detached dwelling with undeveloped fields classed as open Countryside that has been used as Farmland to the south-west of the site.

2.4 A public footpath runs along the northern, eastern and Southern boundary.

2.5 The site of Poppies is approximately of 0.2 ha and the land to the rear of the garden of Poppies measures approximately 3.3ha. The average residential curtilage serving properties to the West of Stortford Road are relatively long and extend onto this parcel of land.

2.6 To the West of the application site lies further fields that serves the Farm approximately 400m away.

2.7 The site lies close to an ancient scheduled monument, Clavering Castle.

3. PROPOSAL

- 3.1 The proposal relates to the erection of 30no dwellings and one replacement dwelling and the creation of additional infrastructure for the primary school, most notably the provision of a drop-off/parking to serve the school and the creation of a car parking area within the school and a new playing field.
- 3.2 The application seeks outline consent with all matters except access reserved. The proposed scheme would seek to demolish the existing dwelling known as Poppies to create an access off Stortford Road.
- 3.3 The new car park serving the School proposed the creation of 38no parking Spaces. The proposed scheme would also seek to provide passing bays to alleviate the current parking situation encountered at the School. This would see an improved drop off pick up area for parents at the School.
- 3.4 The proposed scheme also seeks to gift a piece of land to the School to serve as an extension to the existing playing fields pitch. The land that is proposed to be gifted to School will support the Schools future plans for expansion to the Primary School.
- 3.5 The proposed scheme is for 31no dwellings, 12of which would be affordable and the proposed mix would be;

Affordable rented

- 2no 1 bed flats
- 1no 2 bed bungalow
- 3no 3 bed houses
- 2no 3 bed houses

4no shared ownership housing

- 2no 2 bed houses
- 2no 3 bed houses

Market housing

To be determined at reserved matter application

- 3.6 The application proposes that a condition is imposed at outline stage to secure the provision of single storey dwellings on the Northern boundary. This is to ensure no detrimental impact is created upon the amenities of occupiers of the dwellings facing onto Pelham Road.
- 3.7 A balancing pond is proposed to the South of the proposed site to provide a suitable drainage scheme to serve the proposed development.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute EIA (Environmental Impact Assessment) Development for the purposes of the Town Country Planning Regulations 2017.

5. APPLICANT'S CASE

- 5.1 The application has been submitted with the following accompanying documents;
- Landscape and Visual Impact Assessment
 - Planning Statement
 - Preliminary Arboricultural Method Statement
 - Site Specific Flood Risk Assessment

- Sustainability Statement
- Transport Statement
- Tree Survey, Arboricultural Impact Assessment
- Ecological Scoping Survey
- Biodiversity validation checklist
- Site Waste Management
- Design and Access
- Statement of Community Involvement
- Planning Policy Document
- SUDS Checklist
- Supporting information regarding Parking Spaces
- Clavering Arable Land description
- Examples of previous projects
- Laps and Leaps report
- Affordable housing statement
- NC16.297-Lva01 Viewpoint photos
- Landscape and Visual Appraisal
- Revised NPPF Update to Planning Statement
- EIA Screening
- Structural assessment

Statement of community involvement

- 5.2 Consultations have been undertaken through a series, exhibitions prior to the submission of the application with the Planning authority. Great effort was made to ensure that the local public was notified of the exhibition, by way of advertising and Open discussions were held at the public event.

The feedback received from the community involvement process has been provided within the application and was of most very positive.

6. RELEVANT SITE HISTORY

- 6.1 UTT/0781/01/FUL -Two Storey extension and single storey extension
- 6.2 UTT/0068/79 -Double garage and conversion of integral garage

7. POLICIES

- 7.1 Section 70 (2) of The Town and Country Planning Act 1990 requires the local Planning authority, in dealing with a planning application, to have regard to:
- (a) the provisions of the development plan, so far as materials to the application
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations

Relevant development plan policies and material considerations are listed below;

7.2 Uttlesford Local Plan (2005)

S7 Outside Development Limits
 GEN1 Access
 GEN2 Design
 GEN3 Flooding

GEN5 Light Pollution
GEN6 Infrastructure provision to protect development
GEN4 Good Neighbourliness
GEN7 Nature conservation
GEN8 Vehicle parking standards
ENV5 Protection of agricultural land
ENV8 Other Landscape Elements of Importance for Nature Conservation
H9 Affordable Housing
H10 Housing Mix
LC4 Provision of Outdoor Sport and Recreational Facilities Beyond
Development limits

7.3 **Supplementary Planning Documents/Guidance**

- Lifetime Homes
- Parking Design and Access (2009)
- The Essex Design Guide (2005)
- Uttlesford Local Residential Parking Standards (2013)

7.4 **National Policies**

National Planning Policy Framework (NPPF)

7.5 **Other Material Considerations**

Emerging Local Plan policies have been considered in the decision making process:

SP1 Presumption in Favour of Sustainable Development
SP2 The Spatial Strategy 2011-2033
SP3 The Scale and Distribution of Housing Development
SP10 Protection of the Countryside
SP12 Sustainable Development Principles
SP13 Historic Environment
H1 Housing Density
H2 Housing Mix
H6 Affordable Housing
H10 Accessible and Adaptable Homes
TA1 Accessible Development
TA2 Sustainable Transport
TA2 Provision of Electric Charging Points
TA3 Vehicle Parking Standards
INF1 Infrastructure Delivery
INF4 High Quality Communications Infrastructure and Superfast Broadband
D1 High Quality Design
D2 Car Parking Design
D8 Sustainable Design and Construction
D9 Minimising Carbon Dioxide Emissions
EN7 Protecting and Enhancing the Natural Environment
EN10 Minimising Flood Risk
EN11 Surface Water Flooding
EN12 Protection of Water Resources
C1 Protection of Landscape Character

8. CLAVERING PARISH COUNCIL COMMENTS

- 8.1 Clavering Parish Council **OBJECTS** to this application as this application as the application fails on the following points;

FAILS Uttlesford District Council Saved Local Plan Policy S7

The proposed development is outside the envelope of the village. It is inappropriate development. There is no reason to make it an exception. The December 2017 Affordable Housing Survey by RCCE demonstrates the current need for affordable housing in the village of Clavering and is served by the approved, but not yet built, planning application UTT/15/2606/DFO which provides 6 affordable houses.

8.2 **FAILS Uttlesford District Council Policy GEN1 – Access**

The access to the main road network is not capable of carrying the traffic generated by the development safely. The Parish Council believes the design of the site compromises safety. The vehicle numbers using the access onto the Stortford Road to join the main road network is obviously not safe for users of the pavement on the West side of Stortford road. This is particularly concerning given the proximity to a nursery school, preschool and primary school (who all share the ECC site on the Stortford Rd). It also unclear from submitted drawings whether a car can turn into the access road at its junction with the Stortford Road if one is leaving. There are no turning details shown for the passage of refuse vehicles for the access road around the site. There is no clear indication on the drawings of the access road of the dimension of the roadway for vehicles and the allowance provided for pedestrians and other users of the access road. No footways appear to be shown for 21 properties, with 8 appearing to have footways shown to be on the opposite side of the access road to the property and the remaining 2 properties appearing have pathways to the front of the dwelling. There are no cycle paths shown. There is a concern in relation to the safety of the proposed herringbone parking areas which, as detailed, do not provide for safe opening of car doors for those with children under 12 years of age nor adequate safe refuges to reach/leave pathways.

- 8.3 Further, the primary school safeguarding policies (which shares its site with a preschool and a nursery school) are unlikely to allow further points of access into the school grounds rather than through its main gate.

- 8.4 There is no evidence that it has been designed to meet the needs of people with disabilities.

- 8.5 The development does not encourage movement by means other than driving a car. The extra 30 households may easily generate an expected 120 vehicle movements a day (average of 2 cars per household as there are no bus services except for school buses in term time). In term time, with the land given over for school parking/drop off, there can be expected to be an ingress and egress of 38 school vehicle movements twice a day, which is 152 vehicle movements. A conservative total number of vehicle movements on a school day is therefore 272 additional car movements.

8.6 **FAILS Uttlesford District Council Policy GEN2**

The planned access road brings traffic close to three residential properties, a nursery school and a primary school where traffic was not previously; this is therefore a material adverse effect on the reasonable occupation and enjoyment of the residential properties and the schools, given the projected number passing to access the housing or parking areas.

- 8.7 There does not appear to be mitigation for the environmental impact of vehicle emissions as vehicles on the access road pass particularly these three residential properties and nursery school and/or wait at the traffic calming measures especially during school drop-off times.
- 8.8 **FAILS Uttlesford District Council Policy Policy GEN2**
The planned access road brings traffic close to three residential properties The planned access road brings traffic close to three residential properties, a nursery school and a primary school where traffic was not previously; this is therefore a material adverse effect on the reasonable occupation and enjoyment of the residential properties and the schools, given the projected number passing to access the housing or parking areas.
- 8.9 There does not appear to be mitigation for the environmental impact of vehicle emissions as vehicles on the access road pass particularly these three residential properties and nursery school and/or wait at the traffic calming measures especially during school drop-off times.
- 8.10 **FAILS Uttlesford District Council Policy Policy GEN3**
There is known rain run-off from the field to be developed, which results in the rear gardens of adjoining properties along the west side of Stortford Road being flooded.
- 8.11 At times there is rain run off into the road as there are no surface drains on the west of Stortford Road. Given the expected slope of the new access road and there being no drains presently, nor appearing to be shown in drawings from the proposed sloping access road through the demolished property 'Poppies' to its junction with the Stortford the properties. Road, rain run-off from the sloped access road will fall across the Stortford Road to on the east side of Stortford Road.
- 8.12 **FAILS Uttlesford District Council Policy GEN4**
The developing of the access road and use of the sloping section to assess the site later will cause a material disturbance to the occupiers of the three residential properties. The nursery school, the pre-school and the primary school.
- 8.13 **FAILS Uttlesford District Council Policy H4**
There is undoubted disturbance to three adjoining residential properties, the nursery school, preschool and the primary school caused by the projected number of vehicle movements along the access road in term- time and outside term time before vehicles reach the proposed development of houses or parking spaces.
- 8.14 **If UDC cannot demonstrate a 5 year land supply this Application FAILS the Planning Policy Framework (NPPF) on Sustainability** which is required for development on a greenfield site as;
- there is no proven need for this development to take place in the village of Clavering.
 - the current Draft Local Plan shows only a development of 13 houses only for Clavering – a development for 13 houses has already been granted which been granted planning permission (UTT/15/2606/DFO)
 - The countryside should be protected for its own sake.
 - the lack of accessible public transport and heavy reliance on car transport means that this site is unsustainable.
 - The only bus services in the village are the school buses to local schools: these do not connect with the train stations at Audley End (7miles distant) nor Newport (3 miles distant) so there are no sustainable public transport

links.

- Rain is known to currently run-off this site and flood the rear gardens of adjoining properties. Further, as there are no surface drains on the west of the Stortford Road at the junction of the new access road, rain run-off from the sloped access road will run off over the road surface. The proposal for the development of this site does not address this infrastructure need.
- The safety and well-being of all pedestrian users of this proposed development is not considered or met:
- hool parking as detailed does not provide for safe opening of car doors for those with children under 12 years of age nor adequate safe refuges.
- There is no clear indication on the drawings of the access road of the dimension of the roadway for vehicles and the allowance provided for pedestrians and other users of the access road. No footways appear to be shown for 21 properties, with 8 appearing to have footways shown to be on the opposite side of the access road to the property and only 2 appearing to be outside the dwellings.
- There is no requirement to bring new households to secure Clavering's vibrancy in the future as was proved in its being the RCCE Essex Village of the Year 2014, having also held the title in the 1990's. In the citation, Nick Shuttleworth, director of the RCCE, paid tribute to Clavering, saying: "Our competition is all about rewarding vibrant, enterprising and caring villages, a description that sums up Clavering very well. Our judges met with people of all ages who showed real pride in the community and a vision for its future."
- Regarding meeting the affordable housing needs of present and future generations, the December 2017 Affordable Housing Survey by RCCE demonstrates the current need for affordable housing in the village of Clavering is amply served by the approved, but not yet built, planning application UTT/15/2606/DFO which provides for 6 such homes.
- The application makes no provision, financial or otherwise, for the increase in school places (childcare, through early years and primary to secondary school) which will be generated by the development. It provides a mitigating offer for the primary school only which falls far short of known contributions currently being requested by Essex County Council for education needs of all children in relation to sites being proposed for development in Uttlesford.
- As the only bus services in the village are school buses, which run in term time only, it should be noted that the nearest health care services to be used by occupants of this site are 3 miles distant and can only be accessed at reasonable hours by car as there is no accessible public transport in the village.

9. CONSULTATIONS

HOUSING

- 9.1 The delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units and 20% on schemes 11-14 units.

The affordable housing provision on this site will attract the 40% policy requirement as the site is for 30 (net) units. This amounts to 12 affordable housing units and it is

expected that these properties will be delivered by one of the Council's preferred Registered Providers. The mix and tenure split of these properties should be indistinguishable from the market housing, in clusters of no more than 10 with good integration within the scheme and be predominately houses with parking spaces. The following mix has been suggested and I confirm it is compliant with Council policy.

The applicant has stated two of these properties will be wheelchair accessible. This should include the 2 bed bungalow and a house.

UK Power

- 9.2 Thank you for contacting us regarding UK Power Networks equipment at the above site I have enclosed a copy of our records which show the electrical lines and/or electrical plant. I hope you find the information useful

I have also enclosed a fact sheet which contains important information regarding the use of our plans and working around our equipment. Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works.

Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

Sport England

- 9.3 Thank you for consulting Sport England on the above application. I can confirm that the consultation has been received and was accepted on 21/05/2018.

In accordance with Paragraph 011 of NPPG (Article 22 of the Development Management Procedure (England) Order 2015), Sport England will respond to this consultation within 21 days of the date of acceptance.

Aerodrome Safeguarding Response

- 9.4 The Safeguarding Authority for Stansted Airport has assessed this proposal and potential to conflict aerodrome Safeguarding criteria. We have no safeguarding objections to the proposal.

Ecology

- 9.5 No objection subject to securing biodiversity mitigation and enhancement measures
Summary

I have reviewed the ecology Report (Arbon, Dec 2016) supplied by the applicant, relating to likely impacts of development on Protected & Priority habitats and species, particularly nesting birds. I note that no data search has been undertaken, this ecological information should ideally be presented as a Preliminary Ecological Assessment and follow standard format (CIEEM guidelines). There is no identification of proportionate mitigation for habitats and species impacted by the development.

There are 14 trees that will need to be removed to facilitate development, a (cypress) hedge and 7 fruit trees. Traditional orchards are priority habitat and the loss of this habitat will need to be compensated for. The trees should be replaced on

a one for one basis and the hedgerow also created within the development design (all nesting bird habitat).

This scheme is substantial and should offer ecological enhancements to create net gain for biodiversity in line with the NPPF. I recommend a biodiversity enhancement plan be drawn up showing the location and numbers of suitable mitigation and enhancement measures appropriate to the site's location and species

Suggested condition

A Biodiversity Enhancement Plan containing the details and locations of the compensation and enhancement measures shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) Archaeology

Archaeology

- 9.6 The applicant should be required to conduct a field evaluation to establish the nature and complexity of the surviving archaeological assets. This should be undertaken prior to a planning decision being made. This work would enable due consideration to be given to the historic environment implications and would lead to proposals for preservation in situ and/or the need for further investigation.

Environmental Health

- 9.7 This is an outline application for the construction of up to 31 no. Dwellings on a greenfield site, with all matters except access reserved. The proposal includes the demolition of one dwelling, 'Poppies' and alterations to the access onto Stortford Road to create a new access road. The proposal also includes the provision of 38 no. parking spaces for visitors to adjacent school, an extension of the school playing field and creation of sports pitch. There is also provision of open space and play areas, a balancing pond and associated infrastructure.

The site is a greenfield parcel of arable land bounded by housing and Clavering Primary School to the east, further residential housing to the north and further arable fields to the west and south. The site boundary is defined to the immediate west by a public footpath, and by existing residential gardens & school playing fields to the north and east. Curles Manor, which includes an existing operating farm, lies further west of the proposed development site. Some 200m further to the west of the site is a small sewage treatment works that is presumed to serve the local community.

This is a potential source of odour, but it is noted that there are a number of existing and established houses and allotments already situated between the sewage treatment works and the proposed development site. It is therefore presumed that any nuisance odour issues will already have been addressed in relation to these sewage treatment works, and no special conditions in relation to odour have been included in this consultation response as a result.

The key environmental issues in relation to the proposed development are the potential noise impacts (on existing and proposed future occupiers), and land contamination risks. I can respond to these matters as set out below.

Land contamination

- 9.8 This is predominantly a greenfield site which has historically been used for agricultural purposes, with the access road being formed from an existing residential property with garden. The Sitecheck report submitted with the application identified a potential tank close to the proposed access road (which may be associated with the car breakdown breakdown and recovery business also identified in that location). However, it is noted that these are close to the proposed access road and not the main area of housing proposed. As a result, it is recommended that the following condition is attached to any consent granted.

If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

Reason: To protect human health and the environment

Light

- 9.9 No details of external lighting have been provided with this outline application. The following condition is therefore recommended to ensure that any lighting scheme introduced in conjunction with the development does not have an adverse impact on existing neighbouring residential occupiers from obtrusive or spillover light or glare.

Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

Noise

Transport sources

- 9.10 The key operational noise impact associated with the proposed development is the potential impact from vehicles using the new access road as proposed on existing neighbouring residential occupiers who currently border the existing residential property that it is proposed to demolish to create the new access road. This has been acknowledged by the applicant who has proposed to install an acoustic fence along the boundary of the access road to the site. The following condition is recommended to ensure that any scheme provides a suitable level of acoustic attenuation to existing neighbours.

No development shall take place until a scheme for protecting existing dwellings from noise arising from road traffic on the new access road has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

Reason: To protect the residential amenity of existing neighbouring occupiers.

Construction management Plan

- 9.11 This is a substantial development that could have significant impacts on the amenity of existing neighbouring residential occupiers during the site preparation and construction phases of the development. To mitigate any adverse impacts, it is essential to ensure that all construction operations are carried out in accordance with an approved Construction Management Plan. The following condition is recommended to address this.

Prior to the commencement of the development, a detailed construction management plan shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing***
- b) Hours of operation, delivery and storage of materials***
- c) Details of any highway works necessary to enable construction to take place***
- d) Parking and loading arrangements***
- e) Details of hoarding***
- f) Management of traffic to reduce congestion***
- g) Control of dust and dirt on the public highway***
- h) Details of consultation and complaint management with local businesses and neighbours***
- i) Waste management proposals***
- j) Mechanisms to deal with environmental impacts such as noise, air quality (including fugitive dust), light and odour.***

Reason: In the interests of highway safety and the control of environmental impacts

Education

- 9.12 Having viewed the proximity to the site to the nearest primary and secondary schools, Essex County Council will be seeking a secondary school transport contribution.

In view of the above, I request that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on childcare, primary education, secondary education, secondary school transport.

10. REPRESENTATIONS

- 10.1 Neighbours were notified of the application by letter and a site notice was displayed near the site. The following concerns have been raised among the submitted representations, including from the 'Hands Off Clavering' group:

- 1) No need for additional housing in Clavering
- 2) The site is located beyond Development Limits
- 3) Harm to the character of the village and its setting
- 4) Increased traffic and risk to road safety
- 5) Inadequate sustainable transport opportunities
- 6) Overbearing impact on neighbouring properties
- 7) Overlooking of neighbouring properties
- 8) Increased risk of flooding

- 9) Increased pollution e.g. air, noise and light
- 10) Inadequate infrastructure e.g. education, healthcare
- 11) Loss of high quality agricultural land
- 12) Local services and facilities do not require the support of further housing
- 13) Approval would set a precedent for further development

10.2 The comments made in the representations have been covered in the assessment

11 APPRAISAL

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

- A) Principle of development (ULP Policies S7, LC4, ENV5; NPPF) Housing
- B.) Design and residential amenity (ULP Policy GEN2; NPPF)
- C.) Mix and affordable housing (ULP Policies H9, H10; NPPF)
- D.) Vehicular access and parking (ULP Policies GEN1, GEN8; NPPF)
- E.) Flood risk and drainage (ULP Policy GEN3; NPPF)
- F.) Biodiversity (ULP Policies GEN7, ENV3, ENV8;NPPF)
- G.) Education
- H.) Agricultural land (ENV5 & 170)
- I.) Housing land supply
- J.) Other material considerations

A Principle of development (ULP Policies S7, LC4, ENV5; NPPF)

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

11.3 The application site is predominately located outside the development limits of Saffron Walden and is therefore located within the Countryside where ULP Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. It is not considered that the development would meet the requirements of Policy S7 of the Local Plan and that, as a consequence, the proposal is contrary to Policy S7 of the 2005 Local Plan.

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

Furthermore at the moment in time the Council is unable to demonstrate a 5 year land supply and in accordance with Para 14 of the NPPF there is a presumption in favour of sustainable development and policies which restrict housing are considered out of date. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Policies of the NPPF when taken

- as a whole.
- 11.5 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.
- 11.6 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. Whilst the proposed development does not directly provide employment it has been stated within the Design and Access Statement that the proposed development would provide short term employment for locals during the construction of the site, however it would also support existing local services and provide the possibility of small start-up businesses. The improved infrastructure as a result of the proposed development would facilitate ease of movement within the area and the School and provide links to other employment areas. The improved infrastructure would increase the potential for the use of alternative means of travel to areas of employment. This proposal would help deliver an economic role.
- 11.7 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed for the district, including a provision of affordable housing, and housing designed to Lifetime Homes Standards. Whilst design is a reserved matter, the illustrative Master Plan indicates a development that reflects the rural character of the location. Landscaping would be used to reduce the visual impacts and some landscaping elements would introduce additional facilities required for health, social and cultural well-being. These include proposed open spaces; children play spaces, recreation/sports pitches. This proposal would help to deliver a social role.
- 11.8 Environmental role:
The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. Whilst layout, scale, design and landscaping are to be reserved matters, there is significant detail within the illustrative Master Plan and the Design and Access Statement to demonstrate how landscaping and biodiversity would be enhanced and preserved. This proposal would help to deliver an environmental role.
- 11.9 The proposals would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise. Significant weight is attached to this and it is considered that national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan. The development is considered to be sustainable development and therefore the principle of the proposal is acceptable.
- 11.10 The proposal will involve the loss of best and most versatile agricultural land. This is defined both by the Local Plan and the NPPF so as to include land in Agricultural Land Classification (ALC) Grade 3. The application will result in the permanent loss of a relatively modest piece of land. Local Plan Policy ENV5 does not seek to prevent the loss of Best and Most Versatile land (BMV) agricultural land if there is no lower value land available. The fact that there is a shortage in the 5 year land supply needs shows that there is insufficient land available within settlement

boundaries or brownfield sites. A high percentage of the agricultural land within the district is Grade 2 and the rest is Grade 3. Within that context it is not considered that there is sufficient lower grade agricultural land that is sustainably related to existing settlement to meet needs and therefore it is not considered that there is conflict with Policy ENV5.

B Design and Residential amenity

- 11.11 Policy GEN2 requires, inter alia, development to be compatible with the scale, form, layout and appearance of surrounding buildings and to provide an environment which meets the reasonable needs of all potential users. The proposed dwellings are considered to be of an acceptable design and the proposed mix of materials would be appropriate
- 11.12 Essex Design Guide which is non-adopted supplementary guidance sets out the requirement for minimum garden sizes. It is considered that the proposed scheme would comply with the guidance as it is considered the site can accommodate a development of this scale comfortably without creating a visually dominant form of development or lead to a loss of privacy to occupiers of neighbouring occupiers.
- 11.13 Residential amenity is assessed in terms of a proposal's impact upon privacy levels for neighbouring occupiers, whether the development would cause excessive shadowing or create a visually dominant feature.
- 11.14 Residential amenity must be considered in terms of the impact on future occupiers of the development and on existing homeowners.
- 11.15 As this is an outline application, the details of the pattern and layout of development would be assessed within a reserved matters application. The proposed drawings associated with the application demonstrates the site can accommodate development of proposed scale and form without adverse impact upon nearby neighbouring dwellings.
- 11.16 Furthermore, the most affected neighbours would be situated on Pelham Road and it is the intention the layout of these properties fronting these neighbours would be of single storey in nature.
- 11.17 Nearby dwellings on Skeins Way face the playing fields and would to a certain degree experience increased noise at peak school hours. It is not envisaged the proposed extension to the School grounds would exasperate the situation. A condition to restrict lighting on this boundary would be imposed as part of the Planning consent.

C Housing mix and Affordable housing (ULP Policies H9, H10; NPPF)

- 11.18 The proposal relates to the erection of 31no dwellings with a mix of one,two and three bedroom units. This would include 40% affordable dwelling units. Four bungalows are also included in the development and are to be sited on the northern boundary. The affordable is as follows;

The proposed mix would be;

Affordable rented

2no 1 bed flats

1no 2 bed bungalow

3no 3 bed houses

2no 3 bed houses

4no shared ownership housing

2no 2 bed houses

2no 3 bed houses

Market housing

To be determined at reserved matters application

Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the affordable housing ration would be 40% in line with Policy H9.

D Access and parking (ULP Policies GEN1 & GEN8)

- 11.19 Policy GEN1 requires development to have access to the main road network which must not compromise road safety. The proposal looks to use the existing access that serves The existing property known as Poppies onto Stortford Road.

The proposed access is from a single point onto Stortford Road as shown on the indicative Drawing, the existing access is to be redeveloped and will require engineering works to level the gradient of the land to accommodate the development.

To soften the appearance of the development, a green buffer and fencing has been incorporated into the proposed scheme to minimise impact upon residential amenities as Tamar and The Old Garage House to protect these properties.

The proposed access road would give sufficient visibility on both sides and of sufficient size to serve the proposed development and the dedicated parking areas to serve the School.

Policy GEN8 requires development to provide the number, design and layout of parking spaces in accordance with the current adopted standards.

- 11.20 Taking into account the comment of the Highways Officer it is considered there would be no adverse effects on road safety or capacity, in principle and appropriate conditions to be imposed on the layout of the parking scheme and the principle of residential parking as pre-commencement conditions.
- 11.21 A subsequent application for technical details would need to be approved at reserved matters stage to provide for car parking layout and design therefore the layout at this stage is indicative.

E Flood risk

- 11.22 Taking into account the comment of the Highways Officer it is considered there would be no adverse effects on road safety or capacity, in principle and appropriate conditions to be imposed on the layout of the parking scheme and the principle of residential parking as pre-commencement conditions.

A subsequent application for technical details would need to be approved at reserved matters stage to provide for car parking layout and design therefore the layout at this stage is indicative

- 11.23 The proposal relates to a site of 3.60ha, is located within Flood Zone 1, and ECC is the Lead Local Flood Authority for the area and they have produced a checklist for developers to complete to be submitted with planning applications.

- 11.24 Policy GEN3 contains the Local Plan Policy for flooding, the NPPF states that inappropriate development in areas of flooding should be avoided by directing development away from areas at highest risk (NPPF Part 10) Policy GEN3 does not permit development within the functional floodplain unless there is an exceptional need. Outside Flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment is sufficient to demonstrate this point. Sustainable drainage should also be considered as an appropriate flood mitigation measure in the first instance.
- 11.25 The environment agency identifies the site as being in the lowest of the three bands of flood risk i.e. Flood Zone 1. The framework indicates that all types of development are appropriate in this zone and hence no requirement for sequential or exemption testing.
- 11.26 The Planning submission is accompanied by a Flood risk assessment which provided guidance in relation to surface and foul water runoff, flood risk mitigation measures and concludes that the proposed scheme includes suitable flood resilient/resistant measures on a site that is within a low probability of flooding. The report states that the proposed scheme can be constructed and operated safely in flood risk terms and is therefore an appropriate development in accordance with the NPPF.
- 11.27 The proposed scheme would not give rise to increased flood risk on the site or elsewhere subject to appropriate mitigation measures.

F Biodiversity

- 11.28 Policy GEN7 seeks to protect wildlife, geological features and protected species and their habitats. Development that would be harmful to these elements will not be permitted. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured. In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Similar requirements are set out in Regulation 3(4) of the Conservation (Natural Habitats &c) Regulations 1994, Section 74 of the Countryside and Rights of Way Act 2000 and Regulation 9(5) of the Conservation of Habitats and Species Regulations 2010. A Biodiversity Questionnaire has to be submitted by the applicant of any application to assess the likely presence of protected species within or in close proximity to the application site.

Accordingly specialist ecology advice has been sought from Essex County Council Place Services Ecology. They have no objections subject to conditions being complied with. The development is therefore considered to accord with Policy GEN7.

G Education

- 11.29 Essex County Authority have assessed the application on the basis of 30 new dwellings, It has been advised assuming the units are for homes of two or more bedrooms a development of this size could generate the need for up to 2.79 early years places, 9.30 and 6.20 secondary places to meet the statutory demands.

The costs implication of the development would be at a cost of £48,607 for early years, which equates to £17,422 per place.

In terms of Primary School education, the development sits within the primary

admissions area of Clavering primary school which can accommodate up to 175 pupils and due to pressure in the area is due to be expanded to 210 places. Looking to the wider area, by the year 2021/22 a forecast of 531 places is expected against a current number of 478. The result of the development would add to this pressure and thereby, mitigation is required in the form of a contribution towards primary school places .

The Frankland Academy in Newport is in a similar position with 5,225 places for the area of Uttlesford as a whole and by 2023/23 it is envisaged the requirement will rise to 5,552 therefore contributions will be required to fund extra places.

Based on the demand generated by the proposal as set out above, a developer Contribution of £143,927, index linked to April 2018, is sought to mitigate its impact on local secondary school provision. This equates to a cost per place of £23,214.

Based on the above the education capacity would be secured by the completion of a section 106 agreement, subject to the approval of the application.

H Agricultural Land (ENV5 & 170)

- 11.30 Policy ENV5 seeks to prevent significant losses of the best and most versatile (BMV) agricultural land, and paragraph 170 of the NPPF has a similar objective. The site is classified as Grade 3, which is regarded as low value quality land, the development would not represent a significant breach of these policies because the land is of moderate size in agricultural terms.

I Housing land supply (11 & 73)

- 11.31 Paragraphs 11 and 73 of the NPPF describe the importance of maintaining a five year supply of deliverable housing sites. As identified in the most recent housing trajectory document, Housing Trajectory and 5-Year Land Supply Statement 1 April 2018 (October 2018), the Council's housing land supply is currently 3.46 – 4.45 years. Subsequent updates to the NPPF and PPG in February 2019 regarding housing needs calculations indicate that the land supply is likely to be lower. Therefore, contributions towards housing land supply must be regarded as a positive effect.

J Other material considerations

- 11.32 Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' indicate that proposed dwellings should meet the Lifetime Homes standards on accessibility. The Planning Practice Guidance explains that enhanced accessibility should be sought only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations (Paragraph: 008 Reference ID: 56-008-20150327). This policy, last updated in March 2015, effectively updates the Council's policies, although the SPD does form the basis for selecting the appropriate accessibility standard.
- As the SPD only requires wheelchair-accessible housing in major residential developments, it would be appropriate to use a condition requiring that the proposed dwellings to be erected in accordance with Requirement M4(2) of the Building Regulations.

12. CONCLUSION

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

- A** The proposal does not accord with the development plan due to conflicts with policies on the location of housing, countryside character
- B** Notwithstanding the above, it is concluded that the proposal represents 'sustainable development' in the context of the NPPF. The tilted balance at paragraph 11 is engaged because relevant policies for the supply of housing, including the associated site allocations and Development Limits, are out of date. In this case, the limited adverse effect on countryside character would not significantly and demonstrably outweigh the benefits from the proposal's contribution towards housing land supply
- C** Taking into account the more up-to-date nature of the NPPF with respect to the determining issues, it is considered that the lack of accordance with the development plan is overridden in this instance. Regard has been had to all other material considerations, and it is concluded that planning permission should be granted

RECOMMENDATION – CONDITIONAL APPROVAL – SUBJECT TO S106 LEGAL OBLIGATION

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding 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 Director of Legal Services & Governance, in which case he shall be authorised to conclude such an obligation to secure the following:**
 - (i) Provision of 40% Affordable Housing**
 - (ii) Provision and Maintenance of Public Open Space**
 - (iii) Provision of Land for Extension of School Playing Field**
 - (iv) Provision of Car Parking Spaces for School**
 - (v) Pay Council's Reasonable Legal Costs**
 - (vi) Monitoring Charge**
- (II) In the event of such an obligation being made, the Assistant Director Planning 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 by 14 June 2019 the Assistant Director Planning shall be authorised to refuse permission in his discretion at any time thereafter for the following reasons:**
 - (i) Lack of Provision of 40% Affordable Housing**
 - (ii) Lack of Securing Provision and Maintenance of Public Open Space**
 - (iii) Lack of Provision of Land for Extension of School Playing Field**
 - (iv) Lack of Provision of Car Parking Spaces for School**

Conditions

- 1. Approval of the layout, scale, landscaping, 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 (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.
- (B) The development hereby permitted shall be begun no later than the expiration of 2 year from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

- 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 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 in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, 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 ULP Policies ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 5 No development, including groundworks (other than those required to investigate site conditions and carry out agreed remediation), shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005):

(i). A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those on site.

(ii). The results of a site investigation based on (1) and detailed risk assessment, including a revised CSM.

(iii). Based on the risk assessment in (2) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include details of the site profiling to be carried out and a sampling strategy to characterise the nature of soils in gardens and soft landscaped areas following site profiling. It shall also include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

(iv). No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (3). The long term monitoring and maintenance plan in (3) shall be updated and be implemented as approved.

REASON: (common to all parts): To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, 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 ULP Policies ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 6 The Reserved Matters application shall include an accessibility drawing. The details submitted shall set out measures to ensure that buildings are accessible to all sectors of the community. Buildings shall be designed as 'Lifetime Homes' and shall be adaptable for wheelchair use. All the measure that are approved shall be incorporated in the development before occupation.

REASON: To meet the requirements of Supplementary Planning Document - Accessible Homes and Playspace in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 7 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.

- 8 The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 9 The dwelling hereby permitted must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

- 10 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 ;

- 1) The parking of vehicles of site operatives and visitors
- 2) loading and unloading of plant and materials
- 3) storage of plant and materials
- 4) wheel and underbody cleaning facilities
- 5) it should avoid the delivery of plant and materials during the beginning and end of the school day

Reason; To ensure that on-street parking of these vehicles in the adjoining street does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interest of highway safety and Policy DM1 of the Highway Authority's development management policies February 2011.

- 11 Prior to first occupation of the development, the vehicular access shown in principle in drawing number 473.HW01A the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall not be less than 3 metres and shall be provided with an appropriate dropped kerb vehicular crossing of the footway/highway verge.

The development shall be implemented in strict accordance with these details shall not be changed without prior written permission from the local planning authority.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety and in accordance with ULP Policy GEN1.

- 12 Prior to first occupation a scheme of traffic calming on the access road shall be agreed with the highway authority and implemented.

Reason; In the interest of highway safety in accordance with Policy DM1 OF THE Development management policies as adopted as County council supplementary guidance in February 2011.

- 13 Prior to the first footway between the new access road and the school shall be widened to a minimum of 2m as shown in principle drawing number 473.HW01A and drop kerb crossing points provided across Clavering road as shown in drawing 473HW04A.

Reason; In the interest of highway safety in accordance with Policy DM1 OF THE Development management policies as adopted as County council supplementary guidance in February 2011.

- 14 Prior to the development the developer shall consult with the North Essex Parking Partnership on the parking scheme shown in principle in drawing 473.HW03 and as required publicly consult on the agreed scheme. If the scheme is agreed following public consultation the agreed scheme shall be delivered, with the developer covering the costs of all necessary TRO's road marking, and signage before final occupation of the development.

Reason; In the interest of highway safety in accordance with Policy DM1 of the Development management policies as adopted as County council supplementary guidance in February 2011.

- 15 Prior to occupation of the proposed development, the developer shall be responsible for the provision and implementation of a residential travel pack per dwelling, for sustainable transport, approved by Essex County Council.

Reason; In the interest of reducing the need to travel by car and promoting sustainable transport in accordance with Policy DM9 and DM10 Development management policies as adopted as County council supplementary guidance in February 2011.

- 16 No development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site.

Moreover, it must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments.

The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 17 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 18 All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Biodiversity Assessment (Skilled Ecology Ltd, Oct 2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes bat sensitive lighting, due diligence regarding nesting birds, replanting any trees lost on a one for one basis, precautionary measures for amphibians, protection of the pond from construction impacts, installation of bat and bird boxes and use of native planting.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 and in accordance with ULP Policy GEN7

UTT/18/2600/FUL

(Application by Uttlesford District Council)

PROPOSAL: Proposed demolition of 12 no. bungalows and replacement with 16 no. fit for purpose dwellings (8x 2B4P dwellings and 8x 1B2P Flats).

LOCATION: The Moors, Moors Lane, Little Dunmow

APPLICANT: Uttlesford District Council

AGENT: R Howard c/o Ingleton Wood LLP

EXPIRY DATE: 27 December 2018 (Extension of time agreed)

CASE OFFICER: Clive Theobald

1. NOTATION

- 1.1 Outside Development Limits / adjacent to Conservation Area / affecting setting of adjacent Listed Buildings.

2. DESCRIPTION OF SITE

- 2.1 The site lies at Pound Hill at Little Dunmow at the junction of The Street and Station Road adjacent to Moors Lane and comprises a row of 12 no. post-war built Uttlesford District Council owned semi-detached bungalows with associated curtilages which are set back from the highway on slightly elevated ground behind a wide greensward with frontage lay-by (formerly the beginning of The Street) and adjacent small frontage resident parking area and also rear service road with additional resident parking. Two Grade II listed cottages (Brights Cottage and The Cottage) stand to the immediate east of the site fronting onto Moors Lane, whilst a further Grade II listed cottage (Willow Cottage) lies behind the site at the end of Moors Lane. Open agricultural land lies to the rear. The site for the purposes edged in red has an area of 0.53 ha. A large mature Maple tree stands onto the site's eastern boundary, whilst other trees stand within the south-east corner of the site.
- 2.2 The site slopes gently from east to west across the site before inclining again towards the main village settlement. All of the bungalows are presently unoccupied after the termination of UDC tenancies, whilst the site itself is fenced off. Bus stops, one with a shelter, stand just to the south-west of the site along The Street. A large modern detached dwelling in grounds (Barley Barn) lies to the south-west of the bus stops before further 1½ and 2 storey houses beyond leading into the settlement itself.

3. PROPOSAL

- 3.1 This application submitted by Uttlesford District Council relates to the demolition of the existing 12 no. bungalows and their replacement with 16 no. "fit for purpose" 100% affordable dwelling units for local needs which would be for ownership and management by the district council together with the provision of a new 4.5m wide private service road and existing access improvements.

- 3.2 The development would comprise terraced dwellings, a pair of semi-detached dwellings and two blocks of flats situated at right angles to each other consisting of 8x 2 bed 4 person dwelling units and 8x 1 bed 2 person flats whereby it is proposed that the 8 no. dwellings would be for affordable rent and the 8 no. flats would be for social rent.
- 3.3 Plots 1-5 would contain 1½ storey cottage style dwellings, whilst Plots 6-8 would contain larger 1½ storey dwellings, whilst Plots 9-16 would contain two small blocks of 1½ storey flats with shared amenity space. Both the new dwellings and flat blocks would stand on the footprints of the bungalows to be demolished. The new dwellings and flats would be externally clad in grey pantiles and cream through-colour render on red brick plinths and would have grey uPVC windows, fascias and soffits.
- 3.4 Resident parking would be in the form of retained frontage resident parking, new on-plot hardstanding parking and also retained rear service road parking. The existing frontage greensward would be retained through the proposal as a soft landscaping feature.
- 3.5 The application is accompanied by the following reports:
- Drainage Strategy (Rossi Long Consulting)
 - Tree Survey and Report BS5837:2012 (Norfolk Wildlife Services, November 2017).
 - Ecology report (Wild Frontier Ecology, August 2018)
 - Phase 1 Desk Study Report (Richard Jackson, December 2017)

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The application has been considered against The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, although does not qualify as Schedule 2 development given the size of the development.

5. APPLICANT'S CASE

- 5.1 The application is accompanied by a Design & Access Statement (Ingleton Wood, 12 December 2017 - updated) which informs the submitted proposal with reference to the site and its surroundings, the wider site context, mix and density, layout, scale and massing, design, access and parking, trees and landscaping.
- 5.2 Supplementary information in support of the application was submitted by Ingleton Wood on 27 February 2019 which states the following:

“A meeting was held on the 21st February 2019 between the planning consultant and architect from Ingleton Wood acting on behalf of Uttlesford District Council, the applicant from Uttlesford District Council and also planning officers from Uttlesford District Council. Following this meeting and in support of this proposal are amended plans. These plans show the following changes:

- Wording on the block plan amended to state ‘tree to be retained’
- Variation to the palette of materials (grey UPVC windows, grey pantiles, cream render) as shown on the elevational plans
- The addition of gabled dormer windows to the two storey units
- An amendment to the ridge on the flats to show a lower ridge height.

In addition, further justification is provided for both the mix of dwellings proposed, the amended palette of materials, and the scale and height of the proposed development”.

5.3 The supplementary information concludes as follows:

The application proposes a mix of 16 high quality homes, creating a sustainable, inclusive and a mixed community on the edge of Little Dunmow. The scheme providing 16 no. affordable units would meet an identified need of housing in the district; this forms a material consideration of substantial weighting.

The principle of the site accommodating residential development is accepted given the current lawful use of the site. The proposal, by reason of its design, layout and landscaping is considered to result in a visual enhancement to both the immediate and wider locality, especially from the views of the site afforded from Station Road. The scheme by reason of its scale, bulk and height is considered to result in a sympathetic addition to the streetscene, taking cues from the scale and massing of other residential properties in the vicinity.

In terms of the quality of accommodation, the scheme is in accordance with the Essex Vehicle Parking Standards and the Essex Design Guide standards, and the scheme provides a high quality, usable and accessible level of Public Open Space which has been retained to the north of the site, providing an additional source of open space for future occupiers to access.

The scheme, as a result of its affordable housing contribution, dwelling mix which meets an identified need, quality of accommodation, and visual appearance proposes an enhancement to the area, and a sustainable residential development to the District. Accordingly, the proposed development is entirely consistent with the adopted Development Plan and underpinned by the principles of the National Planning Policy Framework. On this basis, it is therefore respectfully requested that the application is approved”

6. RELEVANT SITE HISTORY

6.1 The proposed replacement Council housing scheme at the site the subject of the current planning application has been the subject of pre-application discussions with Council Planning Officers when it was confirmed that the proposal to replace the existing Council bungalows with new fit for purpose dwellings for social housing would be acceptable in principle at this edge of settlement location.

6.2 Subsequent discussions have taken place between UDC Housing Officers, UDC Planning Officers and the Council's planning consultant and architects following the submission of the current application, most notably on 21 February 2019 in response to consultation comments received from the Parish Council and local residents on the submitted scheme in relation to the scale and appearance of the development which has resulted in revised drawings being submitted showing modifications to the elevational treatments of the proposed dwellings and flats (see Applicant's Case above for further discussion and also below).

7. POLICIES

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside

ULP Policy ENV2 – Development affecting Listed Buildings
ULP Policy ENV3 – Open spaces and trees
ULP Policy H1 – Housing development
ULP Policy H9 – Affordable Housing
ULP Policy H10 – Housing Mix
ULP Policy H11 – Affordable Housing on “Exception Sites”
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Risk
ULP Policy GEN7 – Natural Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Emerging Local Plan (2018)

Policy SP1 – Presumption in Favour of Sustainable Development
Policy SP2 – The Spatial Strategy 2011-2033
Policy SP3 - The Scale and Distribution of Housing Development
Policy SP10 – Protection of the Countryside
Policy SP12 – Sustainable Development Principles
Policy H1 – Housing Density
Policy H2 – Housing Mix
Policy H5 – Residential Development in Settlements without Development Limits
Policy H6 – Affordable Housing
Policy H10 – Accessible and Adaptable Homes
Policy TA1 – Accessible Development
Policy TA3 – Vehicle Parking Standards
Policy D1 – High Quality Design
Policy D2 – Car Parking Design
Policy D8 – Sustainable Design and Construction
Policy D9 – Minimising Carbon Dioxide Emissions
Policy EN1 – Protecting the Historic Environment
Policy EN3 – Protecting the Significance of Conservation Areas
Policy EN4 – Development affecting Listed Buildings
Policy EN7 – Protecting and Enhancing the Natural Environment
Policy EN10 - Minimising Flood Risk
Policy EN11 – Surface Water Flooding
Policy EN16 – Contaminated Land
Policy C1 – Protection of Landscape Character

Supplementary Planning Documents/Guidance

SPD – Accessible Homes and Playspace

National Policies

National Planning Policy Framework (NPPF) (July 2018)

Other Material Considerations

National Planning Policy Guidance (NPPG)
Essex Design Guide
ECC Parking Standards
UDC Parking Standards
Felsted Neighbourhood Plan (Reg 14 stage completed))

8. PARISH COUNCIL COMMENTS

- 8.1 Little Dunmow Parish Council have the following comments to make regarding the above planning application:

Although the Council does not object to replacing the 12 bungalows with 16 small family homes, it does not think the provision of 8 flats is suitable for the area for the following reasons:

Little Dunmow is an ancient village of national importance: recorded in the Domesday Book, Augustinian Priory (est. 1106), the Lady Chapel of which remains as a place of worship, Magna Carta village and the origin of the Flich Trials. The planned development at the entrance to the village (and where the village sign resides) is an opportunity to enhance and protect the area.

The building of flats therefore is wholly inappropriate and would set a precedent for any future development in or near the village, also adding density to the site. There is enough land to build 12 no. small family homes more in keeping with the village. Building upwards seems unwise given the putative reason for demolishing the bungalows is subsidence.

Good parking provision is made for all future tenants of The Moors. However, there appears to be no planned restriction of parking on the access road or in front of the designated parking spaces.

At present there is no parking in front of the bungalows which helps maintain a clear aspect and adds to the open nature of the site. If parking is not restricted to those allocated spaces behind the building line then this could resemble the familiar sight of terraced houses with their gardens converted to parking areas.

We note that the parking allocated to Plots 1 and 2 encroach on the grassed area. It may be better to place them at the eastern side of the existing parking area so there are no vehicles parked semi-permanently obscuring the open aspect.

A physical barrier needs to be present between the access road and grassed areas (a low wall or sturdy bollards). In addition, there should be a restriction on daytime parking ahead of the building line (possible tenancy agreement or by-law?).

We also have concern over the parking areas you have designated to the east of the site as it is encroaching on the green area in front of the properties. In addition, the large maple tree (T1) seems to be under threat. Tree T1 must be retained as it enhances the site and provides a screen for listed buildings off site.

The potential for off road parking by people leaving their cars whilst flying from Stansted for a fortnight or more also needs to be considered.

We would also ask that planning conditions be put in place to prevent work lorries parking on or using the nearby green area which is an area the Parish Council is working hard to protect and take responsibility for.

9. CONSULTATIONS

MAG London Stansted Airport

- 9.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its

potential to conflict aerodrome Safeguarding criteria. It has no aerodrome safeguarding objections to the proposal.

ECC Highways

- 9.2 The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions.

ECC Place Services - Heritage

- 9.3 The application is for the demolition of the existing 12 bungalows on the site, and replacement with 16 new fit for purpose dwellings (8x 1B2P Flats and 8x 2B4P).

The site is located in close proximity to the Little Dunmow Conservation Area, within which are located a number of listed buildings and places of historic interest; it also sits adjacent to a number of listed buildings, including Willow Cottage (Grade II listed, HE Ref: 1112813), The Cottage (Grade II listed, HE Ref: 1322294), Brights Cottage (Grade II listed, HE Ref: 1168349), and Penash (Grade II listed, HE Ref: 1112812). Given the above, the site is particularly sensitive in terms of impact to the setting of designated heritage assets.

The existing buildings within the site do not adequately complement its historic setting and potential for improvement is acknowledged. The proposed scheme, however, does not offer considerable change in the aesthetic quality of the buildings and exacerbates the harm to nearby heritage assets by proposing an increased height of built form. Visually dominating by virtue of their scale, the proposed buildings would detract from the significance of the nearby listed cottages and negatively impact on the views into the conservation area. It is recommended that the height of any new dwellings is kept as existing, especially the proposed dwelling adjacent to the listed buildings.

Further to this, the proposed buildings are visibly designed as purely functional dwellings, with little to no architectural merit and low-quality materials. Features such as concrete tiles and uPVC elements should be avoided. A more sympathetic approach regarding the design and finish of the proposed development is encouraged.

In its current form, the proposal is considered to cause 'less than substantial harm' to the significance and setting of the conservation area and adjacent listed buildings and as such paragraph 196 of the NPPF is relevant.

ECC Place Services - Ecology

- 9.4 No objection subject to securing biodiversity mitigation and enhancement measures.

Summary

I have reviewed the Ecology Report (Wild Frontier Ecology Ltd, Aug 2018) supplied by the applicant relating to the likely impacts of development on Protected & Priority habitats and species, particularly reptiles and identification of proportionate mitigation.

I am satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in the Ecology Report (Wild Frontier Ecology Ltd, Aug 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species, particularly reptiles.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details below should be a condition of any planning consent.

ECC SuDS

9.5 Initial SuDS consultation response dated 8 October 2018 as follows:

“Having reviewed the documents which accompanied the planning application, we would recommend the issuing of a holding objection on the basis of the following:

- The information provided does not allow us to assess the development. Please provide information as required within the Detailed Design Checklist on Essex County Council’s website: <https://flood.essex.gov.uk/new-development-advice/how-to-design-suds-in-essex/detailed-drainage-design-checklist/>”.

Updated comments received 27.3.19 withdrawing objection subject to imposition of condition.

9.6 Further SuDS consultation comments received by email dated 21 March 2019 as follows:

- “The LLFA cannot alleviate its holding objection at the present time as drain-down time is not provided. The LLFA requires drain-down time with 24 hours for all SUDS features whether or not the drainage scheme is based on infiltration. Ingleton Wood have explained the betterment of run-off rates, but haven’t explained why the final discharge could not be limited to 1 in 1 Greenfield run-off rates. We can only accept betterment in brownfield rates if it is demonstrated that the scheme is unviable if the peak discharge would be limited to 1:1 Greenfield rates. We need further time to review the addition information submitted to formally comment on it, although I hope this pending email response will help you in your meeting”.

Note: Further SuDS comments to be reported to Members if received.

Anglian Water

9.7 ASSETS

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Felsted Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Section 3 - Used Water Network

Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. The developer has not confirmed a discharge regime and final connection point at this time and this will need confirming to conduct an accurate impact assessment. We therefore request a condition requiring phasing plan and/or on-site drainage strategy (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

Section 4 - Surface Water Disposal

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 a watercourse and then connection to a sewer.

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable. No evidence has been provided to show that the surface water hierarchy has been followed as stipulated in Building Regulations Part H. This encompasses the trial pit logs from the infiltration tests and the investigations into discharging to a watercourse. If these methods are deemed to be unfeasible for the site, we require confirmation of the intended manhole connection point and discharge rate proposed before a connection to the public surface water sewer is permitted. We would therefore recommend that the applicant needs to consult with Anglian Water and the Environment Agency. We request that the agreed strategy is reflected in the planning approval.

Section 5 - Suggested Planning Conditions

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

Used Water Sewerage Network (Section 3)

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

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

Surface Water Disposal (Section 4)

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 strategy.

Reason:??

Crime Prevention Officer

- 9.8 Design (d) states" It helps reduce the potential for crime".

Although the existing properties have parking to the rear abutting farmland, there are greater crime risks associated with this. Consideration will need to be given to lighting and boundary treatments and it is recommended that rear gates are key lockable from either side.

Whilst there are no other apparent concerns with the layout, however to comment further we would require the finer details such as the proposed lighting, boundary treatments and physical security measures.

We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving a Secured by Design award.

From experience pre-planning consultation is always preferable in order that security, landscaping and lighting considerations for the benefit of the intended residents and those neighbouring of the development are agreed prior to a planning application.

UDC Housing Strategy and Operations Manager

- 9.9 The proposed mix of housing for the site at The Moors, Little Dunmow has been developed to be in accordance with the housing need as indicated by the Housing Register. The older persons bungalows currently on this site have for many years been hard to let and the fact that they have now become uneconomic to repair due to subsidence has given the Council the opportunity to provide housing on this site that is better suited to the needs of those on the Housing Register.

UDC Environmental Health Officer

- 9.10 Recommendation

No objections subject to imposition of recommended conditions below.

Comments:

Thank you for consulting Environmental Health on this application.

This is an application made by Uttlesford District Council for the demolition of 12 existing Council owned housing units, to be replaced with 16 affordable rent housing units.

Land Contamination:

The site has been used for residential purposes since the existing bungalows were constructed, which is believed to have been sometime in the 1950's. Part of the site includes hardstanding for vehicles and some areas of made ground, with the rest being given over to residential gardens and grass verges. It is noted that the site has already been subject to some land contamination remediation works to remove Japanese Knotweed from the site. Although the site has been occupied for residential purposes since the 1950's, the previous history of the site is not known.

In view of the fact that: remediation works to address identified contamination with Japanese Knotweed have already been undertaken on the site; the proposed development is for a contamination-sensitive end use of residential occupation with gardens; and the need to ensure that no potential future liability is likely to arise under Part IIA of the Environmental Protection Act 1990, it is recommended that contamination conditions are attached to any planning consent granted for the development as proposed.

Noise & Other Environmental Matters:

The site is an existing residential development located in a set-back position at the junction of The Street and Station Road. The site will be subject to some noise from road traffic on Station Road, as this is the main route through the village linking Little Dunmow to adjoining settlements. There may also be some low contributory background noise from the A120 which is some 650m to the north. However, noise from road traffic sources overall is not considered to be a barrier to development and a reasonable internal and external noise environment should be achieved with good design, layout and suitable mitigation measures. I would therefore recommend a noise condition is attached to any consent granted for the development to secure this:

10. REPRESENTATIONS

10.1 9 representations received (Object). Neighbour notification period expires 30/10/18 (22/03/2019 - revised drawings), Advertisement expires 1 November 2018, Site Notice expires 8 November 2018.

10.2 Summary of representations received as follows:

- Little Dunmow is an ancient village mentioned in the Domesday Book. There is no development within the village that conflicts with its historic appearance;
- Proposal represents a high density housing proposal which would be at odds with the low density housing grain of the existing village;
- The two storey flats would be very prominent leading out of the village along The Street eastwards and would be wholly inappropriate for the site's setting near to the village conservation area boundary. Single storey housing would be more preferable;
- The development would be harmful to the setting of the adjacent listed

- buildings;
- Would be forward of the established building line;
- Contest that subsidence is a significant factor for redevelopment as the extent of damage is relatively minor and restricted to one or two dwellings and looks historic;
- Query whether the parking provision shown would be sufficient for 16 new dwellings, including visitor parking;
- Any parking should be provided to the rear of the site and not the front to preserve the openness of the site to the front;
- Proposal lacks screening and perimeter landscaping
- Existing green at the front of the site should be protected and not encroached upon
- Existing prominent trees along the site's eastern flank boundary, including the mature maple should be retained to protect and screen the existing listed buildings
- UDC should consider a better housing scheme.

11. APPRAISAL

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

- A Principle of development (NPPF, ULP Policies S7, H7, H11, GEN3);
- B Access (ULP Policy GEN1);
- C Design (ULP Policy GEN2 and SPD's "Accessible Homes and Playspace" and "Replacement Dwellings");
- D Vehicle Parking Standards (ULP Policy GEN8);
- E Housing Mix and Affordable housing (ULP Policies H10, H9);
- F Impact on heritage assets (NPPF and ULP Policy ENV2);
- G Impact on residential amenity (ULP Policy GEN2);
- H Impact on protected species (ULP Policy GEN7);
- I Contamination (ULP Policy ENV14).

A Principle of development (NPPF, ULP Policies S7, H7, H11, GEN3)

- 11.1 The submitted scheme is for the proposed demolition of the 12 no. existing Council owned bungalows at this edge of settlement location which the Council considers are no longer fit for purpose and their replacement with 16 no. fit for purpose affordable dwellings and flats to be occupied by Council tenants whereby the proposal would lead to a net gain of 4 no. additional units of residential accommodation at the site, albeit that the four additional units would be provided as part of the flats element of the scheme. The site represents previously developed land (PDL) and paragraph 63 of the NPPF in this respect encourages LPA's to support the re-use of brownfield land where vacant buildings are being re-used or redeveloped to make more efficient use of the land. The NPPF has a general presumption in favour of sustainable development whereby the three defined roles of sustainable development, economic, social and environmental are required to be met and the proposed scheme would need to demonstrate that it would be aligned to this overarching objective when set against these roles.
- 11.2 The site lies outside development limits (none for Little Dunmow) and therefore falls within the countryside for the purposes of ULP Policy S7 of the adopted local plan which seeks to protect the countryside for its own sake and states that planning permission will not be granted unless the development needs to take place there or is appropriate to a rural area. ULP Policy H7 states that replacement dwellings will

be permitted if they are in scale and character with neighbouring properties and, if the site lies outside development limits, that they must protect the character of the countryside in which they are set. ULP Policy H11 states that development of affordable housing will be permitted outside existing settlements where housing would not normally be permitted if it meets the qualifying criteria set out in that policy, namely that a) 100% of the dwellings are to be affordable and provided through a Registered Social Landlord, b) the development will meet a particular need which cannot be met in any other way, c) the development is of a scale appropriate to the size, facilities and character of the settlement and d) the site adjoins a settlement. The preamble to that policy states that *“as a consequence of the scale of affordable housing needs and the need to retain mixed and balanced communities, the Council will also exceptionally release suitable land in rural areas for local needs housing that would not otherwise normally receive planning permission”*. ULP Policy GEN3 relates to flood risk.

- 11.3 The revised drawings as submitted following the meeting held between various officers of the Council and the Council's planning consultant and architects now show the proposed dwellings for Plots 1-3 and Plots 4 and 5 with a different pallet of external materials, whilst the fenestration treatment for Plots 6-8 and Plots 9-16 has changed to now incorporate more sympathetic roof gables, whilst the ridge line for Plots 9-16 (flats) has been lowered to reduce the impact of the two storey height of these two flat blocks within the streetscene (see further discussion below - Design). As a result, it is considered that the development by reason of its scale, form and appearance would not have a significantly detrimental impact on the rural amenities of the area at this end of the village compared to the tired single storey form of development which it would replace and would be commensurate in scale following the design changes which have been made with the built form which exists along The Street where it has been identified by Housing Services that the form and mix of the proposed development as an “Exception Site” has been informed by the latest Housing Needs survey for the area as indicated by the Housing Register. As such, no objections are raised under ULP Policies S7, H7 and H11. The site is located within Flood Zone 1 (lowest risk of flooding) meaning that the site is not vulnerable to flooding from fluvial sources and no objections are raised in this respect under ULP Policy GEN3.
- 11.4 The site lies immediately adjacent to bus stops along The Street on the No.133 Stansted Airport to Colchester bus route on the Felsted loop and is within close distance of Flitch Green which now has a range of local services, including a small supermarket whereby the No.133 runs past Flitch Green with bus stops outside this satellite village centre. Given this and the foregoing, the proposal would amount to a presumption in favour of sustainable development in accordance with the NPPF when assessed against the three strands of sustainability as previously confirmed by the Council at pre-application stage.

B Access (ULP Policy GEN1)

- 11.5 The new development would be served by the existing but improved vehicular access at the south-western end of the site, whilst a new 4.5m wide private access road with 2m wide parallel footway would serve the front of the site and the existing rear service road retained to the rear to serve an enlarged and improved rear parking area.
- 11.6 ECC Highways have been consulted on the proposal and have commented that they have no highway objections to the proposal subject to highway conditions, including that the access point be widened to a minimum width of 5.5m and that no

dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. A tracking drawing (swept path analysis) has been provided of the improved site access and internal layout (dwrg. 48448-P-010) which demonstrates that a UDC refuse vehicle would be able to negotiate the improved vehicular access point, new service road and the existing rear service road to the maximum depth.

- 11.7 It is considered from this that the highways aspects of the scheme are acceptable and no objections are raised under ULP Policy GEN1.

C Design (ULP Policy GEN2 and SPD's "Accessible Homes and Playspace" and "Replacement dwellings")

- 11.8 There are no adopted policies within the NPPF that relate to the density of new development. The NPPF makes it clear that LPA's should refuse applications which they consider fail to make efficient use of the land. The proposal intentionally replicates the footprint of the bungalows to be demolished and therefore seeks to replicate the grain and layout of the existing development within the streetscene whilst adding 4 no. additional affordable units as previously mentioned. There is a ground level difference of approximately 2m through the site from north-east to south-west and the development has been purposely designed so that the lower eaved and ridge lined dwellings start from the site's north-east corner extending to the higher eaved and ridge lined dwellings and flats to the site's south-west corner making use of the drop in natural ground level along The Street. This scale alignment is considered acceptable whereby it would have a general consistency with surrounding built form, albeit that the return block of flats for Plots 13-16 would have in effect a 2 storey flank elevation profile when viewed from the west.
- 11.9 As previously stated, the design of the dwellings and flats for this development has been subject to drawing changes following UDC discussions so as to reduce and soften the overall impact of the development within the streetscene and so as to provide for a more vernacular appearance through the development. Additionally, the flats have been designed to appear as dwellings. It is considered that the changes made which can be fully appreciated on streetscene elevation, dwrg. no.2010-P2 now provide for a more appropriate design of development within the site's semi-rural setting compared to the design of the dwellings as originally submitted whereby all of the dwellings and the flats now have a consistent vernacular theme incorporating gabled first floor windows and where the pallet of materials to be used (slate pantiled roofs, render on brickwork and grey uPVC windows) would be an appropriate materials mix.
- 11.10 All of the dwellings for the development, including those for Plots 2 and 6, would have private rear gardens which would comply with Essex Design Guide minimum rear private amenity space standard of 50sqm for 2 bedroomed dwelling units, whilst the 8 no. 1 bedroomed flats would have a communal area of 200sqm which would also comply with Essex Design Guide minimum communal space standards of 25sqm for 1 bedroomed flats (8 no. x 25sqm = 200sqm). The dwellings and flats would have level access to the front doors.
- 11.11 In the circumstances, the development complies with ULP Policy GEN2 relating to design and housing layout.

D Vehicle Parking Standards (ULP Policy GEN8)

- 11.12 The proposed development would utilise and improve upon existing resident parking

at the site and provide additional on-plot resident parking. A total of 24 no. parking spaces is provided for the development in total whereby Plots 3, 4, 5 and 6 and 8 would have two on-plot parking spaces each (10 no. spaces in total) which would comply with ECC Parking Standards for two bedroomed dwellings, whilst the remaining 14 spaces within the site would serve the remaining 2 bed dwellings (Plots 1, 2 and 7 = 6 no. spaces in total) and the 8 no. 1 bedroomed flats (8 no. spaces in total) = 14 spaces. Each parking space is shown at 5.5m x 2.9m bay size which would comply with the standards also. Visitors to the development would be able to park in the existing/retained parking lay-by at the front of the site. The proposal therefore complies with ULP Policy GEN8.

E Housing Mix and Affordable Housing (ULP Policies H10, H9)

- 11.13 The submitted scheme represents a 100% affordable housing scheme for Uttlesford District Council consisting of 8x 2 bed 4 person dwelling units and 8x 1 bed 2 person flats whereby it is proposed that the 8 no. dwellings would be for affordable rent and the 8 no. flats would be for social rent. The housing mix and housing tenure accords with UDC housing needs as indicated by the latest Housing Register, including the provision of 1 bedroomed flats where it has been identified that there is now an increased demand for this type of accommodation to reflect demographic change within the district and where it is stated in the consultation response from UDC Housing Services that the older persons bungalows currently on the site have for many years been hard to let. The proposal therefore accords with the aims of ULP Policies H9 and H10 where it is not necessary in this instance for the Council to enter into a S106 agreement for its own application proposal where all of the dwellings and flats would be Council owned and managed "in-house".

F Impact on heritage assets (NPPF and ULP Policy ENV2)

- 11.14 It is noted that the proposed scheme has resulted in a heritage objection from ECC Place Services whereby they state in their consultation response that the site by reason of its close proximity to Little Dunmow Conservation Area, which contains a number of listed buildings and places of historic interest, and lying adjacent to three Grade II listed buildings (Brights Cottage, The Cottage and Willow Cottage) is particularly sensitive in terms of impact to the setting of designated heritage assets. The consultation response acknowledges that the existing bungalows on the site do not adequately complement the site's historic setting and that potential improvement is acknowledged. However, they have commented that the proposed development by reason of its scale, particularly the height of the new dwellings shown adjacent to the listed buildings is inappropriate for the site and would cause harm to their setting, whilst the materials to be used would not be appropriate, adding that a more appropriate approach regarding the design and finish of the proposed development should be encouraged. As such, they conclude that the development would cause "less than substantial harm" to the significance and setting of the conservation area and adjacent listed buildings and as such paragraph 196 of the NPPF is relevant.
- 11.15 Due regard has been given to the heritage comments expressed by ECC Place Services with regard to the overall scale and external finishes treatment for the proposed development. However, paragraph 196 of the NPPF is clear that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. The scheme in this instance would provide 100% affordable housing, providing a significant public benefit, and meeting an identified need of housing in the district, and thus meeting the requirements as set out in the Framework. As such, the visual

enhancement that the scheme would bring compared to the existing tired bungalows at the site coupled with the public benefit of providing an increased number of affordable units at the site (16 as opposed to 12) provides substantial weight in the planning balance.

- 11.16 A mature Maple tree which stands along the site's eastern boundary with the listed buildings would be retained through the proposal which would help to screen the development from these heritage assets as shown on the proposed site layout drawing.

G Impact on residential amenity (ULP Policy GEN2)

- 11.17 The orientation of the proposed dwellings for the development with front to rear aspects would ensure that the residential amenities of the adjoining properties to the side and rear on the site's eastern/SE side would not be materially affected by the development in terms of overbearing effect, loss of light, overshadowing or loss of privacy. Two first floor rear bathroom windows are shown for Plots 12 and 16 which could have the potential to overlook the flats communal garden area and the rear garden of Plot 8. However, these would be expected to be obscure glazed which can be conditioned, although it is considered that the windows should also contain opening hinge restrictors as an additional amenity precaution. No residential amenity objections are raised under ULP Policy GEN2 subject to this amenity condition.

H Impact on protected species (ULP Policy GEN7)

- 11.18 The submitted ecology report has found that there are no designated nature conservation sites close to the site and that the developed nature of the site, including areas of hardstanding means that the predicted impacts to habitats are expected to be no more than minor and can be acceptably mitigated by post-construction enhancement of the site. The surveys for roosting bats which have involved an inspection of the buildings and an emergence survey completed at dusk in May 2018 found no evidence of any bats roosting in the buildings so it is the case that a neutral impact is expected. The reptile survey found one grass snake and one slow worm at the site and the report advises that mitigation is advised to ensure the clearance works do not result in harm or death to these protected species. The report further advises that the site is unsuitable for most other protected and priority species and no signs of any such species (other than nesting birds) were recorded at the site, adding that the potential for impacts to other protected or priority species can be addressed through standard best-practice mitigation measures. The report concludes that it is likely that the proposed development would have a negligible long term impact on protected and priority species subject to mitigation measures, including a Construction Environment Management Plan and incorporating ecological enhancement measures.
- 11.19 ECC Places Services (Ecology) have advised that they have no objections to the proposal based upon the report findings subject to securing biodiversity mitigation and enhancement measures to be conditioned. No objections are therefore raised under ULP Policy GEN7.

I Contamination (ULP Policy ENV14)

- 11.20 The submitted environmental report has identified a low risk of contamination at the site whereby remedial work has already been undertaken to eradicate Japanese Knotweed. The Council's EHO has reviewed the report and has advised that no

contamination objections are raised subject to standard contamination/remediation conditions and no objections are raised under ULP Policy ENV14.

12. CONCLUSION

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

- A The principle of a fit for purpose 100% affordable Council housing scheme through redevelopment at this existing Council housing site at this edge of village location is accepted whereby the scheme would amount to a presumption in favour of sustainable development as an affordable housing “exception site” which would not cause harm of significance to the rural amenities of the area.
- B Proposed access arrangements would be acceptable.
- C The design and layout of the proposed development would be acceptable.
- D The development would be compliant with adopted parking standards.
- E The housing mix and housing tenure for the proposed dwellings/flats would be acceptable as an affordable rent/social rent Council owned and managed housing scheme.
- F The development would cause “less than substantial harm” to adjacent heritage assets, although the public benefits of the scheme by providing new affordable housing at the site for identified Council register needs through redevelopment to replace redundant Council housing deemed not fit for purpose would in the tilted planning balance outweigh any heritage harm which would otherwise be caused.
- G The development would not have a material impact on residential amenity.
- H The development would not have a significant impact upon protected or priority species.
- I Contamination risks have been identified and can be remediated by condition.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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. Prior to commencement of 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:-
 - a) proposed finished levels
 - b) means of enclosure
 - c) car parking layout
 - d) vehicle and pedestrian access and circulation areas
 - e) hard surfacing, other hard landscape features and materials
 - f) existing trees, hedges or other soft features to be retained, including the large Maple located on the site's eastern boundary where this is shown to be retained on Proposed Site Plan LITTLD-IW-XX-XX-DR-A-1100-P4 dated 24/09/18.
 - g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
 - h) details of planting or features to be provided to enhance the value of the

- development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details

REASON: The landscaping of this exposed site within the streetscene 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 ULP Policies GEN2, ENV3 and GEN7 of the Uttlesford Local Plan (adopted 2005).

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 ULP Policies GEN2, ENV3 and GEN7 of the Uttlesford Local Plan (adopted 2005).

4. Prior to commencement of development 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, ecology enhancement and in order to protect the significance of adjacent heritage assets in accordance with ULP Policies GEN2, ENV3, GEN7, ENV1 and ENV2 of the Uttlesford Local Plan (adopted 2005).

5. The walls to the development hereby permitted shall have a smooth rendered surface. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.

REASON: In order to protect the significance of adjacent heritage assets in accordance with ULP Policies ENV1 and ENV2 of the Uttlesford Local Plan (adopted 2005).

6. Prior to occupation of any dwelling, the provision of a vehicular access formed at right angles to The Street as shown in principle on drawing no. LTTLE-IW-XX-XX-DR-A-100 Rev P4 (Proposed Site Plan) shall be provided. Footways to the new service road as shown shall be at a 2m footway width.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway in the interests of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. No dwelling shall be occupied until the associated parking and/or turning head

indicated on the approved plans has been provided. The vehicle and turning heads shall be retained in this form at all times.

REASON: To ensure that on-street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

8. All vehicular hardstandings provided shall be a minimum of 5.5 metres x 2.9 metres.
REASON: To ensure a satisfactory standard of development in the interests of highway safety and to comply with ECC adopted parking standards in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).
9. The area set aside for car parking shall be laid out and surfaced before the dwellings hereby permitted are first occupied, and shall be retained permanently thereafter for the vehicle parking of residents/occupiers and shall not be used for any other purpose.
REASON: To ensure a satisfactory standard of development in the interests of highway safety and to comply with ECC adopted parking standards in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).
10. One dwelling approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.
REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace.
11. The first floor rear bathroom windows shown for the dwellings for Plots 12 and 16 shall be obscure glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority and shall be fitted with opening hinge restrictors. Glazing of that obscuration level and the fitting of hinge restrictors shall thereafter be retained in those windows.
REASON: To avoid overlooking of the adjacent properties in the interests of residential amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
12. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
 - A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination. This report shall adhere to BS10175:2011.
 - A Phase 2 Site Investigation (where shown as necessary in the Phase 1 Desk Study).
 - A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation).

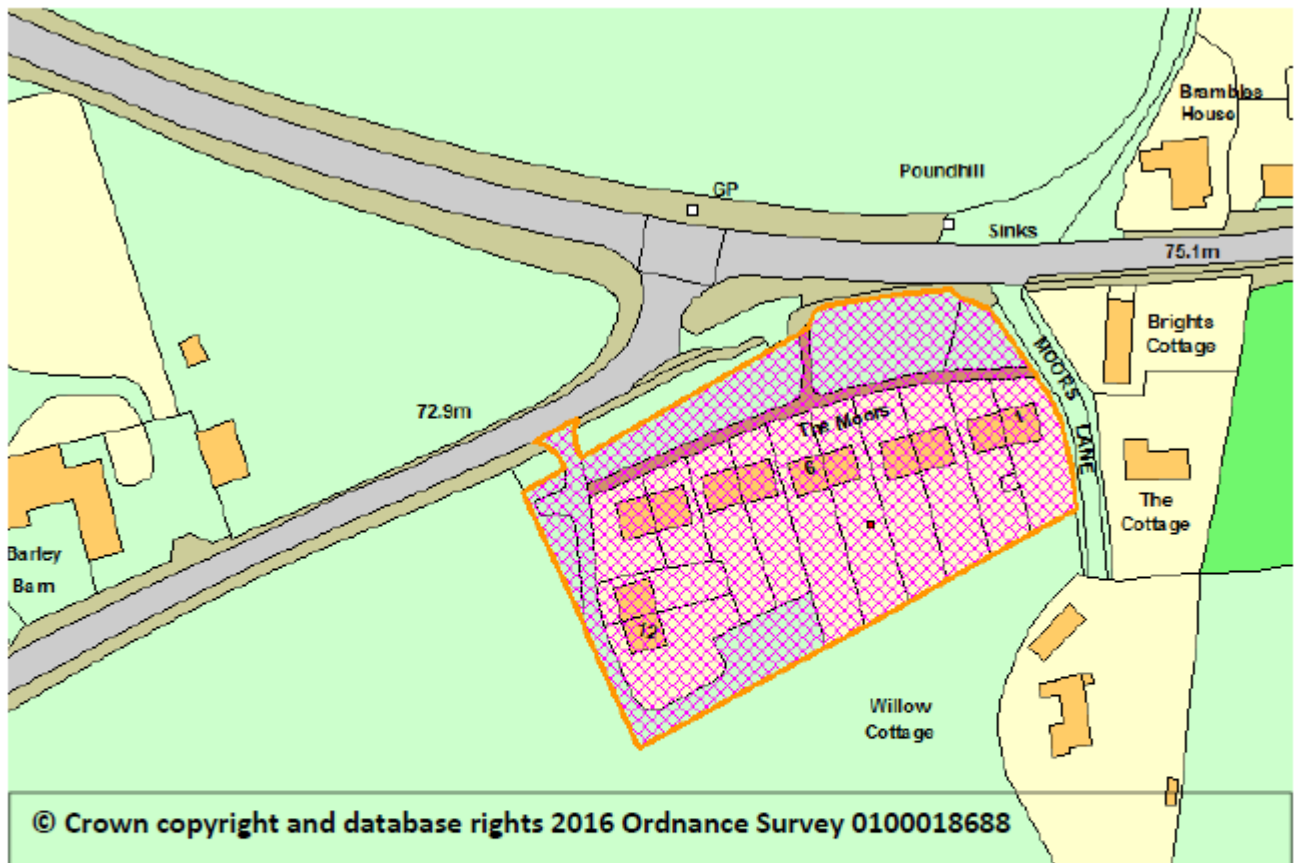
All such work shall be undertaken in accordance with BS:10175:2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health, groundwater and the wider environment.

REASON: To protect human health and the environment in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

13. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.
REASON: To protect human health and the environment in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).
14. No construction of the dwellings hereby permitted shall commence until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. None of the dwellings shall be occupied until a scheme has been implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with the approved details.
REASON: To ensure that future occupiers are able to enjoy a reasonable internal and external acoustic environment in accordance with ULP Policy ENV10 of the Uttlesford Local Plan (adopted 2005).
15. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecology Report (Wild Frontier Ecology Ltd, Aug 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes the mitigation measures (section 7.2) and the enhancements (section 8). Due diligence regarding nesting birds, two for one replacement of trees, ecological clerk of works for the destructive search for reptiles (under the appropriate weather conditions), checking trenches, storing material on pallets, enhancing the site with native planting, retaining permeable boundaries. Install 8 bird boxes as specified and 3 bat boxes as specified.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council
Department: Planning
Date: 27 March 2019

UTT/19/0140/FUL – HATFIELD HEATH

(Referred to Committee by Cllr Farthing)

PROPOSAL: Erection of 8 no. detached dwellings with associated access from Friars Lane and the introduction of a new community orchard

LOCATION: Land East of Oakhanger, Friars Lane, Hatfield Heath

APPLICANT: Mr & Mrs David & Debbie Worrell

AGENT: Mr M Wood Phase 2 Planning

EXPIRY DATE: 19 March 2019

CASE OFFICER: Sara de Barros

1. NOTATION

- 1.1 Outside Development Limits
- 1.2 Metropolitan Green Belt

2. DESCRIPTION OF SITE

- 2.1 The site is situated on the east side of Friars Lane to the rear of Chelmsford Road and comprises a parcel of gently sloping private amenity grassland consisting of 0.76 ha which lies behind the residential properties known as Oakhanger, and Heritage Cottage with field gate vehicular access onto Friars Lane.
- 2.2 A short line of residential properties extend down the west side of Friars Lane, whilst further properties with long rear gardens extend along Chelmsford Road to the east of the site. Open countryside comprising gently rolling farmland lies to the south of the site beyond a stream. The southern boundary of the site is partially screened by vegetation to this wider rural landscape and openness of the rural character and area.

3. PROPOSAL

- 3.1 This full application relates to the erection of 8 no. new dwellings with associated vehicular access situated to the east of the host dwelling known as Oakhanger.
- 3.2 This full application relates to the erection of 8 no. new dwellings associated vehicular access from Friars Lane with dedicated community orchard and represents a revised application to previously refused application UTT/18/1437/FUL and UTT/15/3816/FUL which was refused and subsequently dismissed at appeal
- 3.3 The proposed scheme seeks to make some highway improvements by offering to provide a pedestrian crossing along Chelmsford Road. It is anticipated the provision of such a crossing would make minor improvements to pedestrians.
- 3.4 The proposed dwellings would comprise a mix of 1½ storey and two storey units, would be designed in traditional style incorporating a variety of external finishes. A 6m wide rolled gravelled service road incorporating a hammerhead would serve the

new dwellings which from the existing and improved vehicular access point from Friars Lane. The community orchard would be laid out across most of the width of the site's southern boundary with the stream.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

5.1 The following documents were submitted with the Planning application

- 1) Planning statement
- 2) Biodiversity Validation checklist
- 3) Preliminary Ecological Assessment (phase 1) including a Protected species assessment
- 4) Arboricultural Impact Assessment
- 5) Tree Protection Plan
- 6) Draft heads of terms

5.2 The application is accompanied by a supporting planning statement and a supporting letter from the applicant enclosing a development brochure entitled "Monks Orchard - community at the heart of development"

5.3 Planning Statement describing the site and its surroundings, the planning history for the site with reference to refused application UTT/18/1437/FUL and reason the appeal was dismissed is set out within this statement

5.4 The supporting letter from the applicant identifies as to what it sees the Planning and community benefits of the scheme,

- a) Namely housing mix giving genuine choice to local people
- b) A locals only marketing event
- c) Four low cost rental homes with 10 year tenancies available for local people
- d) Contributing financially to improving road safety in the village
- e) Setting up a trust fund for local young people planting up, maintaining and managing a community orchard with the trading profits coming back into the trust fund incorporating a learning zone in the orchard for use by local school children and young peoples group gifting the orchard to the local parish council or the Woodlands Trust thus preserving this edge of the green belt
- f) The supporting letter concludes we feel our small development embodies in its own special way the very principles the District Council is promoting the new Garden Communities and we feel that other private development schemes could give more community benefit than might otherwise be required by the Planning regulations
- g) Further justification as to why the application should be approved have been put forward by the applicants agent during the assessment of this application including making reference to the offer of a pedestrian crossing by the applicant for the proposed community orchard
- h) application including making reference to the offer of a pedestrian crossing by the applicant for the proposed community orchard

5.5 The proposed scheme also seeks to gift the proposed Orchard to the Parish Council.

- 5.6 The proposed scheme is for 8no dwellings , 50% of which would be affordable and the proposed mix would be ;

Affordable rented
4no houses

Open market
4no houses

The development seeks to provide 5no 3 bedroom dwellings, 2no 2 bedroom dwellings and 1no 4 bedroom dwelling.

6. RELEVANT SITE HISTORY

- 6.1 The site has been the subject of three previously refused planning application and one withdrawn application as follow;
- 6.2 UTT/13/2531/OP - Outline application for the erection of 3 no. single storey Dwellings with all matters reserved except access, layout and scale (refused)
The above application was refused by the Council on three grounds, namely
(1) that the proposal would be harmful upon the character and openness of Green Belt
(2) a lack of information was submitted in support of the application in relation to ecology and biodiversity
(3) that the proposal made no contribution towards affordable housing
- 6.3 UTT/15/3109/FUL - Erection of 7 dwellings (withdrawn)
UTT/15/3816/FUL – Erection of 7no dwellings, associated road and landscaping (refused 24th December 2015 and dismissed at appeal)
- 6.4 The above-mentioned application was refused by the Council on grounds that development would be harmful within the Green Belt and have a greater impact that would diminish and result in an unacceptable reduction in the openness material of the Green Belt and was contrary to policy S6 of the Uttlesford District Local Plan as Adopted and the National Planning Policy Framework.
- 6.5 Application UTT/18/1437/FUL was refused Planning permission on similar grounds but it was considered that no special circumstances were put forward and justified to outweigh the level of intrinsic harm afforded to the Green belt.
- 6.6 Further reasons for refusal were due to no justification and mitigation measures were demonstrated within the associated documents submitted with the application.
- 6.7 Not enough consideration of provision for affordable housing was included within the proposed scheme

7. POLICIES

7.1 National Policies

NPPF – February 2019
Planning Practice Guidance

7.2 Uttlesford Local Plan (2005)

S7 Outside Development Limits
S6 Metropolitan Green Belt

- GEN1 Access
- GEN2 Design
- GEN3 Flooding
- GEN5 Light Pollution
- GEN6 Infrastructure provision to protect development
- GEN4 Good Neighbourliness
- GEN7 Nature conservation
- GEN8 Vehicle parking standards
- ENV5 Protection of agricultural land
- ENV8 Other Landscape Elements of Importance for Nature Conservation
- H9 Affordable Housing
- H10 Housing Mix
- LC4 Provision of Outdoor Sport and Recreational Facilities Beyond Development limits

7.3 Emerging Local Plan policies have been considered in the decision making Process

- SP2 The Spatial Strategy 2011-2033
- SP3 The Scale and Distribution of Housing Development
- SP10 Protection of the Countryside
- SP12 Sustainable Development Principles
- SP13 Historic Environment
- H1 Housing Density
- H2 Housing Mix
- H6 Affordable Housing
- H10 Accessible and Adaptable Homes
- TA1 Accessible Development
- TA2 Sustainable Transport
- TA2 Provision of Electric Charging Points
- TA3 Vehicle Parking Standards
- INF1 Infrastructure Delivery
- INF4 High Quality Communications Infrastructure and Superfast Broadband
- D1 High Quality Design
- D2 Car Parking Design
- D8 Sustainable Design and Construction
- D9 Minimising Carbon Dioxide Emissions
- EN7 Protecting and Enhancing the Natural Environment
- EN10 Minimising Flood Risk
- EN11 Surface Water Flooding
- EN12 Protection of Water Resources
- C1 Protection of Landscape Character

7.4 Supplementary Planning Documents Guidance

- SPD Lifetime Homes
- The Essex Design Guide (2005)
- Parking Design and Access (2009)
- Uttlesford Local Residential Parking Standards (2013)

8. PARISH COUNCIL COMMENTS

8.1 The Town Council strongly object to the above application on the following grounds; The site is within the metropolitan green belt and outside the village envelope and previous applications have been turned down and the decision upheld at appeal

essentially on these grounds. Preservation of the MGB around Hatfield heath is in the present local plan and also in the proposed plan.

- 8.2 The applicants have attempted to overcome prior objections by proposing a community orchard to be gifted to either the Parish Council or the Woodland trust. The assertion that the Parish council would be interested is false and no other village organisation is interested. We believe this is to simply be a cynical attempt to overturn the previous planning decisions, since it will take a number of years for such an orchard to mature sufficiently to crop the tons of harvest that would be sold at profit and support the trust that the applicants wish to set up even if the regularly flooded land on which the orchard is proposed could be made arable. It is also unclear where people would park.
- 8.3 Parking and traffic we note that in the prior application Highways concentrated on the site itself rather than egress and access to the site which is down effectively a single track road from the Chelmsford road. The entrance to Friars Lane is in a 40mph zone and has experienced numerous accidents and near misses by severe congestion at peak times.
- 8.4 Friars Lane has no footpath and two normal sized vehicles cannot pass each other in a number of places leading to the site. The entrance to the site is situated on a severely restricted bend which we believe will cause major issues at peak times with people coming in and out. We are also concerned that there are no garages and a restricted number of parking spaces that will inevitably lead to inappropriate parking in Friars Lane itself both for the development and presumably for the orchard. Highways have provided no comment on any of these aspects of the proposal apart to give advice on a potential pedestrian crossing across while at the same time refusing to provide such a facility where it is really needed in the village. They have not addressed the fact there is no footway to get to such a crossing up a virtually one track road.

9. CONSULTATIONS

HIGHWAY AUTHORITY (Essex County Council)

- 9.1 No objections, subject to the use of a condition

ECOLOGICAL SERVICES (Place Services)

- 9.2 No objections, subject to securing biodiversity mitigation and enhancement measures.

Extract: "I have reviewed the Preliminary Ecological Appraisal Report (Open Spaces, April 2018) supplied by the applicant, relating to the likely impacts of development on protected & Priority habitats and species, particularly bats and nesting birds and identification of proportionate mitigation

I am satisfied that there is sufficient ecological information available for determination of The community orchard will also provide benefits for wildlife

This provides certainty for the LPA of the likely impacts on Protected and Priority Species and, with appropriate mitigation measures secured, the development can be acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.

ENVIRONMENTAL HEALTH

9.3 No comments have been received

SPECIALIST ARCHAEOLOGY ADVICE

9.4 **RECOMMENDATION:** An Archaeological Programme of Trial Trenching followed by Open Area Excavation No development or preliminary groundworks can commence until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

Reason for Archaeological Recommendation

The Historic Environment Record shows that the proposed development lies within an area of potential sensitive archaeological deposits. To the north east of the proposed development, is a prehistoric landscape with cropmark evidence of a trackway and ring ditches (EHER19546) indicative of Bronze Age occupation. Cropmark evidence to the south of the proposed development also shows linear and amorphous features which could extend into the Site's boundaries

A recognised team of professionals should undertake the archaeological work. The archaeological work would comprise a programme of archaeological trial trenching of all areas of ground disturbance followed by open area excavation to assess the surviving heritage assets on the site and record them. A brief detailing the requirements of this work can be obtained from this office.

10. REPRESENTATIONS

10.1 13 letters of support have been received, 1 letter of objection and 3 letters of representation

Support: The proposal would make more efficient use of the land at this walkable edge of village location which has been underutilised for a long time, would provide for a pleasant layout and design, would provide urgently needed affordable housing for local people and offer schoolchildren the chance to learn about ecology in the proposed community orchard.

Object: Site lies outside development limits within the countryside and within the green belt. Revised layout does not overcome the fundamental green belt reasons for refusal. The use of Friars Lane for vehicular access would conflict with other road users, including runners and horse riders ("Friars Lane Loop"). Unlikely that the "community orchard" would be used by the community or supported by the Parish Council and should be seen as a sop for this market led development. Ecology issues concerning the stream.

11. APPRAISAL

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

- A Principle of development (ULP Policies S6, LC4, ENV5; NPPF)
- B Design and residential amenity (ULP Policy GEN2; NPPF)
- C Vehicular access and parking (ULP Policies GEN1, GEN8; NPPF)
- D Flood risk and drainage (ULP Policy GEN3; NPPF)
- E Infrastructure (GEN6)
- F Biodiversity (GEN7; NPPF)

A PRINCIPLE OF DEVELOPMENT

- 11.1 The Local Plan places the site as within the Metropolitan Green Belt (Local Plan Policy S6) and outside any established settlement limits, the Countryside. Both the NPPF and the Local Plan recognise that such locations need to be protected for its own sake; however this view does not amount to a bar to development in such areas
- 11.2 Policy S6 is designed to prevent coalescence of development around the metropolitan green belt and to preserve the green belt's openness. The site consists of an open field as a proposed location for housing development to the northern boundary and a proposed Orchard is to be sited to the South of the application site for benefit of the community.
- 11.3 Paragraphs 78-79 take a less restrictive approach compared with the Local Plan, supporting the growth of existing settlements while preventing isolated homes that could lead to sporadic development in the countryside. The site's location within the defined village of Hatfield Heath ensures its consistency with paragraphs 78-79. It can be regarded that Hatfield Heath can be regarded as a sustainable area for development that has the benefit of good links to the centre of the Village.
- 11.4 The NPPF sets out a presumption in favour of sustainable development. This presumption is increased where there is no 5 year land supply for housing. In this regard, following the publication of the NPPF (February 2019) the Council has a 3.29 year land supply with a 147% delivery over the past three years.
- 11.5 Paragraph 133 of the revised NPPF (July 2018) advises that the Government attaches great importance to Green Belts wherein it is stated that "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence".
- 11.6 Paragraph 134 sets out the five purposes of the Green Belt, including (c) "to assist in safeguarding the countryside from encroachment". Paragraph 143 states that "Inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances", whilst paragraph 144 states that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations".
- 11.7 In support of the application, the applicant has provided mitigating reasons as to why the proposed development at the site should not be considered as inappropriate Development within the MGB. In this regard, it is stated that the proposal by reason of the site's location should be treated as being a form of "limited infilling in villages" and as such complies with criterion (c) of paragraph 145 of the NPPF, notwithstanding that the site lies just outside village development limits. It is also contended that the site can be reasonably, if not loosely described as representing an infill site where the Council in its pre-application meeting with the applicant suggested that it could be regarded as such. The applicant also makes reference to the Council's 2015 SHLAA assessment of the site which states that "The site is surrounded by residential gardens and does not intrude into the open countryside".

- 11.8 The applicant further contends that there is in any case clear and compelling very special circumstances which also justify the "sensitive development" of the application in this instance, including the provision of on-site affordable housing (see further discussion below), adding that "these very special circumstances would clearly outweigh any substantial weight to be given to the potential harm to the Green Belt by reasonableness, and any other harm", stating that the development would have limited additional harm beyond "definitional harm" in view of the revised housing layout and also community orchard proposed for the southern end of the site in response to comments made by the Planning Inspector and at pre-application stage. As such, the applicant makes the case that the principle of the proposed development in green belt terms is fully acceptable and that the development would not conflict with the ability of the Green Belt within the site and surrounding area to fulfil the stated purposes of the Green Belt.
- 11.9 It is reasonable to conclude from these design and site layout adjustments that the revised scheme would have a lesser harm on the Green Belt at this semi-rural location than the previously refused scheme whereby it would have a better containment in character.
- 11.10 The revised scheme would, however, still be exposed to the south along Friars Lane as the land within the site slopes down from Chelmsford Road towards the stream and as it would take some time for any orchard planting at the southern end of the site to become fully established, notwithstanding the extent of planting which would be carried out. Consequently, the development would still be visible to longer views along Friars Lane when approaching the site from the south, which gradually rises up from the stream beyond.
- 11.11 It is considered from this that the revised scheme would constitute more than "definitional harm" as asserted by the applicant and would instead have a significant impact on the openness and permanence of the site and its immediate surroundings. This view is reinforced by the 2018 update to the 2015 SHHLA/Call for Sites for the application site makes reference to the 2015 refused application for residential development in its re-evaluated assessment for the site when it states that;
- "At an appeal into the refusal of 7 dwellings the Inspector concluded that the development and use of the land would erode openness on a site that is open at present, and having mind to the statement in the Framework on the essential characteristics of Green Belts, significant weight attaches to this adverse effect. Two of the purposes of the Green Belt stated in national policy would not be supported. The site forms part of Parcel 22 in the Green Belt Review 2016 which was found to have a 'strong' value in meeting the purposes of the Green Belt. The site does contribute to the functions of the Green Belt and therefore development is considered unsuitable".*
- 11.12 The applicant claims that the current scheme merits "very special circumstances" on the grounds that the site scored favourably in the Council's 2015 SHLAA/Call for Sites Assessment subject to the results of the Council's Green Belt review, as the scheme would incorporate two affordable housing units where these would be secured for local housing needs as part of the overall housing provision for the site, as both a community orchard and crossing point across Chelmsford Road would be provided and as the Council does not have a 5 year housing supply and the housing scheme would contribute to local housing delivery.
- 11.13 In terms of what constitutes "Very special circumstances", the answer to the question firstly depends on the weight of each of the factors put forward whereby the degree

of weight to be accorded to each is a matter for the decision taker acting within the "Wednesbury Principles". The first is to determine whether any individual factor taken by itself outweighs the harm and the second is to determine whether some or all of the factors in combination outweigh the harm.

- 11.14 There is case law that says that a number of factors, none of them "very special" when considered in isolation, may when combined together amount to very special circumstances and that "there is no reason why a number or factors ordinary in themselves cannot combine to create something very special. The weight to be given to any particular factor will be very much a matter of degree and planning judgement and something for the decision-taker. Neither is there any categorical way of deciding whether any particular factor is a 'very special circumstance' and the case must be decided on the planning balance qualitatively rather than quantitatively what is required of the decision taker above all is a value judgement.
- 11.15 After evaluating the current revised scheme and assessing the weight of each of the influencing factors put forward in support of the proposed development to claim very special circumstances, it is considered on balance that these factors taken both individually or in combination would not amount to very special circumstances (i.e. something very special) to outweigh the intrinsic and significant harm which the Council considers the proposal would still have on the openness of the Green Belt at this "greenfield" location in its revised form when assessed qualitatively balance notwithstanding the changes which have been made.

B DESIGN & RESIDENTIAL AMENITY

- 11.16 Policy GEN2 requires, inter alia, development to be compatible with the scale, form, layout and appearance of surrounding buildings and to provide an environment which meets the reasonable needs of all potential users. The proposed dwellings are considered to be of an acceptable design and the proposed mix of materials would be appropriate
- 11.17 Essex Design Guide which is non-adopted supplementary guidance sets out the requirement for minimum garden sizes. It is considered that the proposed scheme comply with the guidance as it is considered the site can accommodate a development of this scale comfortably and would appear sustainable and would not lead to a loss of privacy to occupiers of neighbouring occupiers.
- 11.18 Residential amenity is assessed in terms of a proposal's impact upon privacy levels for neighbouring occupiers, whether the development would cause excessive overshadowing or create a visually dominant feature.
- 11.19 Residential amenity must be considered in terms of the impact on future occupiers of the development and on existing homeowners
- 11.20 The proposal relates to a form of development outside the settlement boundary on the Southern part of the site close to nearby neighbours Katalba in close proximity to their rear boundary.
- 11.21 The proposed dwellings for plots 1-5 would have good separation distances to the northern part, and the west side of the site. Sufficient distance to the boundary of nearby properties Oakhanger and Heritage Cottage would not result in any potential overlooking or overbearing as a result of the proposed scheme and the siting of development.

- 11.22 It is clear that careful consideration has been made to this revised scheme and the layout and design improvements to the previously refused application have considerably improved. The fact the applicant has addressed the previous reason for refusal in that the scheme failed to provide a sufficient level of affordable housing is of merit. However, there is still the impact upon the green belt to consider and it is considered the very special circumstances (as stated by the applicant) has not in this case been demonstrated that would outweigh the intrinsic harm afforded to the openness of the green belt.
- 11.23 In addition, there is no national or local policy requirement for a scheme of this size to provide affordable housing. Indeed, the Planning Practice Guidance states that affordable housing should only be sought for residential developments that are major developments. In this instance the proposal is for 8 dwellings and this falls below the threshold for major development. Therefore, the Council has no mechanism for securing affordable housing provision on this development.
- 11.24 No supporting evidence has been submitted with the application to demonstrate that there is a need for affordable housing on an exception site within the Green Belt, one of the exceptions permitting development within the Green Belt. Whilst the applicant indicates that the proposed affordable housing would be for local need they have not submitted a Unilateral Undertaking to secure this provision. Furthermore, the provision is disproportionate to the scheme and does not comply with s122 of the CIL Regulations.
- 11.25 Reference has been made following the granting of Planning consent on UTT/18/0811/OP comparing the two schemes. However the circumstances of this application are somewhat different and the site does not completely lie within the green belt the two schemes cannot be considered comparable. Furthermore, the two schemes are significantly different in nature and scale in terms of their impact upon the green belt.
- 11.26 As discussed above, the proposal represents inappropriate development and no very special circumstances have been demonstrated that would outweigh the harm to the green belt. The proposal would cause demonstrable harm to the Green Belt and is contrary to policy S6 of the Uttlesford Local Plan (adopted 2005) and Government Guidance contained within the National Planning Policy Framework.
- 11.27 It is not considered that the shortage of housing land, irrespective of the degree of deficit, represents the Very Special Circumstances listed in Paragraph 89 to justify the setting aside of Green Belt status. Uttlesford has a very limited area of Metropolitan Green Belt within its district and it is not considered appropriate for Green Belt land to be developed or that it should be necessary to contribute towards the Councils five year supply of housing.

C VEHICULAR ACCESS & PARKING

- 11.28 The most up-to-date policy for the consideration of sustainable at transport modes is provided paragraph 103 of the NPPF, which seeks a balance between facilitating some level of growth in settlements of all sizes while ensuring that 'significant development' is focused on locations with good sustainable transport options. In this instance, it is likely that there would be a strong link to the village by the means of walking without the reliance on car travel to meet most day-to-day needs.
- 11.29 The means of vehicular access would be from Friars Lane. Highways have been consulted and do not object to this aspect of the scheme. With regards to the

proposed pedestrian Highways have not commented on this aspect of the application.

D FLOOD RISK & DRAINAGE

- 11.30 The site is within Flood risk zone 1, meaning the site is not at risk of flooding and further drainage details would be requested as a condition.

E INFRASTRUCTURE

- 11.31 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

F BIODIVERSITY

- 11.32 Taking into account the comments of the Councils ecologist it is considered unlikely the proposed development would have significant adverse effects on protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

G OTHER MATERIAL CONSIDERATIONS

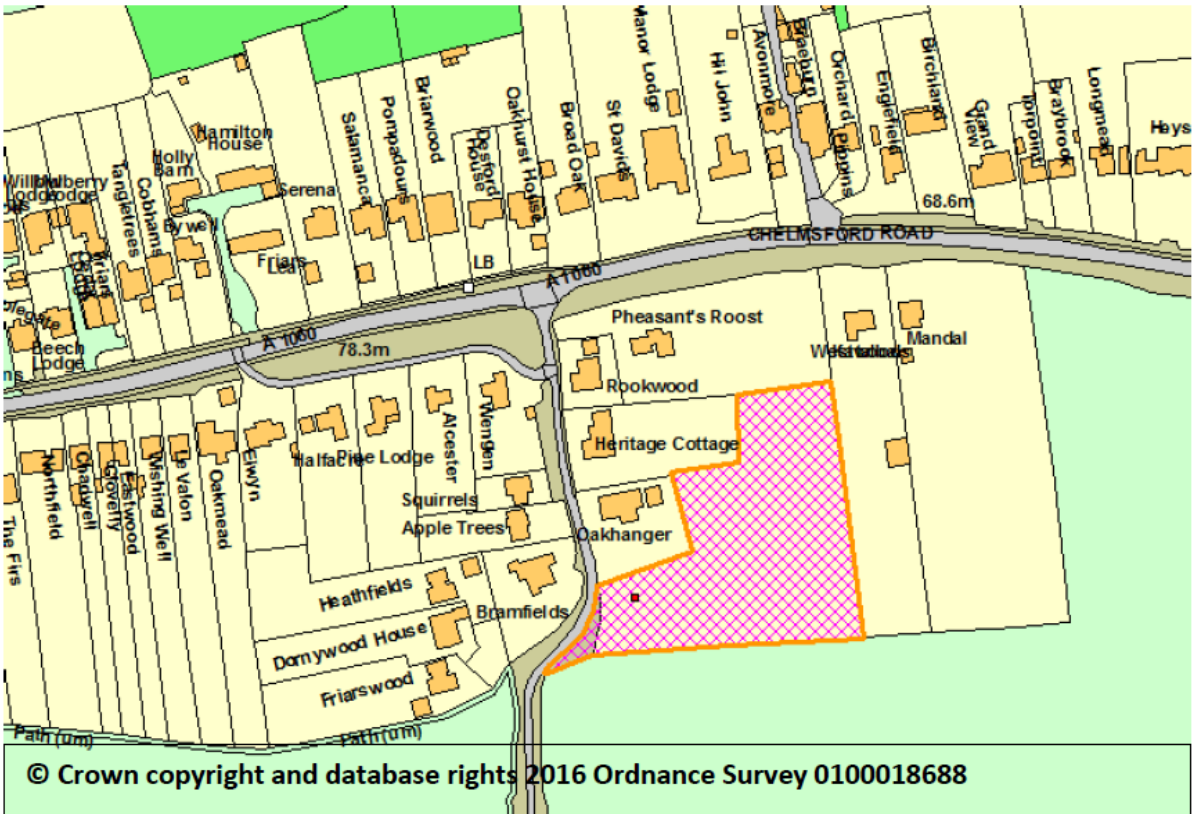
- 11.33 The proposal also includes the provision of a community Orchard with proposals to hand this over to the Parish Council. However, the Parish Council has made it very clear in their response that they do not wish to have the Orchard. The provision of this facility is not a requirement for the development and to secure it by way of a s106 Legal Obligation would be contrary to s122 of the Community Infrastructure Levy Regulations. The applicant has not provided any mechanism to provide this outside of the Planning System.

CONCLUSION

The proposed development would amount to inappropriate development leading to significant harm to the openness and permanence of the Green belt at this edge of village location and fails to amount to very special circumstances to justify approval of the proposed development. As such the development is unacceptable and is contrary to NPPF relating to green belt protection.

RECOMMENDATION – REFUSAL

- 1 The site is within the area identified in the Uttlesford District Local Plan as Metropolitan Green Belt. The proposal to construct 8 dwellings and associated service road is defined as being an inappropriate development and by definition would be harmful within the Green Belt. In addition the substantial built form proposed and its presence on the site would have a greater material impact that would diminish and result in an unacceptable reduction in the openness of the Green Belt and conflict with the purposes of including land within the Green Belt. The benefits and mitigation put forward by the applicant in support of the proposal do not individually or cumulatively amount to very special circumstances sufficient to overcome the level of intrinsic harm which would be caused to justify the proposal. Accordingly, the proposal is contrary to ULP Policy S6 of the Uttlesford District Local Plan (adopted 2005) and the National Planning Policy Framework.



Organisation: Uttlesford District Council
Department: Planning
Date: 28 March 2019

UTT/18/3370/OP

(Development exceeds 5 dwellings in the rural areas)

PROPOSAL: Outline application with all matters reserved except access for the demolition of existing buildings and the erection of up to 9 dwellings and associated development.

LOCATION: Land South of The Farmhouse, Old Mead Road, Henham

APPLICANT: Elsenham Nurseries and Poultry Farm

AGENT: Mr J Salmon

EXPIRY DATE: 7 February 2019 (Extension of time agreed)

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site for the purposes of the land edged in red forms the front rectangular section of a redundant poultry farm (site area = 0.9 ha) which lies on the east side of Old Mead Road to the north of the Elsenham Station level crossing. The site rises gently off the road towards the east across the wider holding and comprises an extensive frontage area of grassland running parallel with the road behind which are four old poultry buildings and a stables building running back at right angles behind a recessed perimeter fence. Further poultry buildings making up an extensive grouping of 18 no. buildings as a whole for the former poultry holding are located further back into the holding on a series of internal roadways on the gently rising ground on land within the applicant's ownership and control (land edged in blue), five of which are being used for low key commercial use. It is stated in the planning supporting statement that the majority of the poultry buildings have remained redundant since the late 1980's and that the buildings being used for small scale commercial purposes have been so used since the late 1980's/early 1990's.

2.2 The applicant's dwelling (farmhouse) stands within a small farmyard grouping to the immediate north of the site, whilst a short line of dwellings lies opposite the site. A high density development of newly constructed dwellings on the former goods yard site adjacent to the railway line lies to the south-west of the site, whilst a further dwelling lies to the immediate south with commercial premises situated to the south of this extending back to the railway crossing.

3. PROPOSAL

3.1 This outline proposal relates to the erection of up to 9 no. dwellings and associated development involving the demolition of the aforementioned poultry buildings and stables together with new vehicular access from Old Mead Lane with all matters reserved except Access.

3.2 The indicative drawings submitted (revised) show how a line of up to 9 no.

dwellings, some with attached garages shown, with additional on-plot hardstanding parking could be accommodated at the site together with new shared internal service road.

3.3 The application is accompanied by the following additional reports:

- Building & Countryside Impact Assessment (Sworders, November 2018)
- Transport Statement (Bancroft Consulting, October 2018)
- Preliminary Ecological Appraisal incorporating Bat Survey Inspection (T4ecology Ltd, October 2018).

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The application has been considered against The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, although does not qualify as Schedule 2 development given the size of the development.

5. APPLICANT'S CASE

5.1 The accompanying supporting planning statement (Sworders, November 2018) sets out the background to the application, the proposal, national and local planning policy, material considerations, including reference to the principle of the development, pre-application advice and other matters and concludes as follows:

“The outline planning application is made in the context of the government’s requirement to boost housing land supply and responds specifically to the pressing need identified in Uttlesford District to deliver additional housing. It has been demonstrated that the Development Plan is out of date and that the presumption in favour of sustainable development should apply to the determination of this application, in accordance with NPPF paragraph 11.

Paragraph 8 of the NPPF refers to the three dimensions of sustainable development: economic, social and environmental. The proposal is situated in a sustainable location close to services and facilities, including a train station, and the provision of 9 dwellings on a site which is deliverable will have a positive impact in addressing the five-year land supply issues.

The proposed development is small in size and scale and suitable for a village the size of Henham. There will be no impact upon neighbouring amenity, highway safety, protected species, flood risk or significant visual impact. The proposal will see the removal of a considerable amount of built form, some redundant and some in use. Part of the land is brownfield and the applicant could utilize permitted development rights to potentially achieve 9 new dwellings scattered across the land. The proposal represents the most appropriate re-use of the land in accordance with paragraph 118 of the NPPF.

The provision of an adequate supply of housing therefore has economic consequences for a district beyond jobs created during the construction of the dwellings. Ensuring housing delivery in line with objectively assessed housing needs is a key input into the economic performance of a district.

Uttlesford District Council’s inability to ensure an adequate supply of housing over the next five years is therefore a significant material consideration in terms of economic sustainability as well as in regard to the need to meet the requirements of section 5 of the NPPF.

The site, being a former poultry farm with numerous buildings and some currently in use for commercial storage use (consequently part brownfield land) would be re-used if this application is approved, in accordance with paragraph 118 of the NPPF. The principle of residential dwellings on the north side of station has been established by the recent granting of planning permission for 16 new dwellings at the Old Goods Yard adjacent the host site and a further single dwelling further north adjacent the property known as The Reeds.

In conclusion, it is clear that in the context of paragraph 11 of the NPPF the adverse impacts of the proposal would not 'significantly and demonstrably' outweigh the benefits when assessed against the policies in the NPPF as a whole, and as such the proposal benefits from the presumption in favour of sustainable development and outline planning permission should be granted".

6. RELEVANT SITE HISTORY

- 6.1 The submitted scheme has been the subject of a preliminary enquiry in 2018 when three residential site options for up to nine dwellings were put forward for this site. The Council's response acknowledged the existing somewhat dilapidated state of some of the former poultry buildings on the site and that it could be possible for some of the buildings to be converted to dwellings under the Class Q agricultural permitted development process were it the case that existing agricultural use could be shown and that this previous use had not otherwise been abandoned. It was considered that the site could not be described as isolated, notwithstanding that the site is located on the other side of the railway crossing and that Old Mead Road does not have any pavements or lighting, although recognising this is presently the case experienced for residents of the existing linear frontage housing opposite.
- 6.2 Whilst recognising the environmental benefits of removing some of the existing old poultry buildings at the site in favour of housing, the Council had concerns about the site's edge of village location notwithstanding the stated agricultural redundancy of the site. In noting the three housing options put forward for the site, the advice ended by saying that were the principle of development to be accepted upon persuasive argument, that a linear form of housing along Old Mead Road would be preferable to extending deeper into the site should the client decide to pursue a planning application and that the Council may wish to have the equivalent amount of existing poultry building footprint removed to that of new dwellings to make any housing scheme "net footprint neutral" were this to make such a scheme acceptable in planning terms in terms of environmental gains.
- 6.3 Whilst not directly comparable to the current application, a new dwelling has been granted outline planning permission on appeal within the garden to The Reeds situated opposite the site (ref; UTT/16/2779/OP) when the Inspector noted that it would be possible to walk or cycle into Elsenham thereby reducing reliance on the private car and representing an environmental benefit.

7. POLICIES

Uttlesford Local Plan (2005)

ULP Policy S7 – The Countryside
ULP Policy H1 – Housing Development
ULP Policy H9 – Affordable Housing

ULP Policy H10 – Housing Mix
ULP Policy ENV10 – Noise sensitive development and disturbance from aircraft
ULP Policy ENV14 – Contaminated Land
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Risk
ULP Policy GEN7 – Natural Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Emerging Local Plan

Policy SP1 – Presumption in Favour of Sustainable Development
Policy SP2 – The Spatial Strategy 2011-2033
Policy SP3 - The Scale and Distribution of Housing Development
Policy SP10 – Protection of the Countryside
Policy SP12 – Sustainable Development Principles
Policy H1 – Housing Density
Policy H2 – Housing Mix
Policy H6 – Affordable Housing
Policy H10 – Accessible and Adaptable Homes
Policy TA1 – Accessible Development
Policy TA3 – Vehicle Parking Standards
Policy D1 – High Quality Design
Policy D2 – Car Parking Design
Policy EN7 – Protecting and Enhancing the Natural Environment
Policy EN10 - Minimising Flood Risk
Policy EN11 – Surface Water Flooding
Policy EN16 – Contaminated Land
Policy C1 – Protection of Landscape Character

Supplementary Planning Documents/Guidance

SPD – Accessible Homes and Playspace

National Policies

National Planning Policy Framework (NPPF) (July 2018)

Other Material Considerations

National Planning Policy Guidance (NPPG)
Essex Design Guide
ECC Parking Standards
UDC Parking Standards

8. PARISH COUNCIL COMMENTS

8.1 Comments not received.

9. CONSULTATIONS

NATS

9.1 Following a review of its operation in the vicinity of the proposed development NATS (En Route) plc has determined that although this is likely to impact our electronic

infrastructure, this impact can be managed such that it does not affect the provision of a safe and efficient en-route ATC service. Accordingly NATS (En Route) plc has no safeguarding objections to the proposal and as such it is withdrawing its objection of the 21st December 2018.

MAG

- 9.2 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. It has no aerodrome safeguarding objections to the outline proposal, but it must be consulted on the future SuDS details should this scheme be approved.

It is important that any conditions in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

UK Power Networks

- 9.3 Thank you for contacting us regarding UK Power Networks equipment at the above site.

I have enclosed a copy of our records which show the electrical lines and/or electrical plant. I hope you find the information useful.

I have also enclosed a fact sheet which contains important information regarding the use of our plans and working around our equipment. Safety around our equipment is our number one priority so please ensure you have completed all workplace risk assessments before you begin any works.

Should your excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

ECC Highways

- 9.4 The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions.

ECC Ecology

- 9.5 I have reviewed the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Oct 2018) supplied by the applicant relating to the likely impacts of development on Protected & Priority habitats and species, particularly nesting birds and identification of proportionate mitigation.

I am satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.

This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

The mitigation measures identified in the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Oct 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species particularly nesting birds.

Impacts will be minimised such that the proposal is acceptable subject to conditions based on BS42020:2013. In terms of biodiversity net gain, the enhancements proposed will contribute to this aim.

Submission for approval and implementation of the details should be a condition of any planning consent:

10. REPRESENTATIONS

10.1 2 representations received (1 Neutral, 1 Object). Neighbour notification period expires 01/02/19 Advertisement expires - n/a, site notice expires 28/01/19.

10.2 Summary of representations received as follows:

- The development would be an improvement on the site's current benign status by removing the redundant poultry buildings
- Inaccuracies in the supporting planning statement relating to dwelling types and storey heights
- Not clear how many existing buildings are to be removed
- Housing mix based on identified need not accurately stated. The identified local need is for more bungalows
- Old Mead Road does not have any pavements or lighting
- Elsenham has been saturated by housing developments and cannot sustain any More.

11. APPRAISAL

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

- A Principle of development (NPPF, ULP Policies S7, H1 and GEN3);
- B Access (ULP Policy GEN1);
- C Design (Scale, Layout (including parking), Appearance and Landscaping (ULP Policies GEN2 and GEN8 and SPD "Accessible Homes and Playspace");
- D Housing Mix (ULP Policy H10);
- E Affordable Housing (ULP Policy H9);
- F Impact on residential amenity (ULP Policy GEN2);
- G Impact on protected species (ULP Policy GEN7);
- H Noise (ULP Policy ENV10);
- I Contaminated Land (ULP Policy ENV14).

A Principle of development (NPPF, ULP Policies S7, H1 and GEN3)

11.1 The NPPF has a presumption in favour of sustainable development whereby paragraph 11 states that LPA's should approve development proposals that accord with an up to date development plan without delay; or where there are no relevant development plan policies or the policies which are most important for determining

planning applications are out of date to grant planning permission unless i) the application policies in the Framework that protect areas of particular importance provides a clear reason for refusing the development proposal; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the framework as a whole.

- 11.2 The proposal site lies outside development limits and is therefore within the countryside for the purposes of ULP Policy S7 which states that the countryside will be protected for its own sake and that development, including new housing, will not be permitted unless it needs to take place there or is appropriate to a rural area. As such, the proposal is contrary Policy S7. However, this policy has been found to be only partially consistent with the NPPF which takes a more positive stance towards rural forms of development if it can be demonstrated that it would be sustainable.
- 11.3 The site is within a 5 minute walk of Elsenham train station and is within reasonably close walking distance to village services and amenities (it is noted that the site is actually in Henham). Notwithstanding its location north of the railway crossing, it is considered that the site can be regarded as being within a reasonably sustainable position relative to this sustainable transport mode and these local services whereby the appeals inspector for the approved new dwelling at The Reeds lying opposite the site took a similar view. The social strand of the NPPF would therefore be engaged. The economic strand would also be engaged from employment arising from the development and likely reliance by the occupiers of the dwellings on local services.
- 11.4 The existing large number of former poultry buildings which make up the applicant's holding, including the five on the proposed development site are considered collectively to detract from the wider appearance of the streetscene whereby the gradual rise in the site from Old Mead Road eastwards makes the buildings appear more stark on the horizon line. Whilst it could be argued that the partly redundant buildings comprise part of the agricultural landscape at this location where this was mentioned for the Council's preliminary enquiry, their removal would nonetheless be desirable in visual amenity terms. In this respect, the applicant has declared a willingness to remove all of the buildings on the holding to include those lying outside the development site itself as strong mitigation to enable the Council to consider the proposed housing scheme more favourably. It has been calculated by the applicant as set out in the submitted "Building and Countryside Impact Assessment" that the removal of all 18 buildings on the site would result in the total removal of 7,734 cubic metres of existing built form compared to a total approximate volume of 4,331 cubic metres of built form being introduced at the site for the proposed 9 no. dwellings as shown indicatively for the current application resulting in a 44% reduction in building volume at the site overall. The applicant has offered to submit a legal obligation by way of a unilateral undertaking as part of the submitted scheme to demolish all of the buildings on the existing poultry holding as shown on the submitted Existing Site Location Plan, dwrg. ref. 218069 OPL 101B, to include the 5 no. buildings within the application site edged in red, to show his intentions in this respect.
- 11.5 Whilst it is considered that this is only one way of assessing the current proposal in terms of its full countryside impact, this offer by the applicant would nonetheless remove the rather unsightly collection of buildings from the site which would represent a significant environmental gain at this semi-rural location to the north of the large commercial buildings situated to the south of the site. It is considered that the demolition of just the 5 no. buildings within the application site itself would be sufficient in planning mitigation terms in the interests of rural amenity enhancement,

although the willingness by the applicant to remove all of the buildings on the site is welcomed. Whilst it is stated that the applicant could use the fall-back position of exercising Class Q or commercial user rights under the prior notification process to convert several of the old poultry buildings to separate dwellings, it is further stated that the applicant does not wish at the present time to pursue this possibility, but would prefer instead to pursue the planning application route as proposed. Clearly, were such a fall-back position to be achievable then this would result in the likely permanent presence of the old buildings on the site with possible negative consequences for visual amenity through what is often seen as inappropriate conversions.

- 11.6 Whilst it is accepted that the proposed dwellings would encroach into the countryside, it is considered from the above assessment that a line of appropriately scaled dwellings along Old Mead Road which would be “book-ended” by The Farmhouse at the northern end of the site providing a “stop” to the development and a dwelling at the southern end with the rear boundary line of the development site being strongly landscaped would have less environmental impact in relative terms than the prevailing situation with the existing building complex and is therefore a material consideration of weight in the tilted planning balance. As such, the environmental strand of the NPPF would be engaged whereby paragraph 118 of the Framework encourages the re-use of brownfield and previously developed land for housing and other purposes where it states that planning policies and decisions should “promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing...”
- 11.7 As such, it is argued that any adverse effects of introducing the proposed development at this location by way of countryside harm by definition would be outweighed by the removal of the existing buildings from the site leading to positive benefits through environmental gains under ULP Policy S7 and thus would amount to a presumption in favour of sustainable development. The site is located within Flood Zone 1, which represents the lowest risk of flooding. As such, the site is not at risk of fluvial flooding. However, it will be necessary for the applicant to submit a SuDs drainage scheme at reserved matters stage to demonstrate that the development would not cause off-site surface water flooding, particularly given the gradual slope of the site.
- 11.8 In view of the foregoing assessment, the principle of residential development is considered acceptable.

B Access (ULP Policy GEN1)

- 11.9 Access falls to be considered with this “in-principle” outline application. Vehicular access to the proposed development would be via a new 6m wide shared entrance to be created from Old Mead Road off of which shared drives would run parallel with the road behind in both a northerly and southerly direction in front of the proposed dwellings for the entire width of the site.
- 11.10 The submitted Highway Impact Assessment has assessed the suitability and transport sustainability of the proposed development taking into account both the single lane nature of Old Mead Lane, recorded crash data for the site and the lack of footpaths and street lighting along the road and has based its highways assessment on NPPF advice, Manual for Streets and Essex Design Guide principles. The crash data has revealed one recorded accident in Old Mead Road within the vicinity of the site during the most 5 year period available (2013-2017) which was approximately 280m south of the site frontage which was classified as slight in severity and

involved one vehicle. The assessment concludes from this that it can be assumed that there are no ongoing highway safety problems associated with Old Mead Road that would adversely affect the ability to deliver a suitable access at the proposed site location.

- 11.11 In terms of sustainability, the assessment remarks that a local combined bus and rail provision is deemed to provide a more than adequate level of sustainable mode of choice for local residents and that other existing residential properties in the vicinity of the site are located a similar distance away and therefore this precedent should remain acceptable. In terms of the lack of a footway and street lighting, the assessment states that *“Overall, it is accepted that the current pedestrian infrastructure in the vicinity of the site is limited. However, the level of pedestrian trips that the proposed development could generate is negligible”*.
- 11.12 ECC Highways have been consulted on the application who have considered the Highway Impact Assessment and who have assessed the impact of the proposed development on highway safety along this section of Old Mead Road and commented that the proposal would be acceptable from a highway and transport perspective subject to highway conditions, including the requirement to close of any existing entrance points into the site from the road. As such, there are no reasonable grounds upon which the Council can sustain an objection on highway grounds and no access objections are raised under ULP Policy GEN1.

C Design (ULP Policy GEN2 and SPD “Accessible Homes and Playspace”)

- 11.13 Scale, Layout, Appearance and Landscaping are reserved matters and therefore do not fall to be considered with this outline application. However, it is necessary to assess whether the proposal would be appropriate in terms of design based upon the level of details submitted for the current application.
- 11.14 Indicative drawings have been submitted with the application to show how the proposed development could appear, although final design details would be the subject of a subsequent DFO application. The submitted indicative streetscene elevation showing example house types shows a variety of 1½ storey scaled detached dwellings designed in local vernacular style, with ridge heights typically at approximately 6.2m. Three dwellings, being those shown for Plots 1, 2 and 4 were originally shown at two storey height, although these have now been reduced to 1½ storey in height following drawing revision to be consistent in scale with the other dwellings shown for the site following initial concerns expressed by officers that the presence of two storey dwellings at the site, which is on slightly rising ground from Old Mead Road, would be out of scale and character with the general building form of those existing dwellings situated opposite. The scale and appearance of the dwellings as now indicatively shown for the development by revision is considered acceptable for this semi-rural site location, whilst the housing density is also considered acceptable, particularly when this is compared to the high density new housing development which exists at the old goods yard to the immediate south-west (ULP Policy GEN2).
- 11.15 Rear gardens for the dwellings are shown to be essentially uniform in size typically with private rear amenity spaces of approximately 450sqm which would meet and considerably exceed the Essex Design Guide 100sqm minimum garden amenity standard for 3 and 4 bedroomed dwellings and would be acceptable garden sizes for the site’s location, notwithstanding that rear gardens for the existing properties situated opposite are larger. That said, the amenity spaces for the high density housing development on the nearby former goods yard are considerably smaller.

- 11.16 Parking for the development is indicatively shown as a combination of covered and front hardstanding parking. Given the outline nature of this proposal which shows representative house types, it is not necessary at this stage to show exact parking arrangements other than to demonstrate that the site would be large enough to accommodate *up to* 9 no. dwellings with compliant parking provision whereby it would be for the applicant to show at reserved matters stage that 9 no. dwellings could be satisfactorily provided at the site with appropriate on-plot parking provision to comply with adopted parking standards. A nine dwelling scheme would require 2.25 no. parking spaces and this is shown on the indicative drawing.
- 11.17 It is therefore considered that the indicative design of the dwellings, including layout as shown, would be acceptable under ULP Policy GEN2. Landscaping details have not been expressly shown, although it would be important at detailed stage for full landscaping details to be shown to reduce the impact of the development on the local landscape.

D Housing Mix (ULP Policy H10)

- 11.18 The proposal would likely to combine a mixture of 3 and 4 bedroomed dwellings as referred to in the applicant's statement. The latest SMAA evidence of needs survey states that a demand exists within the district for 3 and 4+ bedroomed market dwellings (2 and 3 bedroomed for affordable housing) and the proposal would help to fulfil this market demand. The housing mix for the site is therefore considered acceptable for this "in principle" outline application, although it would be for the applicant to show an appropriate balance between 3 and 4 bedroomed dwelling units across the site development at reserved matters stage. Whilst the comments expressed from a third party is noted that Elsenham requires bungalows rather than larger dwellings (note: the site lies in Henham), the Council cannot insist that this site, which is not a Council exception site, should be used expressively for bungalows should the principle of housing at the site be accepted, although it is certainly the case that the site would lend itself to this kind of development given the existing streetscene. No objections are therefore raised under ULP Policy H10.

E Affordable Housing (ULP Policy H9)

- 11.19 The proposal is for "up to" 9 no. market dwellings which would not trigger a requirement for the provision of affordable housing at the site, which it is considered would not be appropriate at this location in any event, or financial contributions in the alternative being less than 11 market dwellings in total providing the total gross floorspace of the development did not exceed 1,000sqm in total. It is stated by the applicant that this would not be the case based upon the indicative house types shown for the development, although it is noted that the dwellings are variously described as being either bungalows or 1½ storeys (i.e. two storeys for the purposes of floorspace calculation).
- 11.20 The applicant would be able to use vacant building credits against the five agricultural buildings to be demolished which lie within the site edged in red (not the buildings which lie outside) which could be offset against any calculated totals and it is considered in this instance that this site would not be appropriate to use the gross floorspace calculation for, particularly as the application is outline only and the precise house types and floor spaces are yet to be known and no objections are therefore raised under ULP Policy H9.

F Impact on residential amenity (ULP Policy GEN2)

11.21 Assessment of the development on existing residential amenity cannot be appropriately made at outline stage. However, the linear nature of the proposed development and the existence of agricultural land to the rear would mean that there would not likely to be significant negative impacts on the adjacent residential properties positioned either end of the site (ULP Policy GEN2).

G Impact on protected species (ULP Policy GEN7)

11.22 The site comprises a number of old poultry buildings and a stable building and a swathe of grassland in front to the road. A preliminary ecological assessment, including a bat survey has been conducted at the site which has not revealed the existence of any protected or priority species, including bats whereby the report of survey states that the buildings on the site at the very most offer negligible bat roosting potential.

11.23 ECC Ecology Place Services have commented on the application and have advised that they have no ecology objections to the proposal based upon the findings of the ecology report subject to an ecology mitigation and enhancement condition. No objections are therefore raised to the development under ULP Policy GEN7.

H Noise (ULP Policy ENV10)

11.24 The Council's EHO has not been formally commented on the submitted application in terms of noise impacts on the proposed development from the nearby London to Cambridge railway line. Notwithstanding this, it is necessary to impose a noise condition requiring a scheme of works to be submitted for subsequent approval to address environmental noise should outline permission be granted for the current application where it is noted that a similar condition was imposed for The Reeds dwelling appeal opposite. No objections are raised under ULP Policy ENV10 on this basis.

I Contaminated Land (ULP Policy ENV14)

11.25 The site contains buildings which historically have been used for poultry farming. It is therefore possible that the site may contain contaminants or pollutants which may be harmful to human, wildlife, aqua and other receptors. Given that the Council's EHO has not been formally consulted on the proposal, it is necessary to impose a standard pre-commencement contamination/remediation condition should outline permission be granted for the current application in principle. No objections are raised under ULP Policy ENV14 on this basis.

12. CONCLUSION

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

- A The principle of residential development at this location is considered acceptable.
- B Shown access arrangements are considered acceptable.
- C The indicated design and layout of the development is considered acceptable.
- D The indicated housing mix is considered acceptable.
- E No affordable housing financial contributions can be reasonably taken from the proposal.
- F The development would unlikely to be detrimental to existing residential amenity.
- G The proposal would not have a harmful impact upon protected or priority species.
- H No noise objections are raised to the proposal subject to a noise condition.

- I No contamination objections are raised to the proposal subject to a contamination/ remediation condition.

Conditions

1. Approval of the details of layout, scale, appearance and landscaping (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. Prior to occupation of any dwelling, the provision of an access formed at right angles to Old Mead Road, as shown in principle on drawing no. F18141/01 (proposed site access layout, Oct 2018) to include but not limited to: minimum 6 metre carriageway width with and clear to ground visibility splays with dimensions of 2.4 metres by 96 metres to the north and 2.4 metres by 85 metres to the south, as measured from and along the nearside edge of the carriageway shall be made. Such vehicular visibility splays shall retained free of any obstruction at all times.
REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
5. Any redundant access or access width shall be suitably and permanently closed to the satisfaction of the Local Planning Authority, in consultation with the Highway Authority, incorporating the reinstatement to full height of the highway kerbing/verge, 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 ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).
6. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.
REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

7. Prior to commencement of development, a scheme for protecting the proposed dwellings from noise from road traffic and the nearby railway line shall be submitted to and approved in writing by the local planning authority.

None of the dwellings shall be occupied until a scheme has been implemented in accordance with the approved details and shown to be effective, and it shall be retained in accordance with the approved details.

REASON: To provide reasonable living standards within an acoustic environment for the occupiers of the dwellings in accordance with ULP Policy ENV10 of the Uttlesford Local Plan (adopted 2005).

8. No development approved by this permission shall take place until the following has been submitted to and approved in writing by the Local Planning Authority:
- A Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination. This report shall adhere to BS10175:2011.
 - A Phase 2 Site Investigation (where shown as necessary in the Phase 1 Desk Study).
 - A Phase 3 Remediation Scheme (where shown as necessary by the Phase 2 Site Investigation).

All such work shall be undertaken in accordance with BS: 10175: 2011 or other appropriate guidance issued by the regulatory authorities. The work shall be sufficient to ensure that measures will be taken to mitigate any risks to human health, groundwater and the wider environment.

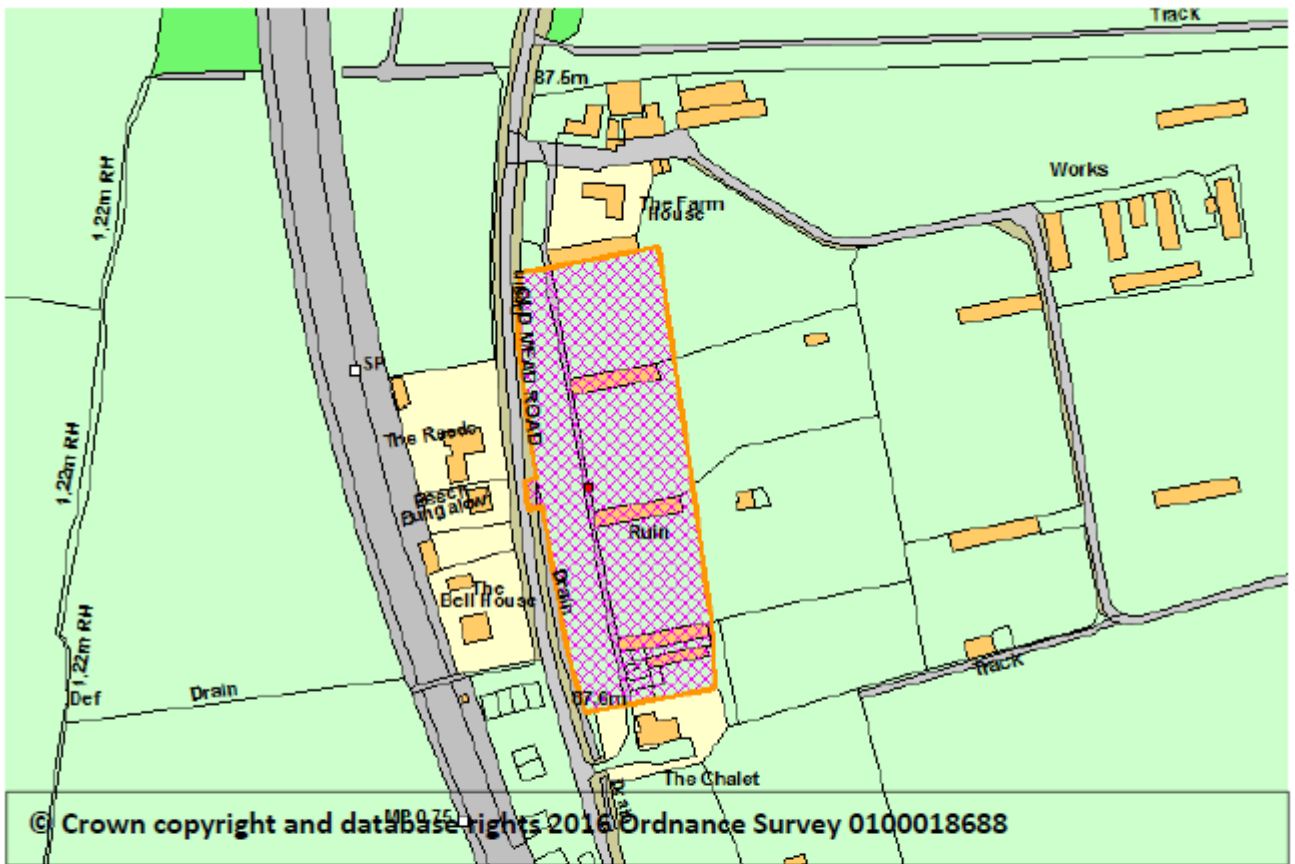
REASON: To protect human health and the environment in accordance with ULP Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

9. No development shall take place until a SuDS drainage scheme has been submitted to and approved in writing by the local planning authority (which shall be at reserved matters stage). Thereafter, the scheme shall be implemented as approved.
REASON: In order to prevent off-site surface water flooding in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

10. All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Oct 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes: the installation of 14 swallow nesting cups onto the new dwellings, integrated swallow boxes (one per dwelling), use of native planting, covering trenches overnight, due diligence regarding nesting birds and maintaining hedgehog permeable boundaries to the properties.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and s17 Crime & Disorder Act 1998 in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council
Department: Planning
Date: 27 March 2019

UTT/18/2268/FUL STANSTED

The application is called-in to committee by Cllr Dean if the application is recommended for refusal

PROPOSAL: Erection of 2 no. 4/5 bedroom detached dwellings with associated parking space, integral garage and new access

LOCATION: Land adjacent the Stables High Lane Stansted CM24 8LQ

APPLICANT: Mr David Butterfield

AGENT: Three Square Design Ltd

EXPIRY DATE: 12.10.2018

CASE OFFICER: Babatunde Aregbesola

1. NOTATION

- 1.1 Outside Development Limits, Aerodrome Direction, within 250m of local wildlife site, Ground water protect zone within zone 1, Road Classification-Line and Stansted Airport within 6km of Airport.

2. DESCRIPTION OF SITE

- 2.1 The application site is an existing grassed land opposite The Stables and located to the east of High Lane. To the west, across High Lane, lies the eastern boarder of Stansted of Mountfitchet, comprising of different mixture of single or two storey dwellings. To the south it is bounded by the former stable block, converted to residential use and beyond it there are a number of other residential dwellings, including Croft House, Croft House Cottage and The Barn. To the north and east the site is bounded by substantial band of mature trees and the open countryside.

3. PROPOSAL

- 3.1 The proposal would involve the erection of one and half storey three 4/5 bed two detached dwellings with integral garage. The total floorspace created will be 429m² (4,617 square feet), with a built footprint of 278m². A new vehicular access from High Lane is proposed with private amenity space around each of the proposed dwellings.

It is pertinent to note that there is a planning permission previously granted under planning reference UTT/16/2755/FUL for a large single storey dwelling to be erected within the application site, which established the principle of residential development within this site as a valid fall-back position in this instance.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

- 5.1 The application was submitted with the following documents:
Biodiversity Checklist
Sustainability Checklist
Planning, Design and Access Statement
Ecological Survey

6. RELEVANT SITE HISTORY

- 6.1 UTT/16/2755/FUL - Erection of 1 no. 4 bedroom bungalow and garage together with vehicle parking and private amenity space. New road crossover and access drive into site (alternative scheme to that approved under planning permission UTT/15/3121/FUL). Approved with Conditions dated 1st November 2016.
- 6.2 UTT/15/3121/FUL - Erection of 1 no. 4 bedroom bungalow and garage together with vehicle parking and private amenity. Approved with Conditions dated 23rd December 2015.
- 6.3 UTT/14/0124/FUL - Conversion of existing building to a dwelling and for the erection of double garage and entrance gate with piers and brick wall amended to approved planning UTT/12/5126/FUL. Approved with Conditions dated 24th March 2014.

7. POLICIES

- 7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:
(a) the provisions of the development plan, so far as material to the application,
(aza) a post-examination draft neighbourhood development plan, so far as material to the application,
(b) any local finance considerations, so far as material to the application, and
(c) any other material considerations.
- 7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Uttlesford Local Plan (2005)

S7 - The Countryside

GEN1 - Access

GEN2 - Design

GEN3 - Flood Protection

GEN6 - Infrastructure Provision to Support Development

GEN8 - Vehicle Parking Standards

ENV9 - Historic Landscapes

H1 - Housing Development

H9 - Affordable Housing

Supplementary Planning Documents/Guidance

SPD - Accessible Homes and Playspace (2005)
The Essex Design Guide (2005)
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

National Policies

National Planning Policy Framework (NPPF) (2018)
- paragraphs 11, 73, 78-79, 102-111, 127, 155-165, 170, 175, 178-180 & 189-196
Planning Practice Guidance (PPG)
- Design
- Flood risk and coastal change
- Housing: optional technical standards
- Natural environment
- Planning obligations
- Rural housing

8. PARISH/TOWN COUNCIL COMMENTS

8.1 Raised no comment to the proposal

9. CONSULTATIONS

9.1 Ecology Place Services
No objection subject to securing biodiversity mitigation and enhancement measures.

9.2 ECC Highways
No objection subject to conditions

9.3 Environmental Health
No comment

10. REPRESENTATIONS

10.1 Neighbours were notified of the application by letter, and notices were displayed near the site. 23 neighbouring properties were consulted and three representations were received in relation to the proposal, two raised objections and one neither objecting nor supporting the proposal but raised concerns on the impacts of the proposal on her property. The objections are on the following grounds;

1. Cramped and Over-development
2. Not keeping with the rural character of the immediate area
3. Loss of trees and shrubs
4. Loss of significant area of the Meadow
5. Potential traffic movement

The following comments would be addressed in the report below.

11. APPRAISAL

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

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character, appearance and (S7, GEN2, 127, 170, & PPG)

- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, 127 & PPG)
- E Amenity (GEN2, GEN4, 127, 180 & PPG)
- F Flooding (GEN3, 155-165, PPG & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, ENV8, 175 & PPG)
- I Archaeology (ENV4, 189-196 & PPG)

A Location of housing (S7, H1, 78-79 & PPG)

- 11.1 The Local Plan places the site beyond the defined Development Limits for town and villages, and therefore in a countryside location that is inconsistent with policies S7 and H1 on the location of housing.
- 11.2 Notwithstanding the above conflict with development plan policies, the proposal accords with the more up-to-date national policy in the NPPF. Paragraphs 78-79 take a less restrictive approach compared with the Local Plan, supporting the growth of existing settlements while preventing isolated homes that could lead to sporadic development in the countryside. The site's location adjacent the built-up area of Debden ensures its consistency with paragraphs 78-79.

B Character, appearance and heritage (S7, GEN2, 127, 170 & PPG)

- 11.3 The introduction of housing to an undeveloped field would inherently have a harmful effect on the rural character of the area, in conflict with Policy S7 and paragraph 170 of the NPPF.
- 11.4 The application site is located on the edge of but outside the development limits of Stansted. It encompasses a level and rectangular shaped parcel of land that has been described as meadow. The north and east side of the application site is defined by thick woodland. While the western boundary adjoins High Lane and southern boundary is adjacent to The Stables. Development along High Lane tends to be on the western side of the road and broadly characterised by frontage development screened by soft landscaping. The development directly opposite the application site has a linear pattern and is set back from the road. The eastern side of the High Lane is more verdant and undeveloped; however, there are group of buildings in this part of High Lane located to the south of the application site which includes The Stables, The Barn, Croft Cottage and Croft House Cottage
- 11.5 The proposed development would involve the erection of two comparatively large one and half story dwellings. The proposed dwellings would be positioned along the rear boundary of the plot abutting the open field on the east side of the application site with soft and hard landscaping to the front of the proposed dwellings. The two properties would share a single access point. This arrangement in relation to the opposite development on the west of High Lane would be at odds with the prevailing pattern of development locally. In addition, the proposal would have a rather urban appearance with the two plots to the rear dominated by the houses, the hard surfaces and boundary treatment. The proposed development would potentially introduce and extend the built form of urban grain into the open countryside

vernacular along the eastern side of High Lane presenting an awkward juxtaposition with the existing open character of the meadow, open field to the east, the farmstead to the south. In this respect, the proposed development would result in an unsympathetic concentration of housing on the edge of the village and thus a harder transition between the settlement and the countryside. As such, the proposed development would harm the character of the area.

C Transport (GEN1, GEN8 & 102-111)

11.6 In terms of accessibility to service, the site is located on the edge of the village which ensures that the future residents of the development would have reasonable access to a range of local services and facilities, including a primary schools, restaurant, playing field and village hall. Furthermore, a regular bus service (B1383 road No. 301) provides realistic public transport to Saffron Walden and Stansted Airport. Although, the bus stop is almost 10 – 15mins walk to the application site. High Lane has a footpath and pavement for walking pedestrian and cycling is attractive along this road. As such, future residents of the development would not solely rely on the use of private cars as the only means of commuting in and out of the settlement, as the location of the development would promote walking and cycling in accessing essential needs.

11.7 Taking into account the comments of the highway authority, it is considered that there would be no significant adverse effects on road safety or capacity. The access to the new bungalow would be through a new proposed gated access and cross over to serve the new development. The proposed access would involve the removal of small amount of trees which would be compensated through the planting of new trees within the boundary treatment.

11.8 The proposed access width and design are considered acceptable because it can accommodate the type of traffic that would be associated with such scale, layout and form of bungalow and the traffic along High Lane. Overall, the ECC Highways Authority have considered the proposed access and drive way details and did not raise objection, instead they have recommended appropriate planning conditions to safeguard traffic in the area and other road users in accordance with Policies GEN1 and GEN8.

11.9 Furthermore, the proposed development complies with the Council's minimum residential parking standards, as confirmed in the block plan submitted. It is therefore concluded that the proposal accords with the above policies

D Amenity (GEN2 & GEN4 & 127)

11.10 The Council adopts the minimum garden size standards contained within The Essex Design Guide. While there is some flexibility on the exact measurement, the proposed amenity space in the rear garden in plans submitted shows provision which exceed the required standard of 50m².

- 11.11 Turning to the impact on neighbouring amenity, the proposed development would be in some distance away from adjoining residential properties. As such, given, its location, orientation, design, scale and positioning of proposed windows along the side elevations, it is considered that the proposed dwelling would have no significant adverse effects on the amenity of neighbouring premises with respect to daylight, privacy or overbearing impacts.
- 11.12 As such, given the location, design and relationship of the proposed dwelling with adjoining properties, it is considered not to cause significant harm to the amenity of the neighbouring properties. Therefore, the proposal accords with the above policies insofar as they relate to amenity.

E Flooding (GEN3, 155-165, PPG & SFRA)

- 11.14 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The SFRA confirms that the site is not in an area at risk of flooding and, as the proposal is not a 'major development'; national policy does not require the use of a sustainable drainage system. It is therefore concluded that the proposal would not give rise to any significant adverse effects with respect to flood risk, such that it accords with the policies in the NPPF and PPG.

F Infrastructure (GEN6 & PPG)

- 11.15 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

G Biodiversity (GEN7, ENV8, 175 & PPG)

- 11.16 Taking into account the biodiversity checklist completed by the applicant and the location of the application site, it is considered unlikely that the development would have significant adverse effects on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

H Landscaping (ENV8)

- 11.17 Policy ENV8 states that development that may adversely affect these landscape elements like semi-natural grasslands, hedgerows, plantations, larger semi natural or ancient woodlands, green lanes and special verges will only be permitted if the need for the development outweighs the need to retain the elements for their importance to wild fauna and flora; mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality. Appropriate management of these elements will be encouraged through the use of conditions and planning obligation.
- 11.18 The site is bounded at the north and east by huge woodland area which separates the proposed site from the remaining part of the open countryside. Whilst the main site application comprised of open grassed land which is seen as part of additional or surplus amenity space to the existing bungalow described as 'The Stables'; it is

considered as the only part of the site area that would be affected by the proposed bungalow due to the loss of the open grassland.

- 11.19 Due to the impact on the grassed land the applicant carried out a tree survey in order to demonstrate the proposed scheme would not adversely harm the landscape character of the surrounding area which is predominantly residential and woodland in character.
- 11.20 Part of the proposal would involve the removal of some cherry trees along the existing boundary fence facing High Lane in order to create a new proposed gated access, new drive and cross-over leading to the building and attached triple garage. Land scape officer was not consulted in this current application. However, in the previously approved scheme under planning reference UTT/15/3121/FUL, the Landscape Officer did not raise objection to the proposed development subject to the submission and approval of a detailed scheme of landscaping which should include the provision of native species hedging to the road frontage of the site and the southern boundary. In addition, full details of enclosure of the site should be required to be submitted for approval, and should include the provision of timber post and rail fencing to the boundaries and a timber 5 bar gate at the driveway access. The provision of close boarded fencing is not considered appropriate in this setting. And further advised that details of tree protection measures to be put in place maintained during the course of construction should be submitted for approval; and these advices were conditioned in the previously approved scheme UTT/15/3121/FUL.
- 11.21 Therefore, it is considered such small amount of trees removal would not significantly harm the existing nearby trees and woodland character. The planting of other screen planting separating the development from the existing bungalow replaces any loss of trees associated with the proposed gated access. The proposal would comply with policy ENV8 of ULP (2005) and advice within NPPF.

I Affordable housing (H9 & PPG)

- 11.22 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the proposal need not make a contribution.

J Housing land supply (11 & 73)

Paragraphs 14 and 73 of the NPPF seeks that local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73 and local planning authority's housing delivery was at least 45% of that required over the previous three years. As identified in the most recent housing trajectory document, Housing Trajectory and 5-Year Land Supply Statement 1 April 2018 (October 2018), the Council's housing land supply is currently 3.46 - 4.45 years. Therefore, contributions towards housing land supply must be regarded as a positive effect

12. CONCLUSION

Taking into account the above conflicts with the development plan and the NPPF, and all other material considerations, it is recommended that planning permission be refused.

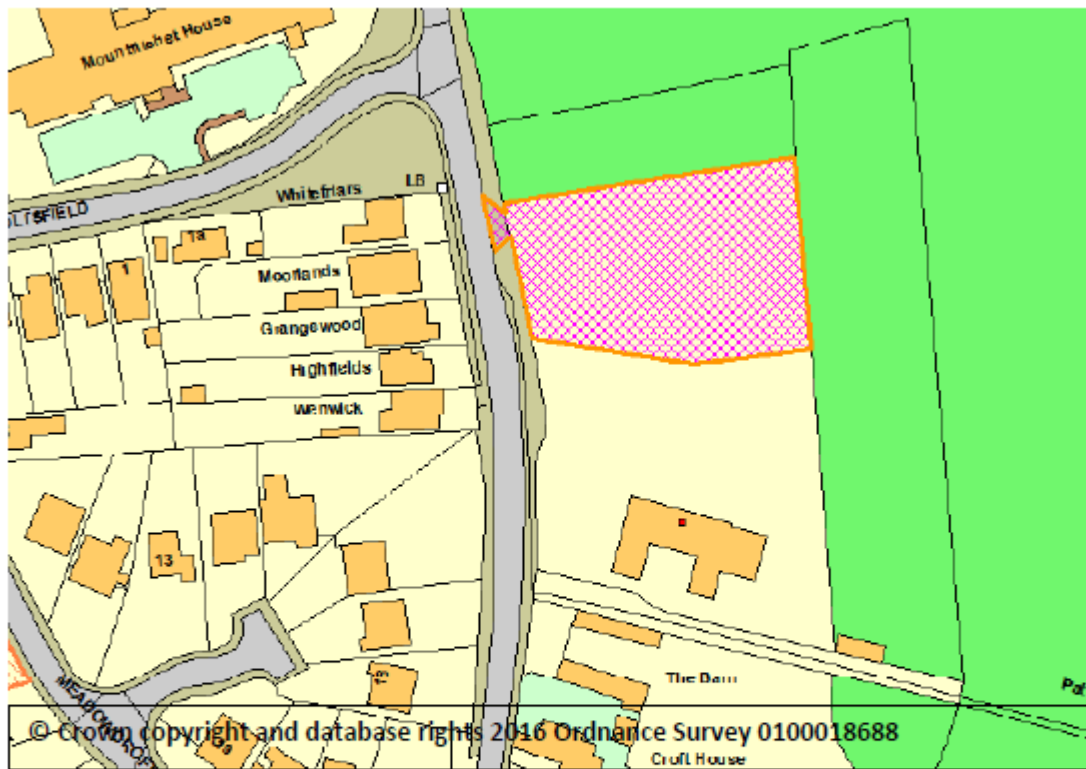
The following is a summary of the main reasons for the recommendation:

- A** There is no objection to the principle of new residential development in this location, given that planning permission has previously been approved for a large single storey dwelling within the application site. As such, this fall-back position has established the principle of the residential development of the application site when applying paragraph 6.13 Uttlesford Local Plan 2005, which permits limited infilling as a departure from the otherwise broad policy of restraint set out in policy S7 of ULP (2005).
- B** Having considered the proposed development in terms of its location, design and the development being two large dwellings, it is concluded to be an unacceptable development that would harm the character and appearance of the area, as the proposed arrangement would be at odds with the prevailing pattern of development locally. The proposed development would take the maximum width of the plot with little space between the houses. The position of the proposed buildings are likely to be harmful to the existing open character of the site and the softer more rural character found on the eastern side of High Lane. Therefore, the proposed scheme would have a rather urban appearance with the two divided plots to the rear dominated by the houses, the hard surfaces and the boundary treatment negatively impacting the open countryside character on the eastern side of High Lane. As such, the scheme would be contrary to Policies S7 and GEN2 of the Adopted Local Plan (2005) and advice within NPPF.

RECOMMENDATION – REFUSAL

Reasons

1. The proposed development involving the erection of 2 x one and half storey dwellinghouses with associated integral garages, parking areas amenity space, landscaping and new access would be out of character and introduce an urbanised appearance to the rural vernacular which would cause significant harm to the open and rural character of this part of the open countryside and thus a harder transition between the settlement and the countryside. The proposal would therefore detract rather than protect or enhance the character and appearance of this part of the countryside in which it is set. As such the proposal would be contrary to paragraph 79 of the NPPF, and polices S7 and GEN2 of the adopted (2005) Uttlesford District Local Plan.



Organisation: Uttlesford District Council

Department: Planning

Date: 20.03.2019

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UTT/19/0025/FUL (UGLEY)

(Referred to Committee by Cllr Artus. Reason: The previous refusal reasons have been addressed)

PROPOSAL:	Erection of 1 no. detached dwelling and garage
LOCATION:	Land adjacent Maughans, Field Gate Lane, Ugley Green
APPLICANT:	Mr & Mrs Moore
AGENT:	HJL Planning
EXPIRY DATE:	12 April 2019
CASE OFFICER:	Luke Mills

1. NOTATION

1.1 Countryside.

2. DESCRIPTION OF SITE

2.1 The site is located off Field Gate Lane, Ugley Green. It comprises an undeveloped parcel of land to the south of Maughans.

3. PROPOSAL

3.1 The application is for planning permission to erect a detached house and garage. An existing vehicular access off Field Gate Lane would be utilised.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

5.1 The following documents were submitted with the application:

- Planning Statement
- Biodiversity Validation Checklist
- Preliminary Ecological Appraisal Including a Protected Species Assessment

5.2 A Noise Assessment was submitted during the determination period, in response to concerns raised by the Environmental Health Officer.

6. RELEVANT SITE HISTORY

6.1 A similar application for a one-dwelling scheme was refused in August 2018 (UTT/18/1612/FUL) for the following reason:

“The size, scale, design and siting of the proposed dwelling will result in the introduction of a dominating and imposing built form to the site and as such will result in significant harm to the open character of the site, street scene and surrounding area. The proposal is therefore contrary to ULP Policies S7, GEN2 and the NPPF.”

6.2 A list of other historic applications for the site is provided below:

UTT/0766/81 Erection of detached house and integral garage
(Refused: 1981)

UTT/0083/87 Outline application for erection of two detached houses with garages and construction of new access
(Refused: 1987)

UTT/0049/02/OP Erection of detached dwelling and garage using existing access to highway.
(Refused: 2002)

UTT/13/1548/OP Outline application for two dwellings and garages together with turning head, passing bay and other external works
(Refused: 2013. Appeal dismissed.)

7. POLICIES

7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

7.3 Relevant development plan policies and material considerations are listed below.

Uttlesford Local Plan (2005)

7.4 S7 – The Countryside
GEN1 – Access
GEN2 – Design
GEN6 – Infrastructure Provision to Support Development
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
ENV2 – Development affecting Listed Buildings
ENV8 – Other Landscape Elements of Importance for Nature Conservation
ENV10 – Noise Sensitive Development and Disturbance from Aircraft

H1 – Housing Development
H9 – Affordable Housing

Supplementary Planning Documents/Guidance

- 7.5 SPD – Accessible Homes and Playspace (2005)
The Essex Design Guide
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

National Policies

- 7.6 National Planning Policy Framework (NPPF) (2019)
- paragraphs 11, 63, 73, 78-79, 102-111, 127-131, 170, 175, 180 & 189-199
Planning Practice Guidance (PPG)
- Conserving and enhancing the historic environment
- Design
- Housing: optional technical standards
- Natural environment
- Noise
- Rural housing

Other Material Considerations

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)
NPPF 2019 – Five Year Housing Land Supply update (March 2019)
Emerging Local Plan
- SP1 Presumption in Favour of Sustainable Development
- SP2 The Spatial Strategy 2011-2033
- SP3 The Scale and Distribution of Housing Development
- SP10 Protection of the Countryside
- SP12 Sustainable Development Principles
- H1 Housing Density
- H6 Affordable Housing
- H10 Accessible and Adaptable Homes
- TA1 Accessible Development
- TA2 Sustainable Transport
- TA2 Provision of Electric Charging Points
- TA3 Vehicle Parking Standards
- INF1 Infrastructure Delivery
- INF4 High Quality Communications Infrastructure and Superfast Broadband
- D1 High Quality Design
- D2 Car Parking Design
- D3 Small Scale Development/ Householder Extensions
- D8 Sustainable Design and Construction
- D9 Minimising Carbon Dioxide Emissions
- EN1 Protecting the Historic Environment
- EN4 Development affecting Listed Buildings
- EN7 Protecting and Enhancing the Natural Environment
- EN11 Surface Water Flooding
- EN17 Noise Sensitive Development
- C1 Protection of Landscape Character

8. PARISH COUNCIL COMMENTS

8.1 Objection. Extract:

“This development is proposed in the heart of a rural village, down a narrow country lane. If this development is approved it could set a precedence for further developments turning this quiet lane into an urban road.

This development is in a very rural location, and would have a detrimental effect on the wildlife.”

9. CONSULTATIONS

Highway Authority (Essex County Council)

9.1 No objections, subject to the use of a condition.

Ecological Consultant (Place Services)

9.2 No objections, subject to the use of a condition. Extract:

“I have reviewed the Preliminary Ecological Appraisal Report (Skilled Ecology Ltd, May 2018) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, particularly amphibians and reptiles and identification of proportionate mitigation.

I am satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on Protected and Priority species and, with appropriate mitigation measures secured, the development can be made acceptable. I support the reasonable biodiversity enhancements that should also be secured by a condition on any consent.”

Environmental Health

9.3 No objections. Initial objection removed following the submission of a Noise Assessment. Extract:

“This site is subject to motorway noise. The submitted noise assessment indicates that during the day the average external noise level is up to 55dB LAeq, and around 50 dB at night. This means that the BS8233 criteria of 35dB indoors during the day and 30dB in bedrooms at night could be met only by keeping the windows closed. In the garden area average noise levels of up to 55dB were measured, which is the upper guideline of BS 8233 for amenity areas.

This is not ideal, but as prospective occupiers will be aware of the motorway noise and able to make a judgement as to whether this is acceptable to them, no objection is raised.”

London Stansted Airport

9.4 No objections.

NATS

- 9.5 No objections.

UK Power Networks

- 9.6 General advice regarding safe working near electrical lines/plant.

Gigaclear

- 9.7 Fibre broadband apparatus is located close to the application site.

CLH Pipeline System

- 9.8 No objections.

10. REPRESENTATIONS

- 10.1 Neighbours were notified of the application and a notice was displayed near the site. One representation has been received, which raises the following concerns:

- Incompatible with the rural character of the area
- Inadequate road infrastructure to support development

- 10.2 The below appraisal includes consideration of character, appearance and impacts on the highway network.

11. APPRAISAL

The issues to consider in the determination of the application are (relevant policies in brackets):

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character, appearance and heritage (S7, GEN2, ENV2, 127-131, 170, 189-199 & PPG)
- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, 127 & PPG)
- E Amenity (GEN2, ENV10, 127, 180 & PPG)
- F Infrastructure (GEN6)
- G Biodiversity (GEN7, ENV8, 175 & PPG)
- H Affordable housing (H9 & 63)
- I Housing land supply (11 & 73)

A Location of housing (S7, H1, 78-79 & PPG)

- 11.1 The Local Plan places the site beyond the defined Development Limits for town and villages, and therefore in a countryside location that is inconsistent with policies S7 and H1 on the location of housing.
- 11.2 Notwithstanding the above conflict with development plan policies, the proposal accords with the more up-to-date national policy in the NPPF. Paragraphs 78-79 take a less restrictive approach compared with the Local Plan, supporting the growth of existing settlements while preventing isolated

homes that could lead to sporadic development in the countryside. The site's location within the loosely-defined village of Ugley Green ensures its consistency with paragraphs 78-79.

B Character, appearance and heritage (S7, GEN2, ENV2, 127-131, 170, 189-199 & PPG)

- 11.3 Ugley Green has a loose development pattern, albeit the most discernible focal point and highest concentration of housing is found near the village green. The application site is located some distance to the north, where the pattern of development becomes increasingly fragmented and largely defined by historic farm complexes as at Hudsons Farm and Fieldgate Farm. It is considered that a new dwelling in this location would be incompatible with the prevailing rural character of its surroundings because it would erode undeveloped countryside and contribute to the consolidation of sporadic residential development. It is therefore concluded that the proposal conflicts with Policy S7 and paragraph 170 of the NPPF insofar as they relate to countryside character.
- 11.4 It is acknowledged that the proposed buildings have been designed in a traditional style that is compatible with the architecture in the vicinity, and that there would be a reduced visual impact compared with the recently refused scheme. However, neither of these factors is sufficient to overcome the fundamental concerns described above.
- 11.5 It is noted that the Grade II listed building at Fieldgate Farmhouse is located a short distance to the north of the site. However, a combination of distance and intervening buildings ensures that there would be no material impact on the setting of the heritage asset. In drawing this conclusion, regard has been had to the Council's statutory duty under S66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

C Transport (GEN1, GEN8 & 102-111)

- 11.6 The most up-to-date policy for the consideration of sustainable transport modes is provided at paragraph 103 of the NPPF, which seeks a balance between facilitating some level of growth in settlements of all sizes while ensuring that 'significant development' is focused on locations with good sustainable transport options. In this instance, it is likely that there would be a reliance on car travel to meet most day-to-day needs, such that 'significant development' would be inappropriate. Nevertheless, in the context of Ugley Green, it is considered that a one-dwelling scheme does not exceed this threshold.
- 11.7 Taking into account the comments of the highway authority, it is considered that there would be no significant adverse effects on road safety or efficiency. Furthermore, the proposed driveway and cart lodge would provide ample space to ensure compliance with the Council's minimum residential parking standards.

D Accessibility (GEN2, 127 & PPG)

- 11.8 Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' require compliance with the Lifetime Homes standards. However, these standards have effectively been superseded by the optional requirements at

Part M of the Building Regulations, as explained in the PPG. Compliance with these requirements could be secured using a condition.

E Amenity (GEN2, ENV10, 127, 180 & PPG)

11.9 Taking into account The Essex Design Guide, which constitutes non-adopted but useful guidance, it is considered that the proposed garden would be of a suitable size, and that there would be no significant adverse effects on the amenity of neighbouring premises with respect to daylight, privacy or overbearing impacts. Furthermore, the Environmental Health Officer has confirmed that there are no objections regarding noise disturbance from the nearby M11 motorway. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

F Infrastructure (GEN6)

11.10 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

G Biodiversity (GEN7, ENV8, 175 & PPG)

11.11 Taking into account the comments of the Council's ecological consultant, it is considered unlikely that the development would have significant adverse effects on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

H Affordable housing (H9 & 63)

11.12 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the proposal need not make a contribution.

I Housing land supply (11 & 73)

11.13 Paragraphs 11 and 73 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the most recent housing trajectory document, 'NPPF 2019 – Five Year Housing Land Supply update (March 2019)', the Council's housing land supply is currently 3.29 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.

12. CONCLUSION

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

A The proposal does not accord with the development plan due to conflicts with policies on the location of housing, countryside character and sustainable transport.

B Notwithstanding the above, the proposal does not accord with the NPPF due to a conflict with its policy on countryside character. The adverse effect arising from this conflict would significantly and demonstrably outweigh the

positive effects of the development, such that the proposal does not represent 'sustainable development'.

- C** Regard has been had to all other material considerations, and it is concluded that planning permission should be refused.

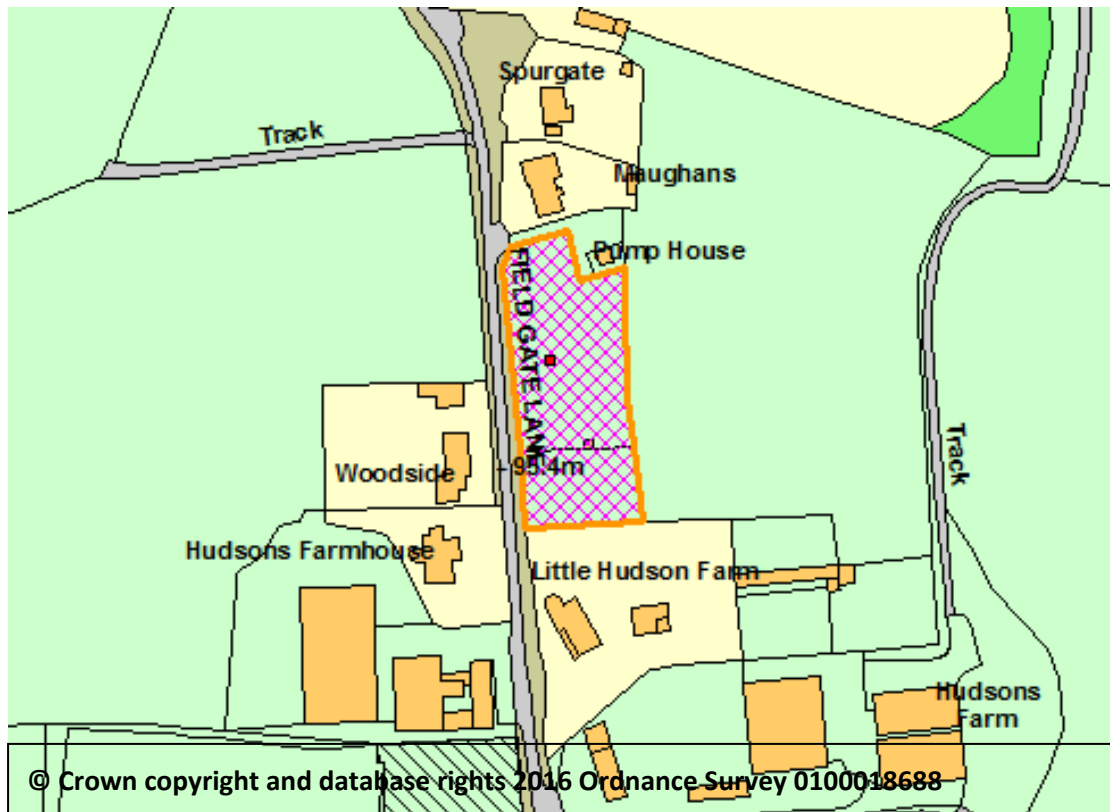
RECOMMENDATION – REFUSAL

Reasons

1. The proposed development would harm the rural character of the area through the encroachment of housing into the surrounding countryside, in conflict with Policy S7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This adverse effect would significantly and demonstrably outweigh the benefits of the development.

Application: UTT/19/0025/FUL

Address: Land adjacent Maughans, Field Gate Lane, Ugley Green



Organisation: Uttlesford District Council

Department: Planning

Date: 21/03/2019

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UTT/19/0004/FUL (QUENDON & RICKLING)

(Referred to Committee by Cllr Gerard. Reason: Outside Development Limits;
Scale/bulk of design)

PROPOSAL: Demolition of two bungalows and a garage. Construction of 2 replacement houses and garages.

LOCATION: Park View and Pleasant View, Brick Kiln Lane, Rickling Green, Saffron Walden, CB11 3YH

APPLICANT: Michael Payne and Simply Salmon Ltd

AGENT: Donald Purkiss & Associates LLP

EXPIRY DATE: 12 April 2019

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Countryside.

2. DESCRIPTION OF SITE

2.1 The site is located off Brick Kiln Lane, to the north-west of Rickling Green. It contains two detached bungalows and their grounds.

3. PROPOSAL

3.1 The application is for planning permission to demolish the existing bungalows and replace with two houses, each with a separate driveway, garage and rear garden.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

5.1 The application includes the following documents:

- Planning Supporting Case Incorporating Design and Access Statement
- Extended Phase 1 Habitat Survey
- Bat Survey
- Biodiversity Validation Checklist

6. RELEVANT SITE HISTORY

6.1 In September 2017 and March 2018, planning permission was refused for four- and three-dwelling schemes respectively (UTT/17/2127/FUL & UTT/18/0087/FUL). Subsequent appeals were dismissed, and an extract

from the Inspector's decision letter is provided below:

"Concluding on the main issue, both appeal schemes would result in harm to the character and appearance of the area by virtue of limited and cramped plot sizes compared to the surrounding cluster."

7. POLICIES

- 7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:
- (a) the provisions of the development plan, so far as material to the application,
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
 - (b) any local finance considerations, so far as material to the application, and
 - (c) any other material considerations.
- 7.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 7.3 Relevant development plan policies and material considerations are listed below.

Uttlesford Local Plan (2005)

- 7.4 S7 - The Countryside
GEN1 - Access
GEN2 - Design
GEN3 - Flood Protection
GEN6 - Infrastructure Provision to Support Development
GEN7 - Nature Conservation
GEN8 - Vehicle Parking Standards
ENV2 - Development affecting Listed Buildings
H1 - Housing Development
H7 - Replacement Dwellings
H9 - Affordable Housing
H10 - Housing Mix

Supplementary Planning Documents/Guidance

- 7.5 SPD - Accessible Homes and Playspace (2005)
SPD - Replacement Dwellings (2006)
The Essex Design Guide
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

National Policies

- 7.6 National Planning Policy Framework (NPPF) (2019)
- paragraphs 11, 63, 73, 78-79, 102-111, 118, 127, 155-165, 170, 175 & 189-199

- Planning Practice Guidance (PPG)
- Conserving and enhancing the historic environment
- Design
- Flood risk and coastal change
- Housing: optional technical standards
- Natural environment
- Planning obligations
- Rural housing

Other Material Considerations

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)
 Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
 NPPF 2019 – Five Year Housing Land Supply update (March 2019)
 Emerging Local Plan
- SP1 Presumption in Favour of Sustainable Development
 - SP2 The Spatial Strategy 2011-2033
 - SP3 The Scale and Distribution of Housing Development
 - SP12 Sustainable Development Principles
 - H1 Housing Density
 - H6 Affordable Housing
 - H10 Accessible and Adaptable Homes
 - TA1 Accessible Development
 - TA2 Sustainable Transport
 - TA2 Provision of Electric Charging Points
 - TA3 Vehicle Parking Standards
 - TA4 New Transport Infrastructure or Measures
 - INF4 High Quality Communications Infrastructure and Superfast Broadband
 - D1 High Quality Design
 - D2 Car Parking Design
 - D7 Innovation and Variety
 - D8 Sustainable Design and Construction
 - D9 Minimising Carbon Dioxide Emissions
 - D10 Highly Energy Efficient Buildings
 - EN7 Protecting and Enhancing the Natural Environment
 - EN11 Surface Water Flooding

8. PARISH COUNCIL COMMENTS

8.1 Objection. Full response:

“Quendon and Rickling Parish Council objects to the proposals for the following reasons which are consistent with the Quendon and Rickling Village Plan, Reg. 14 Draft Newport & Quendon Neighbourhood Plan and Quendon and Rickling’s Planning Guidelines:

(I) The proposals remove two smaller properties from the housing stock within the village and replace them with two large properties. There is a shortage of smaller properties within the village, for first time buyers and those who wish to downsize, whilst there are numerous properties of a size similar to those that are proposed

(II) The design of the proposed properties will not enhance the character of

the village. They are large properties that would be built on high ground and consequently they would dominate the environment and the entrance to the village”

9. CONSULTATIONS

Highway Authority (Essex County Council)

9.1 No objections, subject to conditions.

Ecological Consultant (Place Services)

9.2 No objections, subject to conditions. Extract:

“The proposals are limited in scale/scope and according to the Preliminary Ecological Assessment (T4 Ecology, September 2017) are unlikely to impact designated sites, protected/priority species or priority habitats.

The OPDM Circular 06/05 is clear that further surveys are only required if there is a reasonable likelihood of biodiversity being impacted. Given the low ecological value of the site, further surveys are not required.”

Environmental Health Officer

9.3 No objections.

London Stansted Airport

9.4 No objections.

UK Power Networks

9.5 General advice regarding safe working near electrical lines/plant.

Gigaclear

9.6 General advice regarding the proximity of fibre broadband assets.

Cllr Hargreaves (Ward Councillor)

9.7 Objection due to design concerns. Extract:

“Although the reduced number of houses now deals with some of what was rejected at appeal, these houses are still pretty massive. 3 and 4 bedroom houses replacing small bungalows. Described as 1 and a half storeys but they clearly have two full levels

They are on rising ground, prominent, and would be the first buildings seen on the way into the village from Rickling. The agricultural building opposite is lower down. Allowing development of large houses here may set precedent for further similar development.”

10. REPRESENTATIONS

10.1 Neighbours were notified of the application by letter and a notice was

displayed near the site. The following concerns have been raised among the submitted representations:

- 1) Incompatible with the rural character of the area
- 2) The proposal reduces the number of small properties in the local area

10.2 These points are covered in the below appraisal.

11. APPRAISAL

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

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character, appearance and heritage (S7, GEN2, ENV2, H7, 127, 170, 189-199 & PPG)
- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, 127 & PPG)
- E Amenity (GEN2 & 127)
- F Flooding (GEN3, 155-165, PPG & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, 175 & PPG)
- I Affordable housing (H9 & 63)
- J Housing mix (H10 & SHMA)
- K Housing land supply (11 & 73)
- L Effective use of land (118)

A Location of housing (S7, H1, 78-79 & PPG)

11.1 The site is located within a small group of dwellings near Rickling Green, and is currently occupied by two bungalows. As there would be no increase in the number of dwellings, the above policies on the location of housing are not applicable.

B Character, appearance and heritage (S7, GEN2, ENV2, H7, 127, 170, 189-199 & PPG)

11.2 The proposed development includes similar designs to those in recent applications. However, a more spacious appearance has been achieved through the reduction to two dwellings, garages and accesses. It is therefore considered that the reason for dismissing the recent appeals, due to a cramped layout, has been resolved. The result is a scheme that would fit comfortably with the varied architectural styles and rural character that provide the setting for the site.

11.3 It is noted that two Grade II listed buildings, Little Mynchens and Kiln Cottage, are located to the south-east of the site. Nevertheless, it is considered that a combination of distance and the curvature of the road ensure that the development would not have a significant effect on the setting of these heritage assets.

11.4 It is concluded that the proposal accords with the above policies insofar as they relate to character, appearance and heritage. In coming to this view, regard has been had to the Council's statutory duty under S66(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990.

C Transport (GEN1, GEN8 & 102-111)

- 11.5 Taking into account the comments of the highway authority, it is considered that there would be no adverse effects on road safety or efficiency. Furthermore, the proposed off-street parking provision would be in accordance with the Council's minimum standards.

D Accessibility (GEN2, 127 & PPG)

- 11.6 Policy GEN2 and the SPD entitled 'Accessible Homes and Playspace' require compliance with the Lifetime Homes standards. However, these standards have effectively been superseded by the optional requirements at Part M of the Building Regulations, as explained in the PPG. Compliance with these requirements could be secured using a condition.

E Amenity (GEN2 & 127)

- 11.7 Taking into account The Essex Design Guide, which constitutes non-adopted but useful guidance, it is considered that the proposed rear gardens would be of a suitable size, and that there would be no significant adverse effects on the amenity of neighbouring premises with respect to daylight, privacy or overbearing impacts. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

F Flooding (GEN3, 155-165, PPG & SFRA)

- 11.8 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The SFRA confirms that the site is not in an area at risk of flooding and, as the proposal is not a 'major development', national policy does not require the use of a sustainable drainage system. It is therefore concluded that the proposal would not give rise to any significant adverse effects with respect to flood risk, such that it accords with the policies in the NPPF and PPG.

G Infrastructure (GEN6)

- 11.9 Taking into account the nature and scale of the development, and the above consultation responses, it is considered that there would be no requirement for improvements to off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6.

H Biodiversity (GEN7, 175 & PPG)

- 11.10 Taking into account the comments of the Council's ecological consultant, it is considered unlikely that the development would have significant adverse effects on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

I Affordable housing (H9 & 63)

- 11.11 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the proposal need not make a contribution.

J Housing mix (H10 & SHMA)

- 11.12 As the site area is greater than 0.1 ha, Policy H10 requires that small market housing comprises a significant proportion of the total number of units. However, the preamble to the policy does not reference site area so the justification for the requirement is unclear. It is therefore considered that the housing mix requirements should only be applied to developments of three or more dwellings.

K Housing land supply (11 & 73)

- 11.13 Paragraphs 11 and 73 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the most recent housing trajectory document, 'NPPF 2019 – Five Year Housing Land Supply update (March 2019)', the Council's housing land supply is currently 3.29 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.

L Effective use of land (118)

- 11.14 Paragraph 118 of the NPPF encourages the reuse of previously developed land, a classification which applies to the application site. Therefore, weight should be given to the positive effect of the development in this regard.

12. CONCLUSION

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

- A** The proposal accords with the development plan and the NPPF, and no material considerations indicate that planning permission should be refused. It is therefore recommended that permission is granted.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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. Prior to any works above slab level, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls
- Roof
- Windows
- Doors

The development must be carried out in accordance with the approved details.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

3. Prior to occupation of any dwelling, details of the following hard and soft landscaping works must be submitted to and approved in writing by the local planning authority:

- Retained features
- New planting
- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must 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 must 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 must 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 compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

4. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

5. The development must be carried out in accordance with the ecological measures and/or works recommended in the submitted Preliminary Ecological Assessment (T4 Ecology, September 2017) (Section 5.2, page 19).

REASON: To conserve and enhance biodiversity, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

6. The dwellings hereby permitted must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

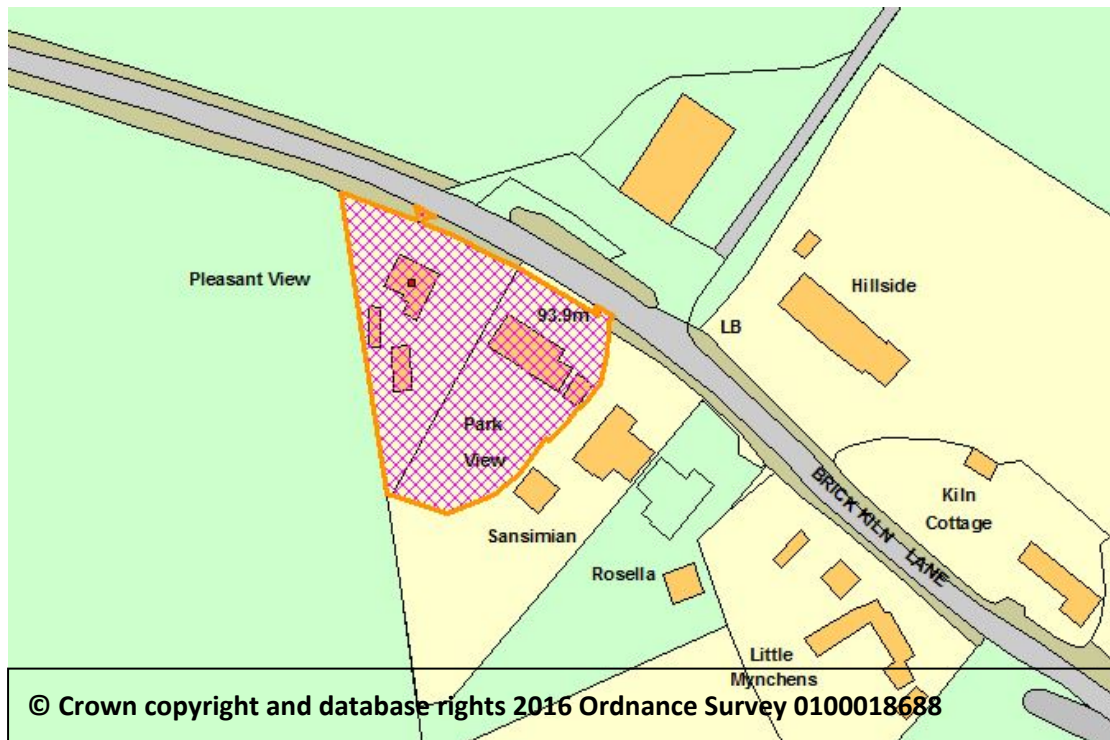
REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

7. The eaves and ridge heights of the permitted dwellings relative to the existing dwelling at Sansimian must be as shown on Drawing No. 1631.04 Rev B.

REASON: For the avoidance of doubt and to ensure compatibility with the character and appearance of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

Application: UTT/19/0004/FUL

Address: Park View and Pleasant View, Brick Kiln Lane, Rickling Green,
Saffron Walden, CB11 3YH



Organisation: Uttlesford District Council

Department: Planning

Date: 19/03/2019

UTT/18/3395/FUL - THAXTED

(Applicant is a relative of a ward member)

PROPOSAL: Construction of 1 no. 3 bedroom bungalow with detached garage and new access.

LOCATION: Greenhill Cottage, Bardfield End Green, Thaxted Road, Debden

APPLICANT: Mr & Mrs Knight

AGENT: Scandia-Hus Limited

EXPIRY DATE: 15 April 2019

CASE OFFICER: Ike Dimano

1. NOTATION

1.1 Outside development limits, general aerodrome directions.

2. DESCRIPTION OF SITE

2.1 The application site forms part of the existing garden serving Greenhill Cottage and the plot is approximately 0.2 ha in area. The site is in the countryside, but there are several dwellings nearby. No particular architectural style or built-form dominates.

3. PROPOSAL

3.1 The applicant is requesting planning permission to construct a single storey detached dwelling (with a separate garage) to the south of Greenhill Cottage. All dimensions can be scaled from the submitted plans.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

5.1 The application was submitted with the following documents:

- Biodiversity Validation Checklist
- Design, access, sustainability and planning statement.

6. RELEVANT SITE HISTORY

6.1 The site has been subject to previous applications, but none are considered to be directly relevant to the current proposal.

UTT/18/1639/FUL - 1 no. Dwelling with detached single garage and associated access, vehicular hard standing and landscaping. Approved. (Adjacent site)

7. POLICIES

7.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

(a) the provisions of the development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

7.2 (c) any other material considerations.

7.3 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Relevant development plan policies and material considerations are listed below.

Uttlesford Local Plan (2005)

7.4 S7 – The Countryside
GEN1 – Access
GEN2 – Design
GEN4 – Good Neighbourliness
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
H9 – Affordable Housing
H10 – Housing Mix

Supplementary Planning Documents/Guidance

7.5 SPD – Accessible Homes and Playspace (2005)
The Essex Design Guide (2005)
Thaxted Neighbourhood Plan (2017)
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

National Policies

7.6 National Planning Policy Framework (NPPF) (2018)
Planning Practice Guidance (PPG)

Other Material Considerations

7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)
Housing Trajectory 1 April 2017 (August 2017)

8 PARISH COUNCIL COMMENTS

8.1 No objection.

9. CONSULTATIONS

Highway Authority (Essex County Council)

9.1 No objections, subject to conditions.

Environmental Health

9.2 No objection.

Aerodrome Safeguarding

9.3 No objection

REPRESENTATIONS

9.4 No representations have been received.

10. APPRAISAL

10.1 The proposal's planning considerations are as follows:

- Principle of development (NPPF, Local Plan Policy S7).
- Affordable housing (Local Plan Policy H9).
- Design and amenity (NPPF, Local Plan Policy GEN2, Essex Design Guide)
- Biodiversity (NPPF, Local Plan Policy GEN7).
- Access and parking (Local Plan Policies GEN1 and GEN8, Essex Parking Standards, Uttlesford Parking Standards).

11. Principle of development:

The Local Plan places the site outside any settlement limits (ie within the open countryside) and so Policy S7 applies. Both the Local Plan and the NPPF recognise that the countryside needs to be protected for its own sake; however this view does not amount to a bar to development in such areas. Policy S7 states that development in the countryside will be permitted if it needs to take place there, or it is appropriate to a rural area. A new dwelling for private commercial gain is not an example of such a development and so the proposal fails on local policy.

11.1 Since the Council adopted the Local Plan in 2006, the government published the overarching National Planning Policy Framework in 2012, with a revised edition in February 2019. This document stresses that there is a presumption in favour of sustainable development, weighed against the proposal meeting all other relevant planning criteria.

11.2 Sustainable development is defined in as development that meets, on

balance, three objectives: economic, social and environmental. The applicant proposes that the development would meet all three criteria for the following reasons:

12 Affordable housing:

The lack of affordable housing is a particular concern in the district. Local Plan Policy H9 would expect residential developments to provide an element of affordable properties, or a contribution in lieu. Based on the recently revised NPPF (paragraph 63), however, such a provision is not required for a single dwelling.

13. Design and amenity:

13.1 Both national and local planning policies, as well as associated guidance, encourage development to be of a high standard. The applicant is proposing a single story building, which has a traditional design in keeping with those of the surrounding area and the wider district. The applicant is proposing facing brick walls with plain roof tiles, plinth and horizontal timber boarding together with casement windows. The scale of the building is not excessive, both in terms of height and footprint. There would be over 100 square metres of private amenity space, which is the amount expected for a three bedrooled dwelling

13.2 Local Plan Policy GEN2(i) requires developments to not create an unacceptable impact on the amenity of nearby occupiers in terms of shadowing, visual dominance or loss of privacy. The dwelling would be a sufficient distance away from its neighbours to ensure that any such impact would not be material.

14. Biodiversity:

Local Plan Policy GEN7 requires applicants to show that the development would not have a harmful effect on wildlife or geological features unless the need for the development outweighs the importance of the feature to nature conservation. Applicants also have a legal duty towards legally protected species or habitats. The NPPF also requires development to enhance and contribute to biodiversity where possible. The applicant has submitted a biodiversity questionnaire which has not identified any potential issues.

15. Access and parking:

15.1 Applicants are required to show that their development would not compromise the safety of the highway by ensuring that any additional traffic generated by the development can easily be accommodated within the existing highway network (Policy GEN1) and by providing a commensurate level of parking that is appropriate for the development (Policy GEN8).

15.2 The LPA's requirements for parking for residential properties depend, in part, on the number of bedrooms in the dwelling. The internal measurements of the garage are less than the recommended guidelines of 7m by 3m - the external depth is only 6m - and so the building cannot be regarded as a parking bay. Nevertheless, there is sufficient space on site

for more than three cars, and to manoeuvre such vehicles on site, which is sufficient to meet these guidelines for a three bedroom house.

- 15.3 Essex County Council, who act as the local highways authority, have examined the proposal and are satisfied that the scheme is acceptable and meets Policies GEN1 and GEN8.

16. Other Issues

Town and Country Planning Act (Environmental Assessment):

- 16.1 The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

Human Rights Act considerations:

- 16.2 There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

17 Conclusion

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

- A. The site lies outside development limits and constitutes the use of garden land, a form of development which is not discouraged by the NPPF. The development is considered to be sustainable in this instance.
- B. There are no specific design, access, parking issues or ecology issues arising from the proposal.
- C. The proposal complies with the Neighbourhood Plan and is supported by Thaxted Parish Council.

RECOMMENDATION

Conditions - APPROVAL WITH CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of the development, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls: Boarding; Bricks
- Roof: Plain tiles

The development must be carried out in accordance with the approved details.

Reason: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

3. The development hereby permitted shall be carried out in strict accordance with the approved plans.

Reason: To ensure that the development is carried out in accordance with the approval and the quality of development indicated on the approved plans is achieved in practice, in accordance with policy GEN2 of the Uttlesford Local Plan (2005).

4. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order), no windows or similar openings shall be installed at roof level on the northern and southern elevations.

Reason: To preserve the privacy and amenities of neighbouring residents, in accordance Policy GEN2 and H8 of the Uttlesford Local Plan (adopted 2005).

5. 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: 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).

6. The dwelling hereby permitted must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

Reason: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

7. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

8. Prior to occupation of the development, the visibility splays as shown on drawing no SP03 (Dated 11/18) shall be provided and retained free of any obstruction in perpetuity.

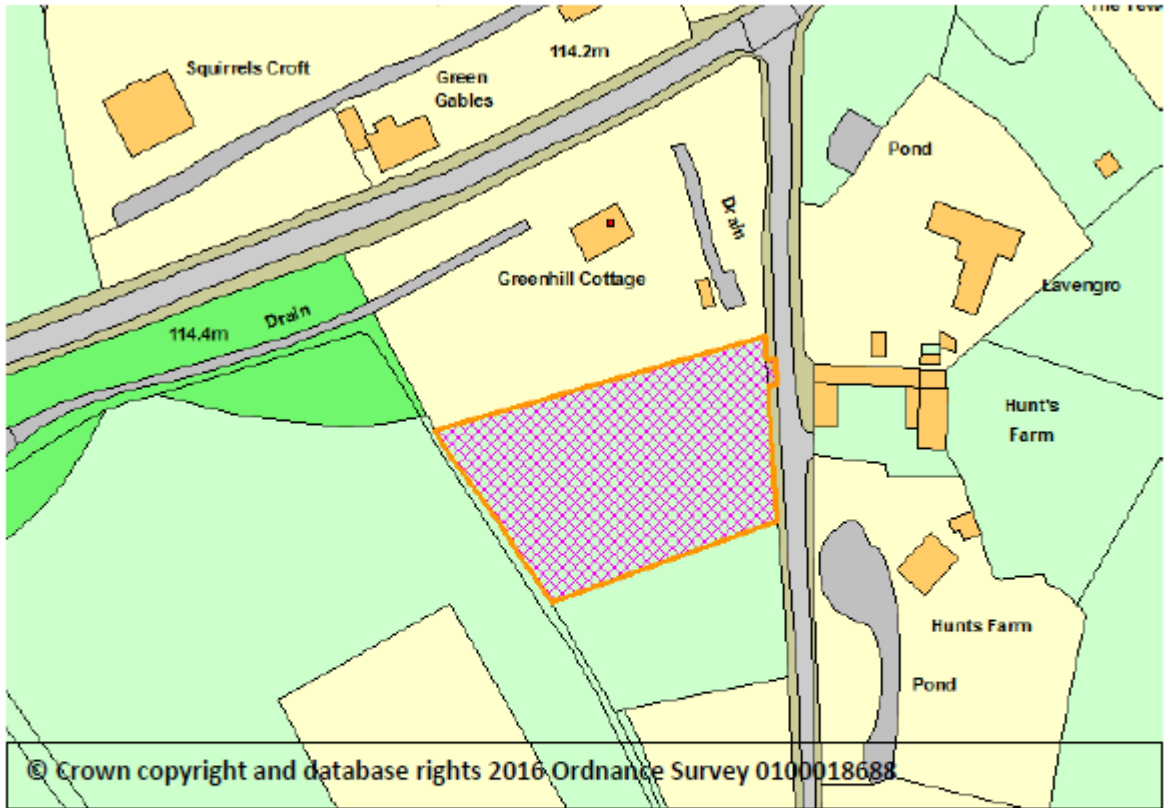
Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety and in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

9. Prior to first occupation of the development, the access arrangements, vehicle parking and turning areas as indicated on the approved plans shall be provided. The access, parking and turning areas shall be retained at all times for their intended purpose.

Reason: To ensure that appropriate access, parking and turning is provided in accordance with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

10. Prior to first occupation, written details and plans of the proposed refuse/recycling bin storage and collection shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: To ensure the provision, establishment and maintenance of an appropriate landscape scheme in the interests of the visual amenities of the locality in accordance with Policies GEN2 of the Uttlesford Local Plan (adopted 2005).



Organisation:	Uttlesford District Council
Department:	Planning
Date:	20.03.2019

UTT/19/0043/FUL (Saffron Walden)
(Applicant UDC Employee)

PROPOSAL: Proposed erection of single dwelling and access (alternative to previously approved application UTT/16/1691/FUL)

LOCATION: 25 Loompits Way, Saffron Walden

APPLICANT: Neil Harvey and Helen Swain

AGENT: Mr Peter Purkiss

EXPIRY DATE: 12th April 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Within Development Limits,

2. DESCRIPTION OF SITE

2.1 The application site is located to the east of Loompits Way and comprises detached one and-a-half storey dwellinghouse facing the road. There is a large garden area, much of which is to the north side of the dwellinghouse. The site has been cleared, however some closed board fencing remains to the boundary of the site.

The total site area is approximately 0.07 hectares. A single-storey bungalow (number 23 Loompits Way) adjoins the site to the northeast and a two-storey house (number 27 Loompits Way) adjoins the site to the southeast.

3. PROPOSAL

3.1 This planning application is for the proposed erection of a single detached dwelling and access. The dwelling will be two storey and will have a width of 10.5m and overall ridge height of 7m. The proposal amends the previously approved scheme UTT/16/1691/FUL incorporating a reduced roof height and revised design.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

5. APPLICANT'S CASE

- 5.1 The applicant has provided a design and access statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist

6. RELEVANT SITE HISTORY

- 6.1 Planning permission (reference number UTT/12/5607/FUL) was granted for extensions to the existing detached dwellinghouse; the permitted scheme included an increase in the height of the roof. This planning permission was not implemented and has now expired.

A revised planning permission (reference number UTT/14/1232/FUL) was granted for similar extensions to the existing detached dwellinghouse, but did not include an increase in the height of the roof. This planning permission was implemented, however it is noted that this was not done exactly in accordance with the approved plans.

Planning permission (reference number UTT/13/1204/FUL) was granted for the demolition of a garage that was attached to the existing detached dwellinghouse and the erection of a new detached dwellinghouse. This planning permission was not implemented and has now expired.

A non-material amendment (reference number UTT/16/0920/NMA) to the approved scheme for a new detached dwellinghouse (planning permission reference number UTT/13/1204/FUL) was approved. This comprised an additional ground-floor window, additional roof lights and the raising of the roof valley,

UTT/16/1691/FUL- Provision of a two storey dwelling with integral garage in existing side garden and provision of a new vehicular crossover. (Renewal of approved scheme: UTT/13/1204/FUL) approved 12/12/2016

7. POLICIES

- 7.1 National Policies

- 7.2 National Planning Policy Framework (2019)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy GEN2 – Design

Policy GEN4- Good Neighbourliness

Policy GEN7 - Nature Conservation

Policy GEN1- Access

Policy GEN8 - Vehicle Parking Standards

7.4 Supplementary Planning Documents/Guidance

Uttlesford Local Residential Parking Standards (2013)

Supplementary Planning Document- Accessible homes and play space homes

Essex Design Guide

8. PARISH COUNCIL COMMENTS

8.1 No objections

9.0 CONSULTATIONS

The Highways Authority

9.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:

1. Prior to the first occupation of the development the access arrangements, vehicle parking and turning area as indicated on DWG no. 1837.03 (Proposed site plan) shall be provided. The access parking and turning areas shall be retained at all times for their intended purpose. Reason: To ensure that appropriate access, parking and turning is provided.

2. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

The above conditions are 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.

9.2 ECC Ecology

No objections or recommendation received.

10 REPRESENTATIONS

10.1 Neighbouring properties consultation- expiry 4/2/2019
No comments received

11 APPRAISAL

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

- A The principle of development of the site (NPPF, ULP Policies S1, GEN2 and the NPPF)
- B Design and visual impact (ULP Policy GEN2 and the NPPF)
- C Impact on residential amenity (ULP Policy GEN2 and the NPPF);
- D Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Parking Standards)
- E Nature Conservation (ULP Policy GEN7)
- F Any other material considerations

A The principle of development of the site (NPPF, ULP Policies S1, GEN2, and the NPPF)

11.1 The principle of development of the site (ULP Policies S1, GEN2 and the NPPF)
The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.

- 11.2 The principle of the development of the site and introduction of a dwelling on this site has been made through the approval of previous planning applications. The surrounding character of the site mainly consists of detached two storey and single storey dwellings of a linear layout along the highway. The mix of design and scale of dwellings actively existing contributes to the character of the street scene; the proposed dwelling will be sited along the existing development line and layout of the neighbouring property and will result in the introduction of a dwelling that is considered compatible with the surrounding area.
- 11.3 Taking into consideration the mixture and scale and form of neighbouring properties it is considered the principle of the proposed dwelling is appropriate in the context of the site, the surrounding dwellings and character of the area. Taking into account the pattern of development surrounding the site with neighbouring dwellings and the sustainable position of the site within Saffron Walden, it is considered that there are no material considerations that would warrant refusal of this application. The proposal accords with ULP Policy S1, H4, GEN2 and the NPPF.

B Design and visual impact (ULP Policy GEN2 and the NPPF)

- 11.4 The scale of the proposed dwelling is a moderate scale comparable with the neighbouring buildings. The dwelling will include a traditional form and the use of traditional vernacular materials that would provide an appropriate transition between the neighbouring properties and would be compatible with the group as a whole and existing street scene.
- 11.5 The development will include a sufficient amount of private rear amenity space; this is consistent with the neighbouring properties. Also the proposal will provide sufficient amenity space for the existing dwelling of 25 Loompits. As such it is considered the overall scale, design, appearance and layout of the proposed dwelling is acceptable under ULP Policy GEN2 and the NPPF.

C Impact on residential amenity (ULP Policy and the NPPF)

- 11.6 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.
- 11.7 The dwelling includes windows to the front and rear elevation, to the front of the site is a public highway and therefore the windows to the front elevation will not have any significant degree of overlooking to neighbouring properties. The windows to the rear elevation could result in some loss of privacy and overlooking, however due to the positioning and angle of the dwelling this will be limited and is not considered of a significant justification to refuse the application. This is consistent with the previously approved planning application. As such it is considered the proposed dwelling due to its positioning will not result in any significant increase in loss of privacy, overlooking or overbearing impacts to neighbouring properties that will be detrimentally harmful.
- 11.8 Appropriate landscape details have been included with the application. The Council's Landscape Officer has been consulted; no objections or further recommendations are made. As such it is considered the proposed landscaping details are appropriate for this urban location and will provide a level of privacy between the neighbouring properties. As such it is considered the development is in accordance with ULP Policy GEN2 and the NPPF.

D Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Local Residential Parking Standards)

- 11.9 Policy GEN1 states that development would only be approved when satisfactory safe access can be provided. A new access is proposed for the proposed dwelling and off street parking will be provided. As part of the determination the Highways Authority were consulted, no objects have been made subject to the imposition of conditions.
- 11.10 The proposal will not generate a volume of traffic that would impact on the surrounding transport network, the site is sustainable with regard to the availability of public transport and services within walking distance. It is therefore considered that the proposed development accords with Policy GEN1.
- 11.11 Three parking spaces will be provided to the front of the site, these are in accordance with the aim of the Local Parking Standards. A condition has been recommended by the Highways Authority to ensure the parking and turning area is provided prior to the dwelling being occupied. As such the proposed parking for the development is considered to comply with ULP Policy GEN8 and Uttlesford Local Parking Standards (adopted 2013).

E Nature Conservation (ULP Policy GEN7)

- 11.12 The applicants have submitted a biodiversity questionnaire as part of the proposal. Essex County Council ecology officers have been consulted and have not made any objections. As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

F Any other material considerations

- 11.13 The following policies are included in Regulation 23 emerging Draft Local Plan and therefore have been considered in the assessment of the application. However, these policies hold some but limited weight.

SP9- Development within development limits
D1- High quality design
TA4- Vehicle parking standards
TA1- Accessible development
EN8- Protecting the natural environment.

12. CONCLUSION

- 12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme within the development limits and in terms of design, layout, amenity, parking and the impact on protected species and biodiversity. The proposal would comply with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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 proposed development shall not be occupied until such time as the vehicle parking area on DWG 1837.03 has been provided. Thereafter the vehicle parking area shall be retained in this form at all times.

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 ULP Policy GEN1

3. Prior to commencement of works above slab level, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls
- Roof
- Windows
- Doors

The development must be carried out in accordance with the approved details.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S1 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition is to ensure that the development is only carried out in accordance with the above details.

4. The dwelling hereby permitted must be built in accordance with Optional Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

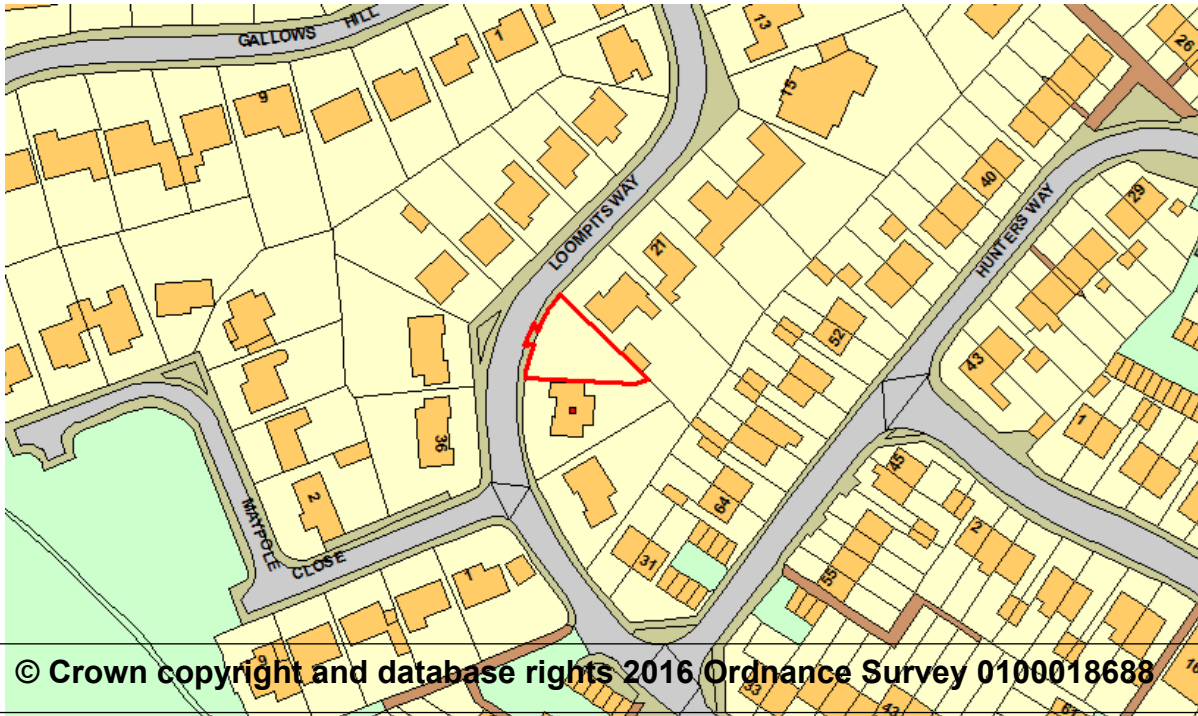
REASON: To ensure compliance with Policy GEN2 of the Uttlesford Local Plan 2005 and the SPD on Accessible Homes and Playspace.

5. Within 6 months of the approval date of this planning application details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The development 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 compatibility with the character of the area in accordance with

Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005),



Organisation: Uttlesford District Council

Department: Planning

Date: 22 March 2019

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UTT/19/0154/HHF - HENHAM

(Referred to Committee due to applicant being related to a Councillor)

PROPOSAL: Proposed single storey rear extension and rooflights. Replace side window with French doors

LOCATION: Easter Cottage, Chickney Road, Henham

APPLICANT: Mr Warmerdam

AGENT: David Jones – Alun Design

EXPIRY DATE: 19 March 2019 – Extension of time 15 April 2019

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside Development Limits/Conservation Area/Grade II Listed Building

2. DESCRIPTION OF SITE

2.1 The application site relates to a thatched cottage, formerly a barn attached to the adjacent cottage. It was converted to residential use in 1976. It is located on the southern side of Chickney Road to the east of Woodend Green.

3. PROPOSAL

3.1 The proposal relates to the erection of a single storey rear extension and to replace a window with French doors. Rooflights are proposed to the existing extension and the proposed.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

5.1 The application is accompanied by a Design, Access and Heritage Statement.

6. RELEVANT SITE HISTORY

6.1 LB/UTT/0397/76/CA: Conversion of barn to dwelling house using materials to match existing. Proposed single garage and double garage. Modernisation of cottage. Approved 1976.

7. POLICIES

Uttlesford Local Plan (2005)

S7 – Countryside
H8 – Home Extensions
GEN2 – Design
ENV1 – Design of Development within Conservation Areas
ENV2 – Development affecting Listed Buildings
GEN7 – Nature Conservation

Supplementary Planning Documents/Guidance

Henham Conservation Area Appraisal

National Policies

NPPF – February 2019

Other Material Considerations

Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Emerging Local Plan Policies:
SP10 – Protection of the Countryside
H4 – House Extensions and Replacement Dwellings in the Countryside and the Green Belt
D3 – Small Scale Development/Householder Extensions
EN1 – Protecting the Historic Environment
EN2 – Design of Development within Conservation Areas
EN4 – Development affecting Listed Buildings
EN7 – Protecting and Enhancing the Natural Environment

8. PARISH/TOWN COUNCIL COMMENTS

8.1 No comments received.

9. CONSULTATIONS

Conservation Officer

9.1 Whilst the majority of the proposal may be acceptable in principle, including its individual components such as rooflights and French doors, the extension would result in a single storey element across almost a full width of the listed building, which is considered to detract from the aesthetic quality of the designated heritage asset. With regard of this specific element, I consider this to cause “less than substantial harm” and as such paragraph 196 of the NPPF is relevant. Should permission be granted, I recommend conditions imposed requiring submission of materials for approval and detailed drawings of architectural features (windows, doors, eaves etc).

10. REPRESENTATIONS

10.1 This application has been advertised and no representations have been received. Notification period expired 5 March 2019.

11. APPRAISAL

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

- A The principle and design of the extension (ULP Policies S7, H8, ENV1, ENV2; NPPF)
- B Impacts on protected species (ULP Policy GEN7; NPPF)
- C Other material considerations

A The principle and design of the extension (ULP Policies S7, H8, ENV1, ENV2; NPPF)

- 11.1 The site is located outside of the development limits and is therefore classified as countryside in adopted policy terms. Policy S7 has a policy restraint against inappropriate development. Householder extensions are considered to be a form of development that would be appropriate in the rural area.
- 11.2 The site is also located within the Conservation Area and is a Grade II Listed Building. As such sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require the setting of the conservation area and listed building to be protected. Additional responsibilities are also set out with regards to protecting the fabric and character of the listed building.
- 11.3 The proposal relates to the erection of a single storey rear extension. This would be an extension of an existing lean-to element at the rear of the building. It would be approximately 2.6m wide and 3.2m deep. It would have a shallow pitch to match the existing lean-to element. Rooflights are proposed to the existing and new lean-to.
- 11.4 In terms of scale and potential impacts on neighbour's amenity, the proposal is acceptable. In terms of impact on the character and setting of the conservation area the proposals are also considered to be acceptable. However, in terms of impacts on the listed building, the proposals would result in an extension almost the full width of the rear elevation of the building. This would detract from the aesthetic quality of the designated heritage asset. With regard of this specific element, the proposals would result in "less than substantial harm" to the heritage asset and as such paragraph 196 of the NPPF is relevant. This requires the public benefits to be weighed against the benefits of the proposal.
- 11.5 In this instance the main harm to the rear elevation of the property comes from the existing single storey lean-to. This establishes the scale and design principles for the proposed extension. A small element of the rear elevation would still be visible (approximately 1.8m). There are no public benefits arising from the proposal, only personal benefits from the extension. However, given the small scale of the property and the existing single storey rear lean-to it is considered, on balance, that the proposals would be acceptable.
- 11.6 In respect of the insertion of the French doors and the roof lights, these elements are not considered to be detrimental to the fabric or character of the listed building, subject to large scale details being submitted and approved. As these elements require listed building consent it is appropriate to impose the conditions on that consent rather than the planning permission (see UTT/19/0155/LB).

B Impacts on protected species (ULP Policy GEN7; NPPF)

- 11.7 Policy GEN7 and the NPPF seek to protect biodiversity. In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural

Environment and Rural Communities Act 2006 states “Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.” This includes local authorities carrying out their consideration of planning applications. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 requires “A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions”.

- 11.8 The application is accompanied by a Biodiversity Questionnaire. This has been incorrectly completed by failing to acknowledge that the building is a pre-1914 structure within 400m of a body of water – Windamere Pond to the north of the site. However, given the nature of the proposals and the site it is not considered that the proposed development would give rise to any adverse impacts on biodiversity or harm to protected species.

C Other material considerations

- 11.9 The policies in the emerging Local Plan have been taken into consideration but do not affect the decision making process.

12. CONCLUSION

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

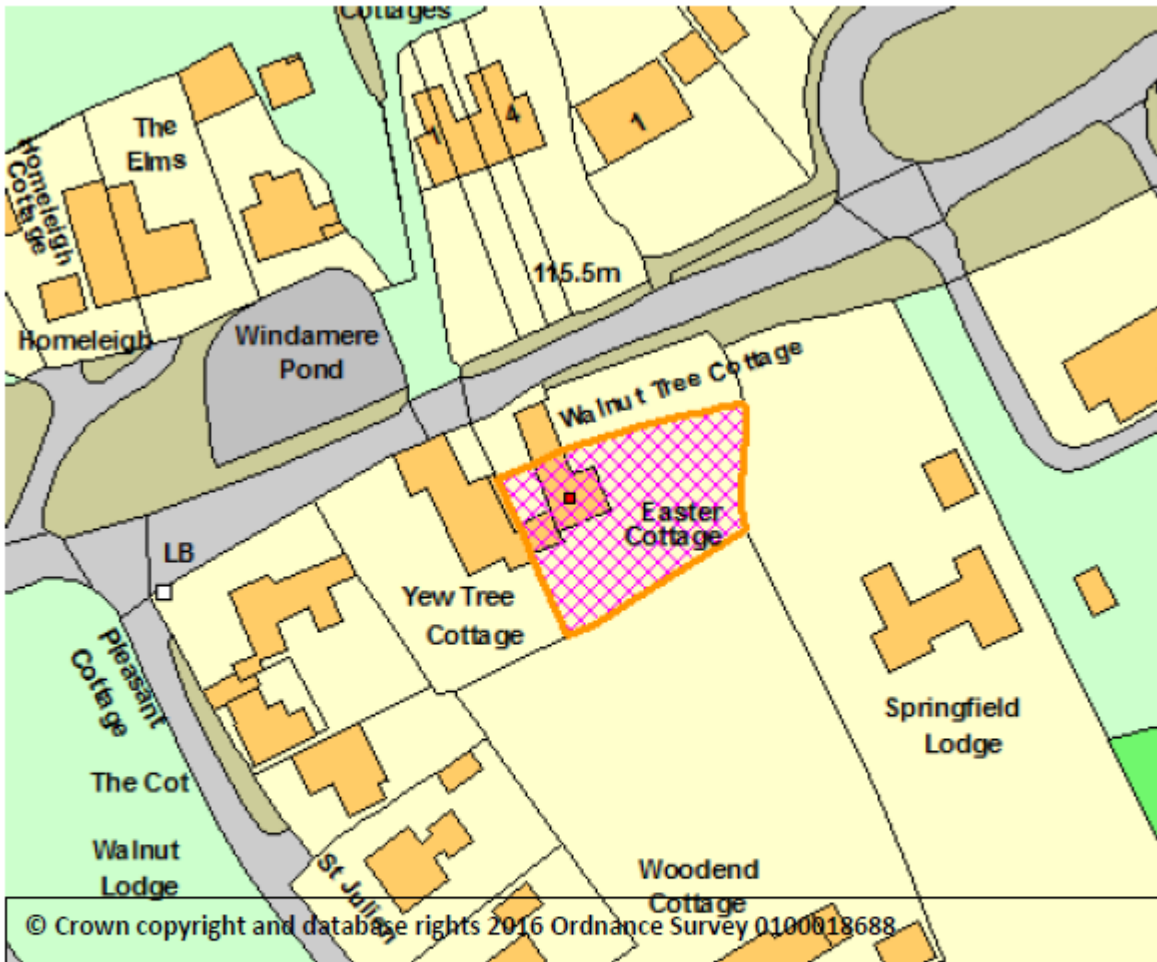
- A** The proposals would result in less than substantial harm and no public benefits would arise. However, on balance, the proposals are considered to be acceptable.
- B** There would be no adverse impacts on biodiversity or protected species.
- C** The policies in the emerging Local Plan do not affect the decision making process.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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.



Organisation:	Uttlesford District Council
Department:	Planning
Date:	20.03.2019

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UTT/19/0155/LB - HENHAM

(Referred to Committee due to applicant being related to a Councillor)

PROPOSAL: Proposed single storey rear extension and rooflights. Replace side window with French doors

LOCATION: Easter Cottage, Chickney Road, Henham

APPLICANT: Mr Warmerdam

AGENT: David Jones – Alun Design

EXPIRY DATE: 19 March 2019 – Extension of time 15 April 2019

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside Development Limits/Conservation Area/Grade II Listed Building

2. DESCRIPTION OF SITE

2.1 The application site relates to a thatched cottage, formerly a barn attached to the adjacent cottage. It was converted to residential use in 1976. It is located on the southern side of Chickney Road to the east of Woodend Green.

3. PROPOSAL

3.1 The proposal relates to the erection of a single storey rear extension and to replace a window with French doors. Rooflights are proposed to the existing extension and the proposed.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

5.1 The application is accompanied by a Design, Access and Heritage Statement.

6. RELEVANT SITE HISTORY

6.1 LB/UTT/0397/76/CA: Conversion of barn to dwelling house using materials to match existing. Proposed single garage and double garage. Modernisation of cottage. Approved 1976.

7. POLICIES

Uttlesford Local Plan (2005)

ENV2 – Development affecting Listed Buildings
GEN7 – Nature Conservation

Supplementary Planning Documents/Guidance

N/A

National Policies

NPPF – February 2019

Other Material Considerations

Planning Practice Guidance
Planning (Listed Buildings and Conservation Areas) Act 1990
Emerging Local Plan Policies:
EN1 – Protecting the Historic Environment
EN4 – Development affecting Listed Buildings
EN7 – Protecting and Enhancing the Natural Environment

8. PARISH/TOWN COUNCIL COMMENTS

8.1 No comments received.

9. CONSULTATIONS

Conservation Officer

9.1 Whilst the majority of the proposal may be acceptable in principle, including its individual components such as rooflights and French doors, the extension would result in a single storey element across almost a full width of the listed building, which is considered to detract from the aesthetic quality of the designated heritage asset. With regard of this specific element, I consider this to cause “less than substantial harm” and as such paragraph 196 of the NPPF is relevant. Should permission be granted, I recommend conditions imposed requiring submission of materials for approval and detailed drawings of architectural features (windows, doors, eaves etc).

10. REPRESENTATIONS

10.1 This application has been advertised and no representations have been received. Notification period expired 5 March 2019.

11. APPRAISAL

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

- A The principle and design of the extension (ULP Policy ENV2; NPPF)
- B Impacts on protected species (ULP Policy GEN7; NPPF)
- C Other material considerations

A The principle and design of the extension (ULP Policy ENV2; NPPF)

11.1 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act, 1990 states that a planning authority shall have special regard to the desirability of

preserving a listed building or its setting..." and LPA's are required to apply this statutory advice when determining listed building applications. ULP Policy ENV2 requires that development affecting a listed building should be in keeping with its scale, character and surroundings, adding that development proposals that adversely affect the setting and alterations that impair the special characteristics of a listed building will not be permitted. Paragraph 189 of the NPPF states that "In determining [planning] applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting", whilst paragraph 196 states that "Where in cases where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use".

- 11.2 The proposal relates to the erection of a single storey rear extension. This would be an extension of an existing lean-to element at the rear of the building. It would be approximately 2.6m wide and 3.2m deep. It would have a shallow pitch to match the existing lean-to element. Rooflights are proposed to the existing and new lean-to.
- 11.4 In terms of impacts on the listed building, the proposals would result in an extension almost the full width of the rear elevation of the building. This would detract from the aesthetic quality of the designated heritage asset. With regard of this specific element, the proposals would result in "less than substantial harm" to the heritage asset and as such paragraph 196 of the NPPF is relevant. This requires the public benefits to be weighed against the benefits of the proposal.
- 11.5 In this instance the main harm to the rear elevation of the property comes from the existing single storey lean-to. This establishes the scale and design principles for the proposed extension. A small element of the rear elevation would still be visible (approximately 1.8m). There are no public benefits arising from the proposal, only personal benefits from the extension. However, given the small scale of the property and the existing single storey rear lean-to it is considered, on balance, that the proposals would be acceptable.
- 11.6 In respect of the insertion of the French doors and the roof lights, these elements are not considered to be detrimental to the fabric or character of the listed building, subject to large scale details being submitted and approved.

B Impacts on protected species (ULP Policy GEN7; NPPF)

- 11.7 Policy GEN7 and the NPPF seek to protect biodiversity. In addition to biodiversity and protected species being a material planning consideration, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities Act 2006 states "Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." This includes local authorities carrying out their consideration of planning applications. Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 requires "A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions".
- 11.8 The application is accompanied by a Biodiversity Questionnaire. This has been incorrectly completed by failing to acknowledge that the building is a pre-1914 structure within 400m of a body of water – Windamere Pond to the north of the site.

However, given the nature of the proposals and the site it is not considered that the proposed development would give rise to any adverse impacts on biodiversity or harm to protected species.

C Other material considerations

11.9 The policies in the emerging Local Plan have been taken into consideration but do not affect the decision making process.

12. CONCLUSION

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

- A** The proposals would result in less than substantial harm and no public benefits would arise. However, on balance, the proposals are considered to be acceptable.
- B** There would be no adverse impacts on biodiversity or protected species.
- C** The policies in the emerging Local Plan do not affect the decision making process.

RECOMMENDATION – APPROVAL WITH CONDITIONS. All pre-commencement conditions have been agreed with the agent on 20 March 2019.

Conditions

1. The development to which this consent relates shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the commencement of the works hereby permitted a schedule of the types and colour of the materials to be used in the external finishes shall be submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details.

REASON: In order to protect the character and setting of the listed building in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

3. Prior to the commencement of the works hereby permitted additional drawings that show details of proposed new windows, doors, eaves, verges and cills to be used by section and elevation at scales between 1:20 and 1:1 as appropriate shall be submitted to and approved in writing by the local planning authority. Works shall be implemented in accordance with the approved details and shall be permanently maintained as such.

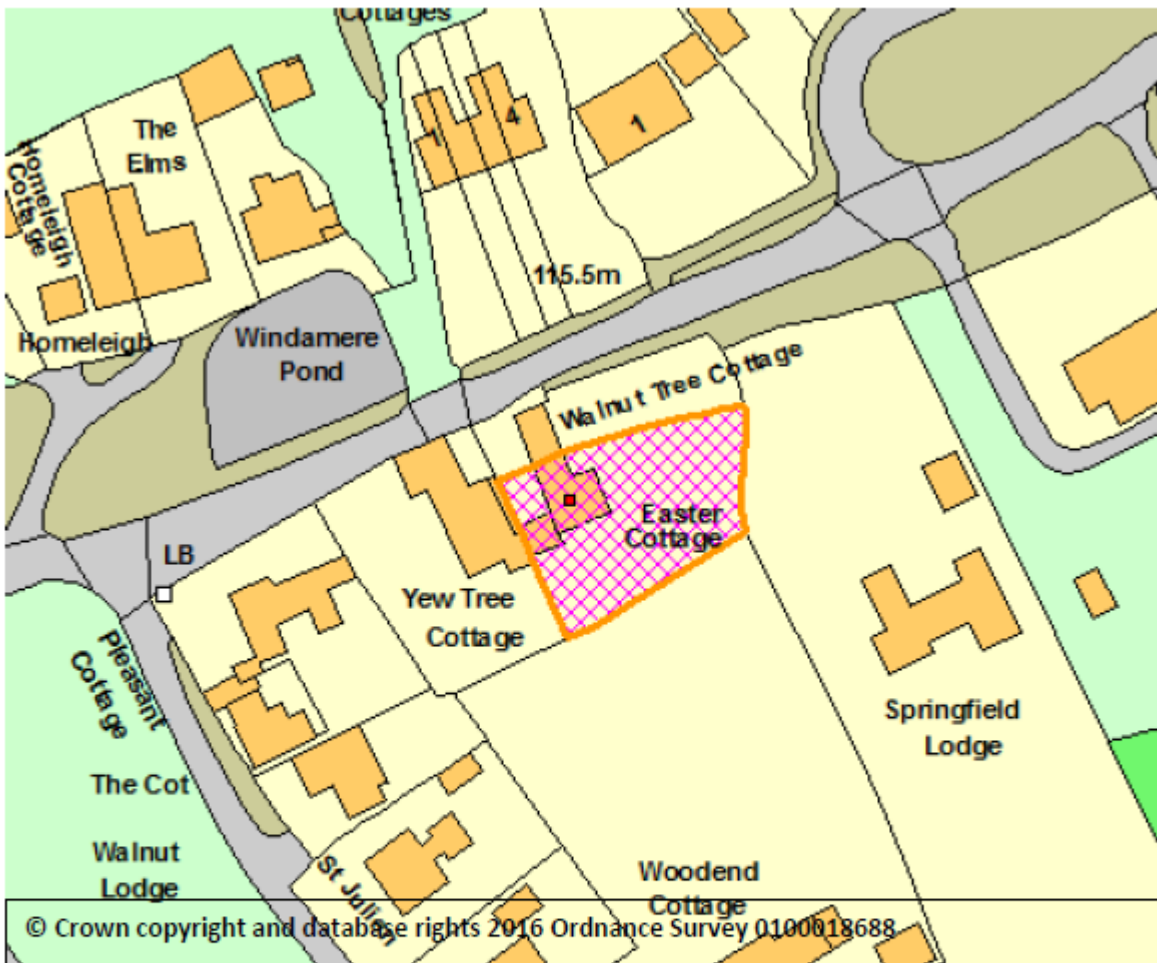
REASON: In order to protect the character and setting of the listed building in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

4. Prior to the commencement of the works hereby permitted specifications of the rooflights, which shall be of low profile conservation type, shall be submitted to and approved in writing by the local planning authority. Subsequently the works shall be carried out in accordance with the approved details and maintained as such.

REASON: In order to protect the character and setting of the listed building in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.

5. All rainwater goods shall be black and of cast metal and permanently maintained as such.

REASON: In order to protect the character and setting of the listed building in accordance with Uttlesford Local Plan Policy ENV2 (adopted 2005) and the NPPF.



Organisation:	Uttlesford District Council
Department:	Planning
Date:	20.03.2019

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UTT/19/0032/AV (SAFFRON WALDEN)

(UDC interest in site)

PROPOSAL:	Proposed Signage
LOCATION:	Car park at Waitrose Ltd, Hill Street, Saffron Walden CB10 1EH
APPLICANT:	Debden Grange
AGENT:	Media Matters
EXPIRY DATE:	8.3.19 – Extension of time 12.4.19
CASE OFFICER:	Rosemary Clark

1. NOTATION

- 1.1 Within Development Limits, Conservation Area

2. DESCRIPTION OF SITE

- 2.1 The application site comprises the area that serves the lifts that give access to the first floor car park adjacent to Waitrose store in Saffron Walden town centre.

3. PROPOSAL

- 3.1 The application relates to proposed signage to be situated above the lift areas to advertise the Marketing Suite that is situated in Rose and Crown Walk. The sign would have dimensions of 4.4m x 0.55m.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

5. APPLICANT'S CASE

- 5.1 Proposed signage does not fall within criteria for Permitted signage – Express advertisement Consent is required.

6. RELEVANT SITE HISTORY

- 6.1 N/a

7. POLICIES

7.1 **Town and Country Planning Advertisement Regulations 2007**

7.2 **Uttlesford Local Plan (2005)**

GEN2 – Design

GEN1 – Access

ENV1 – Development within the Conservation Area

7.3 **National Policies**

NPPF

7.4 **Other Material Considerations**

D3 – Design

TA1 – Accessible Development

EN2 – Development within the Conservation Area

8. PARISH/TOWN COUNCIL COMMENTS

8.1 Town Council consulted – expired 8.2.19 – Objection – excessive and inessential signage which is not good practise and does not meet dementia friendly urban design guidelines.

9. CONSULTATIONS

Business Support Officer

9.2 There is a Management Agreement between UDC and Waitrose – extracts indicate that Waitrose has exclusive rights to affix and display signage as appropriate.

However, it has been indicated that the proposed signage would not be acceptable in this instance.

10. REPRESENTATIONS

10.1 8 Neighbours consulted – expired 4.2.19 – No responses received

Waitrose – Objection on design – no other signs of this nature within the car park and excessive size. Waitrose have confirmed that they own the site and have not provided consent for the proposed signage

11. APPRAISAL

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

A Whether the proposal would harm the amenity of the area and

character and appearance of the Conservation Area(Uttlesford District Council Policies GEN2 and ENV1)

B Whether the proposal would affect highway safety and movement of traffic (Uttlesford District Council Policy GEN1)

A Whether the proposal would harm the amenity of the area and character and appearance of the Conservation Area (ULP Policy GEN2 and ENV1)

11.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that local planning authorities when determining an application made under these provisions shall only exercise its determination powers with regards to amenity and public safety. Any material policies of the development plan or other relevant factors shall be taken into consideration when making a determination. The Uttlesford Local Plan does not contain any specific policies relating to display advertisements, however policies that would be appropriate are ULP Policies GEN2, GEN1 and ENV1. These relate to design, highway safety and the impact on the character and appearance of the Conservation Area.

11.2 The effect on the amenity of the location takes into consideration the impact on the neighbouring residents and general characteristics of the locality. The application site is situated in Saffron Walden town centre close the commercial properties, where it is expected to see advertisements and signage of this type. Whilst acknowledging that the proposal is quite large, it is not considered that it would have a detrimental impact on the character and appearance of the conservation area, given its nature and location. The signage would not be illuminated and is required for a temporary period until January 2020. It is therefore considered that the proposals are acceptable in this respect.

B Whether the proposal would adversely affect highway safety and movement of traffic (ULP Policy GEN1)

11.3 In the case of public safety, the relevant factors to consider include the safety of persons using any highway and whether the display of the advertisement would obscure traffic signs or would create a hazard. The site of the signage is not visible from the public highway and therefore there would be no confusion for motorists and would not obscure any existing traffic signs, devices or pedestrian access and any public safety, as such therefore accords with ULP Policy GEN1.

11.4 It should be noted that even if the advertisement is approved , the works cannot be carried out without the permission of the owners of the site. This appears to be Waitrose and Uttlesford District

Council who hold a Management Agreement that states that only advertisements relating to the Waitrose Store can be erected on these premises. Both Waitrose and the Council have objected to the erection of the signage and therefore, the works cannot go ahead until permission is granted from all interest parties. Nonetheless, it should be noted that this is not a material planning consideration.

12. CONCLUSION

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

- A** The proposal is acceptable in terms of design and would not be harmful to the amenity of the locality or the character and appearance of the Conservation Area.
- B** The proposal would not adversely impact highway safety.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. This consent shall expire on 31 January 2020 or when the business occupying the relevant premises changes, whichever is the sooner, whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.

REASON: In the interests of visual amenity and highway safety in accordance with Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisement shall be maintained in a safe condition.

REASON: In the interests of visual amenity and highway safety in accordance with Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
3. Where an advertisements is required under these regulation is to be removed, the removal shall be carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and highway safety in accordance with Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

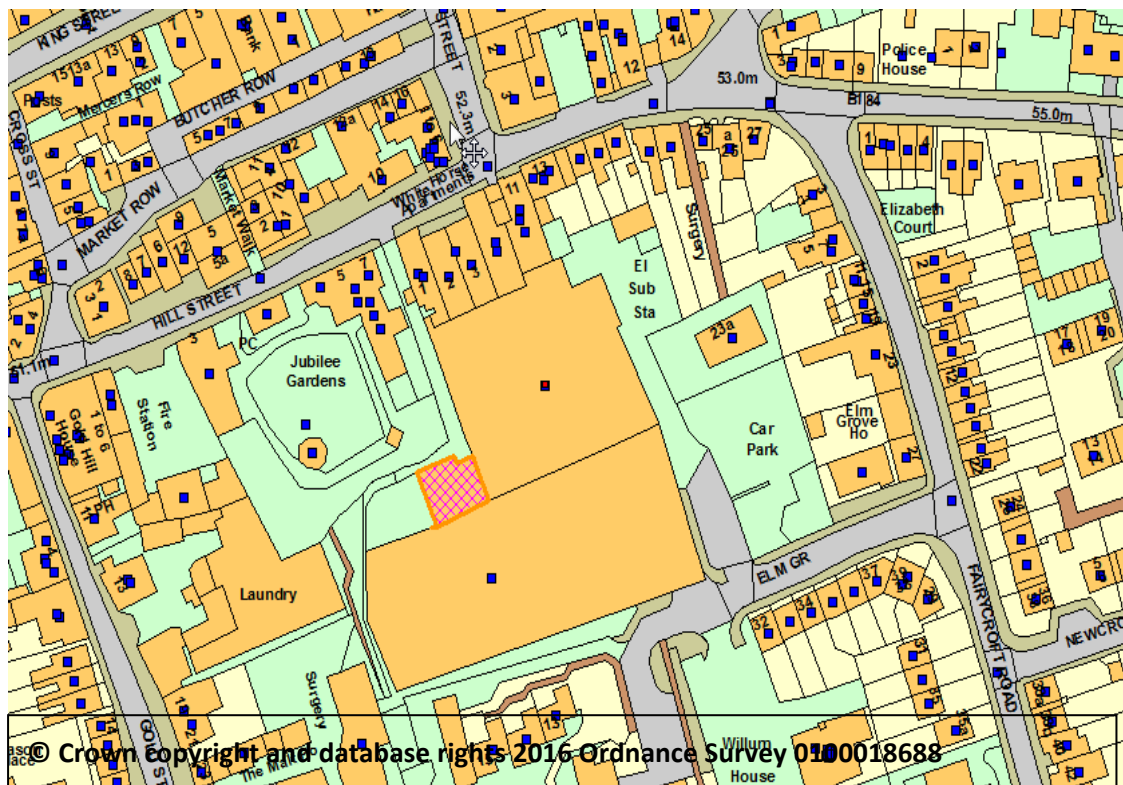
REASON: In the interests of visual amenity and highway safety in accordance with Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

- 5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).

REASON: In the interests of visual amenity and highway safety in accordance with Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Application: UTT/19/0032/AV

Address: Waitrose Store, Hill Street, Saffron Walden, Essex CB10 1EH



Organisation:	Uttlesford District Council
Department:	Planning
Date:	25.3.19

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UTT/19/0347/NMA (LITTLE CHESTERFORD)

(Uttlesford District Council has an interest in the land)

PROPOSAL: Non material amendment to planning application UTT/17/3111/FUL - Changes to hard standing area for parking spaces and road ways, relocation of cycle parking spaces, removal of chiller enclosure, re-grading of the landscaping and removal of the retaining wall and external seating, re-pitching of the roof profile and enlargement of turrets, enlargement/addition of doors and windows and changes to material of cladding of north elevation.

LOCATION: Building 60, Chesterford Park, Little Chesterford

APPLICANT: Chesterford Park Ltd Partnership

AGENT: RPS

EXPIRY DATE: 7 March 2019

CASE OFFICER: Luke Mills

1. NOTATION

1.1 Chesterford Park.

2. DESCRIPTION OF SITE

2.1 The site includes a research and development facility at the western edge of Chesterford Research Park and a separate portion of land adjacent the roundabout that provides access from Walden Road (B184).

3. PROPOSAL

3.1 The application is for a Non-Material Amendment to a planning permission for the remodelling of the existing building including various extensions and alterations. The approved development also includes a reconfiguration of the car park, the erection of bin stores and re-grading works between the main building and the adjacent pond.

3.2 The proposed amendments include:

- The use of tarmac rather than block paving for the car park surface
- Minor changes to the car and cycle parking layout, while maintaining the same number of spaces
- Removal of the chiller enclosure and alteration to the bin store
- Re-grading of the landscaping and removal of the retaining wall and external seating
- Re-pitching of the roof profile and enlargement of turrets
- Minor changes to the fenestration, and the use of metal cladding rather than buff brickwork on the north elevation

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANT'S CASE

- 5.1 The application includes the following documents:
- Covering letter

6. RELEVANT SITE HISTORY

- 6.1 The abovementioned planning permission was granted in February 2018 (UTT/17/3111/FUL).

7. POLICIES

- 7.1 S96A(1) of The Town and Country Planning Act 1990 confirms that a local planning authority may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material. S96A(2) requires that, in deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.
- 7.2 The original planning permission was granted on the basis of the development plan policies and material considerations listed below.

Uttlesford Local Plan (2005)

- 7.3 S5 – Chesterford Park Boundary
S7 – The Countryside
GEN1 – Access
GEN2 – Design
GEN3 – Flood Protection
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
E2 – Safeguarding Employment Land
E3 – Access to Workplaces
Chesterford Park Local Policy 1 (CPLP1)

Supplementary Planning Documents/Guidance

- 7.4 Parking Standards: Design and Good Practice (2009)

National Policies

- 7.5 National Planning Policy Framework (NPPF) (2012)
- paragraphs 14, 17, 32-39, 58, 100-104 & 118
Planning Practice Guidance (PPG)
- Design
- Flood risk and coastal change

- Natural environment
- House of Commons Written Statement: Sustainable drainage systems (HCWS161) (2014)
- Planning Update: Written statement (HCWS488) (2015)

Other Material Considerations

7.6 Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)

8. PARISH COUNCIL COMMENTS

8.1 No consultations necessary.

9. CONSULTATIONS

9.1 No consultations necessary.

10. REPRESENTATIONS

10.1 No publicity necessary.

11. APPRAISAL

The issues to consider in the determination of the application are (relevant policies in brackets):

- A Character and appearance (S5, S7, 17, 58 & PPG)
- B Transport (GEN1, GEN8, 32-39 & HCWS488)
- C Accessibility (GEN2, E3, 58 & PPG)
- D Amenity (GEN2 & 17)
- E Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)
- F Biodiversity (GEN7, 118 & PPG)

A Character and appearance (S5, S7, 17, 58 & PPG)

11.1 It is considered that the proposed changes would not have a significant impact on the appearance of the development or the character of the surrounding area. It is therefore concluded that there is no conflict with the above policies.

B Transport (GEN1, GEN8, 32-39 & HCWS488)

11.2 It is considered that the proposed changes would not cause conflict with the above policies. It is noted that the alterations to the car park would not affect the number of spaces.

C Accessibility (GEN2, E3, 58 & PPG)

11.3 It is considered that the proposed changes would not cause conflict with the above policies insofar as they relate to accessibility.

D Amenity (GEN2 & 17)

11.4 It is considered that the proposed changes would not cause conflict with the above policies insofar as they relate to amenity.

E Flooding (GEN3, 100-104, PPG, HCWS161 & SFRA)

11.5 It is considered that the proposed changes would not cause conflict with the above policies.

F Biodiversity (GEN7, 118 & PPG)

11.6 It is considered that the proposed changes would not cause conflict with the above policies.

12. CONCLUSION

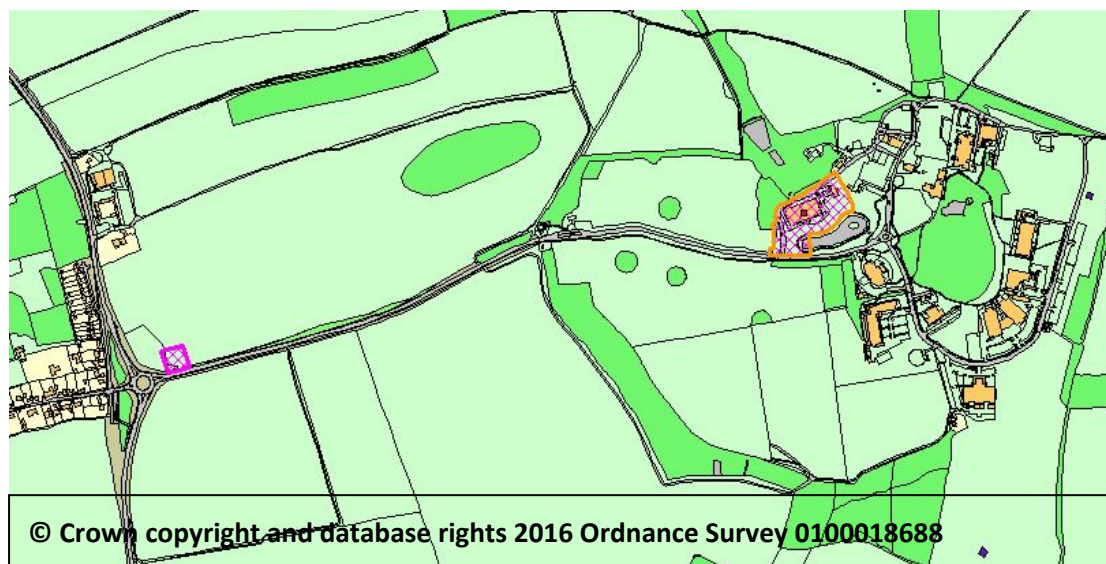
The following is a summary of the main reasons for the recommendation:

A The proposed amendments are considered appropriate for the development, and non-material in the context of the overall scheme. There would be no conflict with local and national policies, including those in the revised NPPF which was published after planning permission was granted. The proposed amendments also do not deviate from the heart of the original planning permission. It is therefore recommended that the application be approved, in accordance with S96A of The Town and Country Planning Act 1990

RECOMMENDATION – APPROVAL

Application: UTT/19/0347/NMA

Address: Building 60, Chesterford Park, Little Chesterford



Organisation: Uttlesford District Council

Department: Planning

Date: 19/03/2019

Committee: Planning

Agenda Item

Date: 10 April 2019

[?]

Title: UTT/18/0386/FUL; Demolition of existing out buildings and erection of eight detached dwellings and a block of garages. Great Chalks, High Street, HATFIELD BROAD OAK

Author: Nigel Brown
Development Manager

Summary

1. The above planning application was reported to Planning Committee on 26 September 2018 with a recommendation for approval subject to planning conditions and the completion of a Section 106 Obligation.
2. It has since transpired that the Heads of Terms of an S106 agreement contained in the report to Committee only referred to the making of contributions to off-site affordable housing. During the debate upon the matter the issue of the provision of public car parking was considered, in addition to other matters related to the management and maintenance of the landscaping and green space.
 -
3. Although these matters are mentioned in the approved minutes, this is only in the context of the matter being suggested by the Development Manager as potential mitigation measures.. The matter was fully discussed, but the minutes do not reflect whether the issue was accepted by members or what the the mechanism to deliver these matters would be. The recollection of officers and the Applicant from the meeting confirmed by the audio recording was that these matters were considered by the Committee and it was resolved to include these matters within the Section 106 agreement.
4. Officers consider it prudent to clarify this matter before the completion of the Section 106 Obligation and the issuing of the planning permission. The purpose of this report is to clarify the terms of the resolution to approve and not to revisit these terms or indeed the merits of the case.

Recommendations

It be confirmed that Planning Committee on 26 September 2018 resolved to APPROVE planning permission subject to conditions

SUBJECT TO S106 LEGAL OBLIGATION

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding 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 Director: Legal & Governance, in which case he shall be authorised to conclude such an agreement to secure the following:
- (i) Financial contributions in respect of affordable housing;
 - (ii) Securing the ongoing management of the public open space and associated landscaping;
 - (iii) The provision and the ongoing securing of the public car parking provided on the site
 - (iv) Pay the Council's reasonable legal costs
 - (v) Pay the monitoring fee
- (II) In the event of such an agreement being made, the Assistant Director Planning be authorised to grant permission subject to the conditions set out and agreed by Planning Committee on 26 September 2018
- (III) If the freehold owner shall fail to enter into such an agreement the Assistant Director Planning shall be authorised to refuse permission in his discretion any time thereafter for the following reasons:
- (i) Lack of contribution in respect of affordable housing
 - (ii) Lack of provision and ongoing securing of public car parking
 - (iii) Lack of provision and ongoing maintenance of public open space.

Financial Implications

1. None. There are no costs associated with the recommendation.

Background Papers

Planning Application Reference UTT/18/0386/FUL; Planning Committee Report 26 September 2018 and Associated Minutes

Impact

1.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
1	1	1	None

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

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Committee: Planning

Date:

Title: Notification of intent to carry out works to trees in a conservation area at Wearn's Folly, Carmen Street, Great Chesterford

10th April 2019

Report Author: Ben Smeeden
Landscape Officer

Summary

1. This item seeks the Committees' consideration of a notification of intent to carry out works to trees in a conservation area at Wearn's Folly, Carmen Street, Great Chesterford. The notifier is the spouse of the District Council ward member for Ashdon.

Recommendations

2. No objection to the proposed tree works.

Financial Implications

3. None

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

UTT/19/0572/TCA

Impact

- 5.

Communication/Consultation	Register of S211 Notices.
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None

Workforce/Workplace	None
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Situation

6. Notification of intent to carry out pruning of six trees in the rear garden area of Wearn's Folly, Carmen Street, Gt. Chesterford has been received. The proposal is to crown reduce a silver birch by 2m; crown reduce to re-shape a Malus and Prunus, reduce the height by 2m two conifers, and trim to shape a yew tree. The trees are all situated in the rear garden area of the property and can only be seen in part from the public highway. The proposed pruning is considered to be appropriate management of these trees. The trees are not considered to be of sufficient public amenity value to be made the subjects of a tree preservation order.

Risk Analysis

7.

Risk	Likelihood	Impact	Mitigating actions
1	1	1	None

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix 1: Location plan.



Appendix 2: Photograph of birch tree.



Appendix 2: Photograph of Malus, Prunus, Yew, and Conifer, trees.



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Committee: Planning

Date:

Title: Development Management Local Validation
Checklists

10 April 2019

**Report
Author** Ann Howells, Performance and Business
Manager 01799 510468

Summary

1. As part of the process of validating applications the Council has the ability to set local validation requirements. These are in addition to the national validation requirements which are set by government. The Council needs to balance the need for information with the demands on the applicant.

Recommendations

2. That the amended Development Management Local Validation Checklists and association document be adopted for Development Management validation purposes.

Financial Implications

3. None. The documents will be electronically distributed via the website.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

Validation of planning application checklists
Consultation responses

Impact

- 5.

Communication/Consultation	Six week public consultation
Community Safety	No issues
Equalities	Affects everyone the same
Health and Safety	No issues
Human Rights/Legal Implications	Affects everyone the same

Sustainability	No issues
Ward-specific impacts	All wards
Workforce/Workplace	Planning & Building Control Support & Registration Team

Situation

6. In May 2008, the Government changed the way in which planning applications are submitted. The National Standard Planning Application Form became the only official method of submitting a planning application for planning consent for all Local Planning Authorities (LPAs) in England.

The standard form is intended to make the process of submitting a planning application less confusing for applicants, as it will to a great extent replace the variety of planning application forms currently produced by LPAs which differ in the questions asked, the style, the layout and the number of copies required.

Legislation was put into place on 6 April 2008 to adopt the national forms and make it mandatory from 6 May 2008 for applications to be made only on the 1APP forms. This was to include all of the information and documents specified on the form (the national requirements) together with the additional information and documents specified by the Local Planning Authority to whom the application is made (the local requirements).

Local Authorities have to review their local requirements every two years. There is a set procedure where the Council reviews the checklists to ensure compliance with legislation and policies. Following an internal review there was a six week consultation process. Consultation commenced on 6 December 2018 and finished on 31 January 2019.

A total of 8 responses were received from the following organisations:

- The Gardens Trust
- Environment Agency
- Natural England
- Development & Flood Risk – Essex County Council (SuDs)
- Place Services Ecology
- Open Spaces Society
- Sports England
- Essex County Council – Strategic Development (Highway and Transportation)

These raised a number of issues regarding the text of the document and the levels of information required. All were supportive of our approach and the principle of improving the quality of planning applications. Please see responses and actions in appendix A. The Validation Guidelines have been altered to meet some of the specific comments.

Risk Analysis

7.

Risk	Likelihood	Impact	Mitigating actions
2	2	2	2

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix A

- As part of the checklist consultation, we also asked the consultees to review what they need to be consulted on. This will also ensure that they only get sent requests for comments on applications that they need to see.

▪ Consultee	▪ Their response	▪ Our response
▪ The Gardens Trust	▪ Sent a copy of the Planning System in England and Protection of Historic Parks and Gardens 2016.	▪ Shared with Officers and put on website
▪ Environment Agency	▪ Noted that the requirement for a Flood Risk Assessment has been included for Full and Outline applications; however they request that it is also added to the Details Following Outline (DFO) checklist.	▪ Added to DFO checklist
▪ Environment Agency	▪ Requested an additional requirement: Water Framework Directive (WFD) Assessment is added to both the Full and Outline application checklists.	▪ Added
▪ Environment Agency	▪ Would expect to see a preliminary risk assessment for sites where the previous use of the site is included on the Land Contamination DoE Industry Profiles.	▪ Noted – include on checklist and make link available to applicants/agents.
▪ Natural England	▪ Noted and welcomed the inclusion of a requirement for ‘Biodiversity’ information. Highlighted the requirements of the Habitats Regulations (The Conservation of Habitats and Species Regulations 2017) and the need for sufficient information to assess relevant plans or projects in the context of European designated sites.	▪ Noted and added to the ‘any details of corresponding policies or guidance’ column on the checklists.
▪ Natural England	▪ Sent a link to a mapping layer for SSSI Impact Risk Zones.	▪ Noted and forwarded to GIS Officer and Registration Team Leader to make sure we are using latest information and if not to update.

<ul style="list-style-type: none"> ▪ Natural England 	<ul style="list-style-type: none"> ▪ The work being undertaken by the National Trust has identified a Zone of Influence (Zol) for Hatfield Forest, which at present is 10.4km. Recommend that although it is under review, all planning applications where there is a net gain in residential development within this area should be accompanied by an assessment for such impacts in the context of Hatfield Forest. 	<ul style="list-style-type: none"> ▪ Noted and a requirement will be added to the Full, Outline and Details Following Outline checklists ▪ ▪ ▪ ▪
<ul style="list-style-type: none"> ▪ Natural England 	<ul style="list-style-type: none"> ▪ Uttlesford is within the Zol for the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) and the consultation requirements are also available to download as part of the mapping layer. 	<ul style="list-style-type: none"> ▪ Noted and mapping layer will be updated.
<ul style="list-style-type: none"> ▪ Natural England 	<ul style="list-style-type: none"> ▪ In additional to general assessment of air quality in the context of the natural environment, consideration should also be given to the requirement for necessary and appropriate levels of supporting information relating to the ongoing work for the Epping Forest Special Area of Conservation and Uttlesford's commitment through the Memorandum of Understanding. 	<ul style="list-style-type: none"> ▪ Noted
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ Statutory consultees on major applications and therefore only commenting on checklists relating to them. 	<ul style="list-style-type: none"> ▪ Noted
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ Happy with the requirement for a Flood Risk Assessment (FRA) and the criteria associated with it although this should be included as a national requirement. 	<ul style="list-style-type: none"> ▪ Noted and updated but only as a local requirement because the guidance for checklists haven't been updated and FRA isn't included in the current

		guidance.
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ The information that should be contained within the FRA includes a completed FRA Checklist. This document wasn't included as part of the consultation however based on previously required information it is likely that the document that is being referred to are in fact the SuDS Checklists for outline and detailed applications. If this is the case then this should be corrected and the requirement for provision of this information should sit in the next section of the Checklist relating to SuDS. 	<ul style="list-style-type: none"> ▪ Noted and corrected.
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ Both rows (FRA and SuDS) make reference to the NPPF paragraphs 155 to 165 which addresses flood risk associated with new development. However both rows should also include reference to paragraph 170 to cover the need for addressing water quality as part of the drainage design. 	<ul style="list-style-type: none"> ▪ Noted and corrected.
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ The row addressing the Statement on SuDS makes reference to the Non-statutory technical standards for sustainable drainage systems but should also link to local guidance in particular the Essex SuDS guide or the Essex Design Guide (which has links back to the SuDS guide). ▪ 	<ul style="list-style-type: none"> ▪ Noted and corrected
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ The threshold for a SuDS statement is listed as major development. While I would hope that the larger developers would be familiar with the criteria associated with this some smaller developers might not be as aware of the definition of major. It might be beneficial to provide more explanation about what constitutes major development within the checklist. ▪ 	<ul style="list-style-type: none"> ▪ Noted and definition added.
<ul style="list-style-type: none"> ▪ Development 	<ul style="list-style-type: none"> ▪ We have received at least 1 	<ul style="list-style-type: none"> ▪ Noted

<p>& Flood Risk – Essex County Council (SuDs)</p>	<p>application over the last few months that didn't include any drainage information. We would ask that any applications like this are screened before they are sent to us. We would be happy to provide some training to let officers know what they should be looking for when the application is submitted.</p>	
<ul style="list-style-type: none"> ▪ Development & Flood Risk – Essex County Council (SuDs) 	<ul style="list-style-type: none"> ▪ Chelmsford have a landing page for applicants which prominently directs applicants to the additional SuDS requirements for major applications. (https://www.chelmsford.gov.uk/planning-and-building-control/planning-permission-and-applications/make-a-planning-application/) if a similar approach could be followed by Uttlesford I think this would help improve the quality of the information that we receive from developers. ▪ 	<ul style="list-style-type: none"> ▪ Noted and details sent to the web team
<ul style="list-style-type: none"> ▪ Place Services - Ecology 	<ul style="list-style-type: none"> ▪ Pleased to see the three Biodiversity Validation Checklists are still incorporated in the validation process. Have recently reviewed and updated, please use the new ones and update website. 	<ul style="list-style-type: none"> ▪ Noted and done.
<ul style="list-style-type: none"> ▪ Place Services - Ecology 	<ul style="list-style-type: none"> ▪ The Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (Essex Coast RAMS) – recommend that UDC adds the Zone of Influence to the UDC Proposals Map. 	<ul style="list-style-type: none"> ▪ Noted and requested GIS Officer to update map.
<ul style="list-style-type: none"> ▪ Place Services - Ecology 	<ul style="list-style-type: none"> ▪ Badgers and /or other protected species ▪ Badgers are the only species requiring a confidential report so we recommend that where it is states that: <ul style="list-style-type: none"> ▪ <i>“Where there are any badgers and/or other protected species please ensure the details are recorded in a separate report to ensure that this can be dealt with appropriately.</i> ▪ Noted and altered. 	<ul style="list-style-type: none"> ▪ Noted and updated.

<ul style="list-style-type: none"> ▪ Open Spaces Society 	<ul style="list-style-type: none"> ▪ The primary interest of the Open Spaces Society is public rights of way and any potential development on 'open space'. Please continue to consult with us on any development that will potential affect these as Uttlesford is currently doing. ▪ 	<ul style="list-style-type: none"> ▪ Noted
<ul style="list-style-type: none"> ▪ Sports England 	<ul style="list-style-type: none"> ▪ In addition to the national validation requirements set out with the Government's Planning Practise Guidance, Sport England recommends that planning applications affecting playing field land should provide sport specific information in line with a checklist. 	<ul style="list-style-type: none"> ▪ Noted. The requirement will be added and the checklist made available online.

	What is required	Guidance/Policy	When is it required	Our response
Essex County Council Strategic Development (Highway and Transportation)	Advert consent – Plans <i>add identifies the highway boundary</i>	Guidance – add where adjacent to the highway. Information from the Definitive Map.		Noted and updated.
Essex County Council – Strategic Development (Highway and Transportation)	Reserved Matters – Plans add <i>Highway Boundary Public Rights of Way Add to proposed features eg cycle parking arrangements</i>	Guidance add - <i>If the application is to impact on the highway or Public rights of way these should be identified on the plan.</i> Information from the Definitive Map		Noted and updated.
Essex County Council – Strategic Development (Highway and Transportation)	FUL – 1. Plans Add <i>Highway Boundary Public Rights of Way Add to proposed features eg cycle parking arrangements</i> 2. Transport Statement ▪	Guidance 1.add - <i>If the application is to impact on the highway or Public rights of way these should be identified on the plan.</i> Information from the Definitive Map	▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪	▪ Noted and updated.

	<ul style="list-style-type: none"> ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ 3. Transport Assessment ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ 4. Travel Plans ▪ ▪ ▪ ▪ 	<ul style="list-style-type: none"> ▪ 2. NPPG (Travel Plans, Transport Assessments and Statements) ▪ NPPF 2018 paragraph 102-111 ▪ UDC Adopted Local Plan 2005 Policies GEN1 GEN2 ▪ ▪ ▪ Essex County Council Development Management Policies (appendix B) ▪ ▪ 3. NPPG (Travel Plans, Transport Assessments and Statements) ▪ NPPF 2018 paragraph 102-111 ▪ UDC Adopted Local Plan 2005 Policies GEN1 GEN2 ▪ ▪ ▪ Essex County Council Development Management Policies (appendix B) ▪ 	<ul style="list-style-type: none"> ▪ 2. 25 – 50 residential units ▪ ▪ Commercial floor Space over 250m2 ▪ ▪ Unless local circumstances require more information ▪ ▪ ▪ 3. Over 50 residential units ▪ ▪ Commercial floor Space over 600m2 ▪ ▪ ▪ ▪ ▪ ▪ ▪ 	
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	<ul style="list-style-type: none"> ▪ <i>Add to proposed features e.g. cycle parking arrangements</i> ▪ ▪ <i>2. Transport Statement</i> ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ ▪ <i>3. Transport Assessment</i> ▪ ▪ ▪ ▪ ▪ 	<ul style="list-style-type: none"> ▪ <i>Information from the Definitive Map</i> ▪ ▪ ▪ ▪ <i>2. NPPG (Travel Plans, Transport Assessments and Statements)</i> ▪ <i>NPPF 2018 paragraph 102-111</i> ▪ <i>UDC Adopted Local Plan 2005 Policies GEN1 GEN2</i> ▪ <i>Essex County Council Development Management Policies (appendix B)</i> ▪ ▪ <i>3. NPPG (Travel Plans, Transport Assessments and Statements)</i> ▪ <i>NPPF 2018 paragraph 102-111</i> ▪ <i>UDC Adopted Local Plan 2005 Policies GEN1 GEN2</i> ▪ <i>Essex County Council</i> 		
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