



Uttlesford District Council

Chief Executive: Dawn French

Planning Committee

Date: Wednesday, 18th December, 2019

Time: 2.00 pm

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

Chair: Councillor S Merifield

Members: Councillors G Bagnall, M Caton, P Fairhurst, R Freeman, G LeCount,
M Lemon (Vice-Chair), J Loughlin, R Pavitt, N Reeve, A Storah and
M Sutton

Substitutes: Councillors S Barker, A Gerard, N Gregory, R Jones, B Light,
E Oliver, G Sell, M Tayler and J De Vries

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

5 - 12

To consider the minutes of the previous meeting.

3 UTT/19/0573/OP - Little Chesterford

13 - 58

To consider application UTT/19/0573/OP - Little Chesterford.

4 UTT/19/0476/OP - Stebbing 59 - 80

To consider application UTT/19/0476/OP – Stebbing.

5 UTT/19/2545/FUL - Elsenham 81 - 90

To consider application UTT/19/2545/FUL – Elsenham.

6 UTT/19/2557/FUL - Aythorpe Roding 91 - 98

To consider application UTT/19/2557/FUL - Aythorpe Roding.

7 UTT/19/2342/FUL - Stebbing 99 - 106

To consider application UTT/19/2342/FUL - Stebbing

8 UTT/19/1064/DFO - Newport 107 - 116

To consider application UTT/19/1064/DFO – Newport.

9 UTT/19/2022/FUL - Wimbish 117 - 124

To consider application UTT/19/2022/FUL – Wimbish.

10 UTT/19/2442/FUL - Little Chesterford 125 - 128

To consider application UTT/19/2442/FUL - Little Chesterford.

11 UTT/19/2606/LB - Barnston 129 - 134

To consider application UTT/19/2606/LB – Barnston.

12 UTT/19/2613/NMA - Barnston 135 - 138

To consider application UTT/19/2613/NMA – Barnston.

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Agenda Item 2

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 6
NOVEMBER 2019 at 2.00 pm**

Present: Councillor S Merifield (Chair)
Councillors M Caton, P Fairhurst, R Freeman, G LeCount,
M Lemon, J Loughlin, N Reeve, A Storah and M Sutton

Officers in attendance: A Bochel (Democratic Services Officer), N Brown (Development
Manager), K Denmark (Development Management Team
Leader), M Jones (Planning Officer), M Shoosmith
(Development Management Team Leader), E Smith (Solicitor),
C Theobald (Planning Officer) and C Tyler (Planning Officer)

Public Speakers: Cllrs G Driscoll, N Hargreaves & P Lees
K Artus, M Calder, P Cavill, M Dowell, G Easton, J Hamalli, A
Hathaway, F Hickling, S Kitcat, S Kushel, B Lindsell, J
Lieberman, C Loone, G Mott, A Walker, J Walker and K
Westlake

PC68 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Bagnall.

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

Councillor Reeve declared a non-pecuniary interest in that items 10 and 11 were in his ward.

Councillor LeCount declared a non-pecuniary as a member of Henham Parish Council, and advised that he would recuse himself and leave the room at Item 6, in which he had a personal non-pecuniary interest because he knew the applicant well.

Councillor Loughlin said she would be speaking on behalf of neighbours of the applicant on Item 14 and would therefore recuse herself and leave the room when the item was discussed.

PC69 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 16 October were approved and signed as a correct record.

PC70 **UTT/19/1054/OP - LAND NORTH OF HENHAM ROAD, DEBDEN**

The Planning Officer gave a summary of the report which recommended approval with conditions for permission of the outline application with all matters reserved except access for the erection of 2 detached dwellings and related infrastructure.

Members expressed concern that the application would have a negative impact on the countryside contrary to policy S7, and that the design of the application was contrary to policy GEN2.

Councillor Fairhurst proposed refusal of the application. Councillor Storah seconded this motion.

RESOLVED to refuse the application for the following reason:

The proposed development in the form of two dwellings will result in the introduction of significant built form to the site and as such will result in a significant harm to the open characteristics of the rural countryside setting and the character of the site. The proposal is therefore contrary to ULP Policies S7, GEN2 and the aims of the NPPF.

B Lindsell and C Loone spoke on this item.

PC71 **UTT/19/1463/FUL - ROBELS, CUTLERS GREEN LANE, THAXTED**

The Planning Officer gave a summary of the report which recommended refusal of the application for demolition of existing dwelling, garage and stables and erection of replacement dwelling complete with infrastructure and access.

Councillor Storah recommended an additional reason for refusal in that the application was contrary to paragraphs 5 and 12 of the Supplementary Planning Document – Replacement Dwellings.

Councillor Freeman proposed to refuse the application. Councillor Storah seconded this motion.

RESOLVED to refuse the application for the following reason:

The proposal; by virtue of by reason of the introduction of a substantial built form with a character and positioning which would be at odds with that of neighbouring residential development to the southeast; would have a significant adverse effect on the streetscene and character and appearance of the area. As such the proposal would be contrary to Page 2 of 4 Policies S7, GEN2 and H7 of the adopted Uttlesford Local Plan and also Policies TXLSC1, TXLSC2, TXLSC4 and TXHD1 of the made Thaxted Neighbourhood Plan, be contrary to paragraphs 5 and 12 of Supplementary Planning Document – Replacement Dwellings (adopted September 2006) and contrary to the provisions of the

National Planning Policy Framework to add to the overall quality of an area.

K Westlake spoke on this item.

PC72 UTT/19/0462/FUL - LAND WEST OF HALL ROAD, ELSENHAM

The Planning Officer gave a summary of the report which recommended approval of the application comprising a residential development for 130 dwellings (including affordable housing); the provision of open space; play areas; car parking; new pedestrian linkages; landscaping and ancillary works, with access off Hall Road, and the change of use of 0.371ha of agricultural land for educational use, subject to a s106 legal obligation.

Members commended the way the developer and the parish council had collaborated together to improve the application for residents of the area.

Councillor Loughlin proposed refusal of the application on the grounds of harm to the Countryside Protection Zone. Councillor Fairhurst seconded this motion.

A vote was taken. Members voted not to refuse the application.

Members asked to attach additional conditions monitoring air pollution, provision of at least one electric car charging point per dwelling, and renewable energy solutions, and notes on the application about the cumulative impact of development on Elsenham and the need for a new drop-off location at the school.

Councillor Reeve proposed approval of the application on the basis that, on balance, the positive impact of the application would outweigh the negative impact. Councillor Storah seconded this motion.

RESOLVED to approve the application subject to the conditions in the report, the additional conditions which cover the prior submission of matters related to electric charging points; renewable energy solutions and the provision of air quality monitoring equipment, and a s.106 agreement being put in place.

G Mott and J Lieberman spoke on this item.

PC73 UTT/19/0437/OP - LAND SOUTH OF RUSH LANE, ELSENHAM

Councillor LeCount left the room for the discussion of this item.

The Planning Officer gave a summary of the report which recommended approval with conditions of an outline application for the erection of up to 40 dwellings with all matters reserved except for access subject to a s106 agreement.

Members expressed concern that the application would have a negative impact on the protection of the countryside and the Countryside Protection Zone, and would therefore be contrary to policies S7 and S8. On balance the negative impact of the application would be greater than the positive impact.

Councillor Fairhurst proposed refusal of the application. Councillor Reeve seconded this motion.

RESOLVED to refuse the application for the following reason:

The proposed development by reason of the site's location lying outside development limits within the countryside and also the Countryside Protection Zone (CPZ) would be harmful to the particular character of the countryside in which the site is set and harmful to the openness of the Countryside Protection Zone. As such, the development would be contrary to ULP Policies S7 and S8 of the Uttlesford Local Plan (adopted 2005) whereby the adverse environmental effects arising from this rural harm and loss of openness would significantly and demonstrably outweigh any identified benefits of the submitted scheme, including the site's sustainable location relative to local services and public transport provision and the inclusion of affordable housing when assessed against the policies contained in the National Planning Policy Framework (February 2019) taken as a whole.

Councillor Lees, A Hathaway, G Easton and F Hickling spoke on this application.

PC74 UTT/19/1932/FUL - WHITEHALL HOTEL, CHURCH END, BROXTED

Councillor LeCount returned to the room.

The Development Management Team Leader gave a summary of the report which recommended approval with conditions of an amendment to planning permission of UTT/16/3549/FUL in order to substitute the erection of two dwellings with cart lodges to two pairs of three bedroomed semi-detached properties with associated landscaping and cart lodges.

Councillor Caton proposed to approve the application. Councillor Lemon seconded this motion.

RESOLVED to approve the application subject to the conditions in the report and to a s.106 agreement being put in place.

PC75 UTT/18/3399/FUL - THAXTED ROAD, SAFFRON WALDEN

The Planning Officer gave a summary of the report which recommended approval with conditions of the demolition of existing buildings and erection of 7 no. residential units.

Councillor Freeman proposed to approve the application. Councillor LeCount seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

PC76 UTT/19/1301/FUL - CAMBRIDGE ROAD, QUENDON

The Planning Officer gave a summary of the report which recommended approval with conditions of the construction of 9 new dwellings, vehicular access and associated parking and landscaping. He noted three conditions would be removed from those listed in the officers' report: a Construction Management Plan, and Environmental Management Plan and a Biodiversity Enhancement Layout.

Members commended the application as a good example of how parish councils and agents could work together to improve an application.

Councillor Fairhurst recommended approval of the application. Councillor Pavitt seconded this motion.

RESOLVED to approve the application subject to the conditions in the report.

Councillor Hargreaves, S Kitcat and M Calder spoke on the report.

PC77 UTT/19/1527/FUL - HIGH STREET, HATFIELD BROAD OAK

The Planning Officer gave a summary of the report which recommended approval with conditions for the subdivision of an existing detached dwelling and the erection of new single storey side extension to create 1 no. four bedroom and 1 no. three bedroom dwellings and change of use/conversion of existing coach house/outbuilding to create 1 no. two bedroom dwelling

Members expressed concern that the development was contrary to policy GEN2, because it was overdevelopment, out of character with the surrounding area, and would have a negative impact on traffic.

Councillor Fairhurst recommended refusal of the application. Councillor LeCount seconded this motion.

RESOLVED to refuse the application for the following reasons:

- 1) The proposal would constitute overdevelopment of the site, and would result in development incompatible with the appearance and character of the area. The development is therefore contrary to Policy GEN 2 of the Adopted Uttlesford Local Plan 2005.

- 2) The proposal would constitute the further consolidation of the development of this site resulting in harm to matters of traffic flow and would compromise the safety of other road users, contrary to Policy GEN1 of the Adopted Uttlesford Local Plan 2005.

Councillor Driscoll, J Walker, A Walker, M Dowell, S Kushel, K Artus and P Cavill spoke on this application.

PC78 UTT/19/1524/FUL - HIGH STREET, HATFIELD BROAD OAK

The Planning Officer gave a summary of the report, which recommended approval with conditions of the erection of a detached three bedroom chalet bungalow.

Members expressed concern that the application would be backland development and over development, and would have a negative impact on traffic. It would therefore be contrary to policies GEN1, GEN2 and H4.

Councillor Fairhurst proposed to refuse the application. Councillor Caton seconded this motion.

RESOLVED to refuse the application for the following reasons:

- 1) The proposal would constitute overdevelopment of the site, and would result in development incompatible with the appearance and character of the area. Due to the form of access to the site passing close to existing residential properties the proposal would constitute unacceptable backland development. The development is therefore contrary to Policy GEN 2 and H4 of the Adopted Uttlesford Local Plan 2005.
- 2) The proposal would constitute the further consolidation of the development of this site resulting in harm to matters of traffic flow and would compromise the safety of other road users, contrary to Policy GEN1 of the Adopted Uttlesford Local Plan 2005.

Councillor Driscoll, J Walker, A Walker, M Dowell, S Kushel, K Artus and P Cavill spoke on this application.

PC79 UTT/19/1823/FUL - AUDLEY END ROAD, SAFFRON WALDEN

The Planning Officer gave a summary of the report which recommended approval with conditions of the creation of an Artificial Grass Pitch (AGP) with associated features including: fencing and entrance gates, pitch barrier with entrance gates, fenced enclosure, hard-standing areas, vehicular maintenance and emergency access, 15m high floodlight system, maintenance equipment store, football car park, grassed mound and replacement planting.

Members asked for additional conditions to be attached to ensure like for like planting of trees which were to be destroyed, and the inclusion of at least 10 electric car charging points.

Councillor Fairhurst proposed approval of this application. Councillor Storah seconded this motion.

RESOLVED to approve the applications subject to the conditions in the report and the following additional conditions:

- 1) 10 x electric vehicle charging points shall be installed within the proposed car park area. These shall be provided, fully wired and connected, ready to use before the use of the development.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within the designated air quality management area and in accordance with ULP Policy ENV13, Emerging Local Plan Policy TA2 and the NPPF.

- 2) The floodlights hereby approved will be angled to direct light downwards and fitted with louvre baffles to minimise overspill.

REASON: To balance illuminating the development for the maximum use and benefit to sport with the interest of amenity and to accord with ULP Policy GEN4.

PC80 UTT/18/1027/FUL - LAND TO THE EAST OF WHITEDITCH LANE, NEWPORT

The Development Manager gave a summary of the report which recommended refusal of a proposal for the demolition of existing outbuildings and the erection of 4 no. detached dwellings with associated amenity space and parking. The application was being heard by the Committee after a High Court decision to quash the original decision notice, which had wrongly approved the application.

Councillor Caton proposed refusal of the application. Councillor Storah seconded this motion.

RESOLVED to refuse the application for the following reasons:

- 1) The proposal would exacerbate further the cumulative impact of development in Whiteditch Lane and Bury Water Lane resulting in significant detrimental harm upon matters of highway safety and harm to the rural countryside setting of the area contrary to Policies GEN1 and S7 of the Uttlesford Local Plan 2005 and Paragraphs 109 & 180 of the National Planning Policy Framework 2019.
- 2) The dwellings have an unsatisfactory blocky appearance failing to respect the local vernacular resulting in an incongruous development harmful to this rural countryside setting contrary to

Policy GEN2 of the Uttlesford Local Plan 2005 and Paragraph 127 of the National Planning Policy Framework 2019

- 3) No contributions have been proposed to secure appropriate affordable housing and infrastructure provision contrary to Policies H9, GEN6 and GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2019.
- 4) The proposed development fails to address the housing mix requirements of the District and would therefore have an adverse effect on the community contrary to Policy H10 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2019.

J Hamalli spoke on this application.

PC81 UTT/19/2340/HHF - BLYTHWOOD GARDENS, STANSTED

Councillor Loughlin left the room for the discussion of this item, after having made a statement to the Committee.

Councillor Pavitt left the meeting.

The Development Management Team Leader gave a summary of the report, which recommended approval with conditions of a Section 73A Retrospective application for the erection of a summer house in rear garden.

Members asked for an additional condition to be included so that the summer house could only be used as a dwelling for a further 6 months.

Councillor Storah recommended approval of the application. Councillor Sutton seconded this motion.

RESOLVED to approve the application subject to the conditions in the report and the following additional condition:

- 1) The current ancillary accommodation shall cease within six months of the date of this permission. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the structure shall not be used for any residential use (including ancillary accommodation) without the written approval of the Local Planning Authority.

REASON: In the interest of the visual and residential amenity of the Metropolitan Green Belt and neighbouring properties in accordance with Uttlesford Local Plan Policies S6 and GEN2.

Councillor Loughlin spoke on this item.

The meeting closed at 8.00.

UTT/19/0573/OP – LITTLE CHESTERFORD

(Major)

PROPOSAL: Outline planning application with all matters reserved expect for access for the development of up to 76 dwellings, including provision of vehicular and pedestrian access, public open space and hard and soft landscaping

LOCATION: Land to the south west of London Road Little Chesterford

APPLICANT: Axis Land Partnerships

AGENT: LDA Design

EXPIRY DATE: 11 June 2016

CASE OFFICER: Maria Shoesmith

1. NOTATION

1.1 Outside but adjacent to development limits, Backing onto Railway, TPO tree belt on northern boundary, adjacent to areas of archaeological significance, oil pipelines to the northern boundary, Nearest Listed Building Stanley House Station Approach, London Road

2. DESCRIPTION OF SITE

2.1 Great Chesterford is a large village located within the local authority area of Uttlesford District Council (UDC). Great Chesterford is located approximately 17km to the south of Cambridge, and approximately 5km north of Saffron Walden.

2.2 Great Chesterford has a good range of services and facilities. There are two doctors' surgeries, a primary school, local shop, community centre and playing fields, and pubs in the village.

2.3 The village benefits from having a mainline train station, served by the West Anglia line, with a regular train service. Trains from Great Chesterford station serve Cambridge to the north and London Liverpool Street to the south and it has good access to the M11.

2.4 The character of the area surrounding the application site changes from one which is of a rural village nature, to open countryside. The site lies outside but adjacent to the development limits of Great Chesterford.

2.5 There would be a distance of 472m from the southern edge of the application site to Little Chesterford.

2.6 The application site is on a gradually upward slope with a strong defined boundary to the northwest with the early development of Ash Green and Grants Close to the north opposite. The site gently falls from 45m AOD in the south-east corner to 40m AOD in the north-west towards the valley floor of the River Cam. The land opposite the site to the north is open countryside with ground levels dropping steeply towards the River

Cam/Granta and but then raises upwards in the distance.

2.7 As the site levels raises to the south west the landscape is dominated by the railway infrastructure and the M11 in the distance. The railway lines themselves are sunk at a lower ground level and are not visible.

2.8 The land to the southeast of the site gently raised upwards again. The views are interrupted by Highfield House which has recently extended. There is Bordeaux and Little Bordeaux Farm complex both sides of the road in the distance on the approach into Little Chesterford.

3. PROPOSAL

3.1 Outline planning application with all matters reserved except access for residential development on 3.2ha of land to the south west of London Road, Great Chesterford The Proposed Development is for up to 76 dwellings, including provision of vehicular and pedestrian access, public open space and hard and soft landscaping.

3.2 The access is the only detailed part of the application. An illustrative masterplan has been provided as part of the application to provide an example of how the site could be laid out.

3.3 The Proposed Development comprises the following key elements:

- Provision of up to 76 dwellings, including provision of 40% of dwellings as affordable housing.
- Provision of a range of house size and types, with over 50% of the total number of dwellings provided as two and three bedroom houses.
- Provision of public open space.
- Landscaping on the southern edge of development which allows the scheme to transition from the village settlement to the countryside, help filter views from the south and maintain the green edge character to Great Chesterford.
- Proposed scale, layout and massing that responds to the local landscape character and the existing built character.
- Vehicular and pedestrian access into the development from London Road.
- Provision of a 3m shared footway and cycle path along London Road, which could be incorporated into the proposed Great Chesterford Cycle Route Scheme in the future.
- A scheme that accommodates parking provision in line with the Council's parking standards.
- Implementation of sustainable urban drainage systems (SuDs).

3.4 The average density across the site would be 23.8 dwellings per hectare.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment): The proposal is not a Schedule 1 development, exceeds the threshold criteria of Schedule 2, however the application has been screened and an Environmental Assessment is not required.

4.2 A Screening Opinion to that effect was provided under reference UTT/18/3297/SCO. Nothing has significantly altered since the issuing of the opinion.

4.3 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 following documents have been submitted in support of the application;

The application comprises the following documents and plans:

Technical Reports:

- Planning Statement
- Design and Access Statement (DAS)
- Statement of Community Involvement (SCI)
- Transport Assessment (TA)
- Landscape and Visual Impact Assessment (LVIA)
- Preliminary Ecological Appraisal
- Biodiversity Checklist
- Heritage Desk Based Assessment
- Noise and Vibration Assessment
- Flood Risk Assessment (FRA) including an Outline Conceptual Drainage Plan
- SUDs Checklist
- Phase 1 Environmental Site Assessment (ESA)
- Minerals Resource Assessment
- Arboricultural Report

Drawings:

- Location Plan (drawing number: 6533_PL_100)
- Site Plan (drawing number: 6533_PL_101)

5.2 Statement of Community Involvement

5.2.1 Axis Land Partnerships, has taken to engaging with the local community and relevant stakeholders in relation to the emerging proposals for an outline planning application for residential development.

5.2.2 As part of the Sir Robert McAlpine Group of companies, Axis has decades of experience in delivering planning consents. As a family business, Axis cares about leaving a positive legacy and aims to create sustainable places we can be proud of, ones that future generations will want to live in. Axis is committed to working with the local community to ensure this development is informed by local opinions and aspirations.

5.2.3 Prior to holding formal public consultation, desk-based research was undertaken in order to identify key local stakeholders relevant to the project. The location of the Site, being within Little Chesterford parish boundary, but adjacent to the Great Chesterford parish boundary was taken into account. Key stakeholders identified included:

- Ward Councillors for Littlebury, Chesterford & Wenden Lofts
- Great Chesterford Parish Council
- Little Chesterford Parish Council
- Chesterfords Neighbourhood Plan Group.

5.2.4 Axis wrote to representatives of both Little Chesterford Parish Council and Great

Chesterford Parish Council on 8th October 2018, in order to introduce themselves and the Site. The initial correspondence outlined Axis' intention to engage with the community at the earliest stage possible in order for this to inform proposals and to get a better understanding of potential opportunities for community benefit. Axis extended an offer to meet with the Parish Council and discuss initial proposals for the Site.

- 5.2.5 Axis subsequently met with members of Great Chesterford Parish Council on 30th November 2018. Representatives of Little Chesterford Parish Council chose not to meet prior to the public exhibition. At the meeting the Parish Council raised a range of matters, encompassing the following:
- Site location is outside the settlement boundary;
 - Concern about the potential for further growth and infill between Great Chesterford and Little Chesterford;
 - Poor access between the Site and the village centre;
 - The distance to the recreation facilities on the other side of the village;
 - Unsafe pavements around the proposed development;
 - Cars speeding up as they exit the village and cars entering the village too fast;
 - Pressure on primary school capacity;
 - Potential benefits to be considered as part of the proposal could include a play/recreational area within the Site; and new pedestrian bridge crossing to improve access into the village.
- 5.2.6 Axis advised the Parish Council at this meeting of their intention to hold public consultation events in the new year in order to engage with the local community. The Parish Council suggested the use of a leaflet drop as a means to publicise the events.
- 5.2.7 The aim of consultation activity was to raise awareness of proposals amongst the local community, with the aim to reach both local residents and people employed in the local area.
- 5.2.8 Consultation events were publicised in a number of ways, as follows:
- Leaflet drop to residents of Great Chesterford and Little Chesterford (Appendix A)
 - Posters displayed in local area (A3 version of the leaflets in Appendix A)
 - Article in the Walden Local newspaper (Appendix B)
 - Email correspondence with both Little Chesterford and Great Chesterford Parish Council.
- 5.2.9 Leaflet were posted to households in Great Chesterford and Little Chesterford on 9th January, 10 days in advance of the first exhibition
- 5.2.10 A poster was displayed in Crown and Thistle pub. Further posters were sent to representatives of the Parish Councils with the request that they be placed on public noticeboards where they could be clearly seen by members of the public.
- 5.2.11 Axis wrote to representatives of both Great Chesterford and Little Chesterford Parish Councils on 8th January 2019 to inform them of the arrangements for consultation events and to send a copy of the publicity leaflet. The Parish Councils were encouraged to disseminate the information via their own methods. The Parish Councils were invited to preview the exhibition to enable them to view information and ask questions prior to the event opening to the general public.

- 5.2.12 An article was published in the Walden Local on Wednesday 16th January 2019 which gave details of the time and location of the consultation events. While the publication of this article was not as a direct result of action from the Applicant, it nevertheless served to publicise the event. The Walden Local has a circulation of over 13,000 and is delivered to homes and businesses in Saffron Walden and 23 local villages including Great Chesterford and Little Chesterford.
- 5.2.13 Two separate public consultation events were held, with one in Great Chesterford and the other in Little Chesterford. This approach was taken in recognition of the Site's location on the boundary of the two parishes. Axis sought to ensure there was an opportunity for the communities of both Great and Little Chesterford to visit a consultation event in their village.
- 5.2.14 The time, date and locations of these consultation events were as follows:
- Saturday 19th January 2019 (11am - 4pm): Chesterford Community Centre, Great Chesterford.
 - Wednesday 23rd January 2019 (3pm - 8pm): Little Chesterford Village Hall, Little Chesterford.
- 5.2.15 The locations of the exhibitions were carefully chosen to be close to the site and the community, accessible and at times that all sections of the community can attend.
- 5.2.16 Axis wanted to capture the views of people employed in the local area, but who may not currently live locally. A manned pop-up stand was erected in the foyer of Chesterford Research Park, for two hours over lunchtime on two separate days:
- Monday 21st January 2019
 - Wednesday 23rd January 2019
- 5.2.17 Feedback forms were provided at the events and attendees were encouraged to fill them in.
- 5.2.18 In addition, a dedicated consultation webpage was set up on the Axis Land Partnerships website, which went live from 19th January (www.axislp.com/consultations). The webpage contained the same information that was on the consultation boards, and offered the opportunity for people to leave their feedback through a digitised version of the feedback form. The website address was publicised on the consultation leaflets, the consultation boards and the feedback form.
- 5.2.19 It was estimated that over 100 people attended the public consultation events in total. From a tally of footfall it is estimated that 34 people attended the public exhibition in Great Chesterford, 31 people attended the exhibition in Little Chesterford and 40 people engaged with the pop-up stand at Chesterford Research Park. A total of 55 feedback forms were returned at the events. No feedback forms were received via email or through the website. This represents a 50% response rate.
- 5.2.20 A summary of the comments received has been enclosed within the SCI. The SCI demonstrates the measures that have been taken to address the key concerns and queries of the community, or else provide clarity on the approach. The majority of issues raised have been addressed through scheme design, or will be addressed through the provision of developer contributions.

6. RELEVANT SITE HISTORY

- 6.1 There is no relevant planning history relating to the application site.
- 6.2 In terms of other relevant history there has been a number of infilling over the years of small developments within Great Chesterford. However the most relevant development of significance has been listed below;
- (i) UTT/14/0174/FUL - New World Timber Frame And Graveldene Nurseries, London Road - Demolition of commercial buildings and erection of 42 No. dwellings – Approved 8.12.2014
- UTT/18/0313/FUL - Variation of condition 2 on planning permission UTT/14/0174/FUL (Demolition of commercial buildings and erection of 42 no. dwellings) in order to incorporate general minor amendments to site plan – Approved 16.04.2018
- (ii) UTT/14/0425/OP - Land North Of Bartholomew Close, Bartholomew Close - Outline Planning with all matters reserved for residential development of up to 14 dwellings – Approved 16.10.2014
- UTT/17/2745/DFO - The reserved matters application for the construction of 11 new dwellings covering access, layout, scale, landscaping and appearance following outline approval UTT/14/0425/OP – Approved 21.12.2017
- UTT/19/2288/FUL - Proposed residential development of up to 13 dwellings including associated external works and parking. Under consideration – Alternative scheme to above
- (iii) UTT/15/2310/OP - Land At Thorpe Lea, Walden Road - Outline application, with all matters reserved except for access, demolition of existing dwellings and residential development of up to 31 dwellings – Approved 13.06.2019
- UTT/17/0712/DFO - Details following outline application UTT/15/2310/OP for 31 dwellings. Details of the layout, scale, landscaping and appearance. – Approved 7.07.2017

7. POLICIES

7.1 National Policies

National Planning Policy Framework

7.2 Uttlesford Local Plan (2005)

| | |
|------|--|
| S3 | Other Development Limits |
| S7 | Countryside |
| GEN1 | Access |
| GEN2 | Design |
| GEN3 | Flood Risk |
| GEN4 | Good Neighbourliness |
| GEN5 | Light Pollution |
| GEN6 | Infrastructure Provision to Support Development |
| GEN7 | Nature Conservation |
| GEN8 | Vehicle Parking Standards |
| ENV4 | Ancient Monuments and Sites of Archaeological Importance |

| | |
|-------|---------------------------------|
| ENV5 | Protection of Agricultural Land |
| ENV12 | Protection of Water Resources |
| ENV14 | Contaminated Land |
| ENV15 | Renewable Energy |
| H9 | Affordable Housing |
| H10 | Housing Mix |

7.3 **Emerging Draft Local Plan – Regulation 19 (Pre-Submission Stage)**

Policy SP 1 - Presumption in Favour of Sustainable Development
 Policy SP 2 - The Spatial Strategy 2011-2033
 Policy H 1 - Housing Density
 Policy H 2 - Housing Mix
 Policy H 6 - Affordable Housing
 Policy H 10 - Accessible and Adaptable Homes
 Policy D 1 - High Quality Design
 Policy D 8 - Sustainable Design and Construction
 Policy D 9 - Minimising Carbon Dioxide Emissions
 Policy INF 1 - Infrastructure Delivery
 Policy TA 1 - Accessible Development
 Policy TA2 - Sustainable Transport
 Policy TA 3 - Vehicle Parking Standards
 Policy TA 4 - New Transport Infrastructure or Measures
 Policy EN5 - Scheduled Monuments and Sites of Archaeological Importance
 Policy EN 7 - Protecting and Enhancing the Natural Environment
 Policy EN 10 - Minimising Flood Risk
 Policy EN 11 - Surface Water Flooding
 Policy EN 12 - Protection of Water Resources
 Policy EN 14 – Pollutants
 Policy EN 16 - Contaminated Land
 Policy EN 18 - Light Pollution
 Policy C 1 - Protection of Landscape Character

8. **Parish Council**

8.1 **ICKLETON PARISH COUNCIL**

Object:

On behalf of Ickleton Parish Council, as authorised at its meeting on Wednesday 17th April 2019, I am writing to OBJECT STRONGLY to the above Application. Ickleton Parish Council requests that this Application is REFUSED.

We have been able to see the responses of Little Chesterford and Great Chesterford Parish Councils, and lend their comments our full support. We trust we do not need to repeat them.

The proposed development is not sustainable. It aggressively breaches the village boundaries of both Great Chesterford and Little Chesterford, and threatens coalescence between the two, as well as being a potential precedent for development on the other side of London Road.

Great Chesterford has seen housing growth of around 27% in recent years without any infrastructure improvements. This proposal would be a very significant expansion, again with no infrastructure improvements and derisory mitigation

elements.

The proposed development has all the hallmarks of a car-based commuter estate. Even the entrance/exit is located as far away from Great Chesterford village as it could be. The proximity of the train station is not likely to lead to a marked shift from car-based travel. For commuters to London, the stopping service on offer is likely to mean that they will choose to drive to Whittlesford Parkway or Audley End, adding to congestion on local roads.

To access employment sites and shopping (the shop in Great Chesterford is very limited in what it supplies) from the development, in the absence of reliable and frequent alternatives, car travel will be the first choice of residents. Rat running through Ickleton, Little Chesterford and Littlebury will clearly increase should this proposal be approved.

The proposal also entails the permanent loss of Best and Most Versatile agricultural land, and the impact development of the elevated site would have on open landscape is unacceptable

Additional Comments 21.11.2019

8.2 ECC Highways on TA stated that there would be additional traffic that will bring the Ickleton Road/London Road junction close to capacity which supports the contention that the development is a car based commuter estate using the villages as a rat run. The travel Information Pack would not change the use of transport away from car. The tree planting does not mitigate the development's negative impact upon the landscape.

8.3 LITTLE CHESTERFORD PARISH COUNCIL

Little Chesterford Parish Council strongly objects to this application on the following grounds;

- a. This site was dismissed as unsuitable from the original call for sites.
- b. The coalescence between Little and Great Chesterford is contrary to the NPPF, the two parishes are different and distinct and wish to remain so.
- c. The location of the vehicular access to the site, outside the village speed limit and village boundary, on a long, straight stretch of road in the countryside where speeding is commonplace is unacceptable, and unsafe and as such is contrary to NPPF policies S7 and H1.
- d. The proposal is considered unsustainable due to the significant distance from the proposed development to facilities or services within either Little or Great Chesterford.
- e. The proposal puts additional strain on services such as doctors and schools already under strain from significant local development of approximately 25% in the last 5 years, with no infrastructural support.
- f. Only train commuters could walk to their departure point, there are no suitably located bus stops, resulting in a car dependent development.
- g. Concerns were raised that all vehicles travelling south will drive through Little Chesterford, Littlebury or past Audley End, encouraging rat runs past historic buildings and through communities.

h. The noise and vibration survey carried out on behalf of AXIS shows that the site is unfit for human habitation due to noise and vibration from both the railway, M11 and London Road, B1383.

The consultants appear to circumnavigate this issue without addressing it, claiming that normal sound insulation would suffice for the houses facing the road, except better glazing etc would be necessary and gardens and amenity areas would need solid barrier screening and that the houses by the railway line would need special foundations isolating the houses from the ground.

8.4 **GREAT CHESTERFORD PARISH COUNCIL**

Great Chesterford Parish Council met on Wednesday 10th April to consider the above application. It was resolved that the Parish Council **STRONGLY OBJECT** to this speculative application on the following grounds:

a. This site was dismissed as unsuitable from the original call for sites in 2015 due to the detrimental loss of agricultural land and diminished sense of place. The site was considered unsuitable as development on the site would not contribute to sustainable patterns of development. The Parish Council agrees with this assessment made by the Local Planning Authority at the time and does not feel anything has materially changed since that time.

b. This unsustainable site is in the parish of Little Chesterford, but the reality of the proposal would be that residents would overwhelm Great Chesterford facilities such as doctors and schools, already under strain from significant local development of approximately 27% in the last 5 years, with no infrastructural support, not helped by any precept generated by the development going to Little Chesterford Parish Council when this is clearly a Great Chesterford facing scheme. The lack of adequate mitigation via s106 for the Parish of Great Chesterford is totally unacceptable and very disappointing.

c. The coalescence between Little and Great Chesterford is contrary to the NPPF, the two parishes are different and distinct and wish to remain so. Development between the villages is not supported by either parish and the settlement separation is an important concept supported by both local and national policy and guidance.

d. The location of the vehicular access to the site, outside the village speed limit and Great Chesterford village boundary, on a long, straight stretch of road in the countryside where speeding is commonplace is unacceptable, and unsafe and as such is contrary to policies S7 and HI.

e. The proposal lacks sufficient on site open space provision (both formal and informal) and is unsustainable due to the considerable distance from the proposed development to facilities or services within either Little or Great Chesterford with unsuitable, poorly maintained access routes. The Parish Council would have expected the proposal to include the addition of footpaths, a crossing, traffic calming measures, a play park and a cycle path following the representations made in November in response to the consultation. A potential contribution to the Traffic Regulation Order which might be required to reduce the speed along the road adjacent to the site down to 40mph is completely inadequate. This application does not sufficiently meet the requirement for a sustainable development as a result, it will be a car-based scheme where residents will not be able to safely or effectively travel to facilities in either village on foot or bicycle. Car parking provision does not meet

UDC parking requirements, at the very least, the development should be delivering a cycle-path from the facilities in Great Chesterford (the recreation ground) in one direction, and to Little Chesterford in the other. Anything less than this make the site unsustainable. The provision of a stretch of foot way/cycle way along the length of the proposed development is woefully inadequate.

f. This very prominent site would have an unacceptably detrimental visual impact as it is relatively elevated compared to the flat land around and will be highly visible from every direction including important footpaths, the railway line, the M11 and other B Roads in the vicinity and much further afield.

The ZTVs provided are not an accurate representation of distances the development would be seen from, and the scale of the development would be completely incongruous with the landscape in which the site is situated. In scale alone the development proposed would more than double the number of properties within the parish of Little Chesterford, and provide an unacceptably large extension to Great Chesterford, completely undermining the local plan process which is at an advanced stage.

g. Vehicles accessing employment sites from the development site will drive through Little Chesterford, Ickleton, Littlebury or past Audley End, encouraging rat runs past historic buildings and through communities already blighted by this. There is no traffic mitigation proposed, and in our view none could be adequately, realistically and sustainably provided.

h. The noise and vibration survey carried out on behalf of AXIS shows that the site is unfit for human habitation due to noise and vibration from both the railway, M11 and London Road, B1383. The consultants appear to circumnavigate this issue without addressing it, claiming that normal sound insulation would suffice for the houses facing the road, except better glazing etc would be necessary and gardens and amenity areas would need solid barrier screening and that the houses by the railway line would need special foundations isolating the houses from the ground.

i. The proposal is a car dependent development, as only train commuters could walk to their departure point, there are no suitably located bus stops within a walk-able distance for residents and as such is contrary to national policy. it will be completely unsuitable for the elderly, disabled or those with young children.

j. In its 2015 assessment of the call for sites UDC concluded that the site is within an "area more susceptible to poor air quality due to its proximity with the M11."

9. CONSULTATIONS

9.1 UK Power Networks

UK Power Networks equipment at the above site which show the electrical lines and/or electrical plant.

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.

9.2 UDC Housing Enabling Officer

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.

The affordable housing provision on this site will attract the 40% policy requirement as the site is for 76 (net) units. This amounts to 30 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

Homes should meet the following standards; 1 bed property house 2 people, 2 bed properties house 4 persons, 3 bed properties house 5 persons and 4 bed properties house 6 persons.

It is also the Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair accessible (building regulations, Part M, Category 3 homes) as well as 5% of all units to be bungalows delivered as 1 and 2 bedroom units. This would amount to 4 bungalows across the whole site delivered as 2 affordable units and 2 for open market.

The mix and tenure split of the properties are given below; this mix 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.

| Name of scheme | West of London Rd, Great Chesterford. UTT/19/0573/OP | | | | |
|--------------------------------------|---|-------|-------|-------|--------|
| | 1 bed | 2 bed | 3 bed | 4 bed | Totals |
| Total affordable units % | 12% | 42% | 38% | 8% | |
| Total affordable units | 4 | 13 | 12 | 1 | 30 |
| Affordable Rent | 4 | 10 | 6 | 1 | 21 |
| Shared Ownership | | 3 | 6 | 0 | 9 |
| Total number of affordable bungalows | | | | | 2 |

9.3 Natural England

No comments.

9.4 ECC Minerals and Waste

Having reviewed the MRA, the Minerals Planning Authority accept the conclusions made and have no further comment in relation to this application.

9.5 Crime Prevention Officer

UDC Local Plan Policy GEN2 - Design (d) states "*It helps reduce the potential for crime*" Whilst there are no apparent concerns with the layout however to comment further we would require the finer detail 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 the development are agreed prior to a planning application.

9.6 Aerodrome Safeguarding

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

9.7 ECC Archaeology

An Archaeological Programme of Trial Trenching followed by Open Area Excavation condition.

9.8 Highways England

No objection - This proposal will not have a material impact upon the Strategic Road Network

9.9 ECC SUDS

As a result of further information - Do not object to the granting of planning permission subject to conditions.

9.10 ECC Ecology

No objection subject to securing biodiversity mitigation and enhancement measures.

Summary

I have reviewed the Ecological Appraisal (BSG Ecology., Dec 2018) supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, 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 is needed to 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 Ecological Appraisal (BSG Ecology., Dec 2018) should be secured and implemented in full. This is necessary to conserve and enhance Protected and Priority Species.

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.

Any planning permission should be subject to recommended conditions.

9.11 **Additional Comments 21.11.2019**

No objection subject to conditions to secure biodiversity mitigation and enhancement measures. Support the proposed reasonable biodiversity enhancements which we recommend to secure measurable net gains for biodiversity as outline in Paragraph 170d of the NPPF. This will enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under S40 NERC Act 2006 Impacts would be minimised through proposed conditions.

9.12 **Anglian Water**

The sewerage system at present has available capacity for these flows via a gravity discharge to manhole 6403.

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

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

9.13 **Affinity Water**

No comments.

9.14 **Environmental Health**

Noise Impact

The proposed dwellings would be exposed road and railway noise. A noise and vibration assessment by LDA design has identified that satisfactory average internal noise levels could be achieved by the use of standard, or in some cases, enhanced acoustic insulation measures, and it is accepted that adequate mitigation is achievable with respect to average internal noise levels.

Maximum noise levels at night should not regularly exceed 45 dB. The noise survey measured 63-70dB LAmax at different points on the site due to passing daytime trains. These would be passenger trains, and it is known that goods trains at night can be noisier, at up to 85dB LAmax at the trackside. Noise insulation of houses nearest the railway, particularly first floor bedrooms, should be adequate to protect residents from sleep disturbance due to night time goods trains.

The conclusions of the noise assessment are based on a one-day survey. A development to the north for 42 new homes, granted approval under application number 14/0174, was also supported by a noise assessment but this one was over a seven-day period. The noise assessment supporting this application concluded that noise from the railway required enhanced glazing and ventilation in some locations.

I am of the mind that a one-day survey is insufficient for such a proposal and recommend that an updated noise report using a longer survey is submitted in support of the application, although this could be done prior to any reserved matters application should this be considered appropriate. This would offer much more confidence that the mitigation as proposed is sufficient to meet the appropriate standards.

The noise assessment found average daytime external noise levels of 57-68dB LAeq16h on the site, with road traffic on London Road being the main source. It is desirable that external amenity areas should not exceed 50 dB LAeq during day and

evening periods. The report recommends screening to bring the noisier parts of the site down by 10 dB. However this would still be above the preferred level of 50dB, and the development should be designed to achieve the lowest practicable levels in external amenity spaces.

The vibration assessment determined that, in the absence of mitigation, adverse perception of vibration by the occupants of properties closest to the railway line would be possible. The report states that acceptable vibration levels could be achieved using mitigation measures such as building structural isolation. The following vibration targets are proposed, and are acceptable:

Daytime 0.2 m-s-1.75 VDVb/d, 16 hour

Night-time 0.1 m-s-1.75 VDVb/d, 8 hour

Reradiated noise within residential dwelling 40 dB LA_{max}(slow).

9.15 **Land Contamination:**

The report submitted in support of this application states that no sources of contamination have been identified. On the basis of the submitted information I am satisfied with this conclusion but recommend a condition with respect to any contamination which may be found during the course of development is placed on any decision notice should you be minded to grant approval.

9.16 **Air Quality**

The transport assessment indicates that the development would introduce an additional 457 traffic movements per day. While this is not expected to have a measurable effect on air quality within the Saffron Walden AQMA, the NPPF supports provision of measures to minimise the impact of development on air quality by encouraging non car travel and providing infrastructure to support use of low emission vehicles. A condition to this end is recommended.

9.17 **Construction Impacts**

Due to the scale of this proposed development, it is recommended that a condition is placed on any decision notice requiring a Construction Method Statement, should you be minded to grant approval.

9.18 **Public Health**

The provision of open space and a cycle path along the London Road frontage are welcomed. However an isolated length of cycle path will have little effect on encouraging active modes of transport, and any opportunity to extend it further should be explored.

9.19 **ECC Highways**

This application was accompanied by a Transport Assessment which has been reviewed by the highway authority in conjunction with a site visit and internal consultations. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2019 and in particular, paragraphs 108 – 109, the following were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

The impact on the assessed junctions is minor but does bring London Road/Ickleton Road close to capacity. The most appropriate mitigation for this is to maximise the sustainable transport opportunities, which in this case is to

ensure a good walking and cycle links to and from the site and additional parking at the station (Greater Anglia has been consulted over this). The Uttlesford Cycling Action Plan and the Draft Local Plan both outline the need for better cycle links to and from Great Chesterford, a section of this facility is one of the conditions recommended below.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to mitigation and conditions.

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

9.20 **ECC Education**

From the information received a development of this size can be expected to generate the need for up to 6.84 early years and childcare (EY&C) places; 22.80 primary school, and 15.20 secondary school places.

Developer contribution figures are calculations only and final payment will be based on the actual dwelling unit mix and the inclusion of indexation.

The proposed development is located within the Chesterford, Littlebury and Wendons Ward. According to ECC childcare sufficient data, a total of zero unfilled places were recorded. For ECC to meet its statutory duties it must both facilitate sufficient places to meet free childcare entitlement demand and also ensure diverse range of provision so that different needs can be met. The data shows insufficient places to meet demand from this proposal. So, based on the demand generated by this proposal as set out above, a developer contribution of £119,166.48, index linked to April 2018, is sought to mitigate its impact on local EY&C provision.

This site sits within the priority admissions area of Great Chesterford CE Primary Academy, which admits up to 30 pupils each year. The Academy is currently full in most year groups but forecasts suggest that there will be sufficient capacity in most future years to accommodate pupils from 76 new dwellings.

So, based on the demand generated by this proposal as set out above, a developer contribution will not be sought to mitigate its impact on local primary school provision.

The secondary priority admissions area school would be the Saffron Walden County High School. The school is at or close to capacity in every year group. Looking at forecasts published in ECC 10 years Plan to meet demand for school places, additional capacity could be required from 2021/22 onwards to accommodate all the pupils requiring a place within the wider area which includes the Joyce Frankland Academy.

So, based on demand generated by this proposal as set out above, a developer contribution of £352,852.80, index linked to April 2018, is sought to mitigate its impact on local secondary school provision.

Having reviewed the proximity of the site to the nearest primary and secondary schools, ECC will not be seeking a school transport contribution, however, the developer should ensure that safe direct walking and cycling routes to local schools are available.

Therefore should planning permission be granted this should be subject to a Section 106 Agreement to mitigate the above.

9.21 **Greater Cambridge (Cambridge City and South Cambridgeshire District Councils)**

No comments

10. REPRESENTATIONS

10.1 The application has been advertised on site and within the local press. Neighbouring residential occupiers have also been consulted of the application. As a result the following points have been raised:

- Landscape Assessment is wrong viewpoint 2 taken from farm track and not footpath between Great and Little Chesterford
- Object
- Unwelcome extension to village
- Loss of views
- Loss of greenfield/agricultural field
- Not sustainable as facilities are a distance
- Village has grown 25% over last 5 years
- Too many house built in and around Chesterford
- Congestion
- Cumulative impact/ Infrastructure at capacity
- Village school unable to grow
- Railway unable to provide parking
- Highways safety
- Erosion of villages and reducing gap between the two
- Houses are not selling on existing development site
- Eroding sense of place and village environment
- Noise and Vibration survey should at the site is not acceptable for human habitation due to the railway and the London Road
- Report states that normal insulation would be fine
- Special foundations would be required
- TA figures are unrealistic, private care would be require to use the village facilities. These are half to a third of what is expected.
- Even if this is correct then road works would be required to deal with cumulative impact ie. roundabout, streetlighting regulated speed limits
- Footpath behind Granta Close with controlled crossing would reduce the need for private cars
- Speed limits are not complied with access in and out of site would create additional dangers
- Should better relate to village rather than be just an add on
- Village has already expanded
- Developers struggling to sell existing housing
- No connection to village
- Change character of village

- Children using the train to get to JFAN school
 - Road unsafe
 - Unsustainable due to location of village facilities
 - Village has reached saturation
 - Village school not capable of expanding
 - Railway station parking is full
 - Landscape Assessment viewpoint 2 is wrong
 - All reports conclude that there is no impact
 - Contrary to neighbourhood plan
 - Blurred boundary between villages
 - Contrary to NPPF
 - No details of street lighting
 - Provision of community facility shop/pub/dr surgery
 - No integration
 - Application should not be determined until Draft Local Plan has been determined in January 2020
 - Development lies outside the village of Little Chesterford Contrary to Policy S7 countryside and H1 dwelling allocations
 - Site previously rejected in call for sites
 - No access to M11 north bound
 - Local bus service not extended
 - Noise and dust
 - Not sustainable too far from facilities
 - As the site lies within the boundary of Little Chesterford the impact would be in Great Chesterford
- Support:
 - More sustainable than garden community

11. APPRAISAL

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

- | | |
|---|---|
| A | Principle of development |
| B | Design |
| C | Mix of Housing and Affordable Housing |
| D | Amenity |
| E | Highways |
| F | Landscaping and Ecology |
| G | Flood Risk and Drainage |
| H | Archaeology |
| I | Infrastructure provision to support the development |
| J | Other material considerations including minerals |

A Principle of development

- 11.1 The Draft Local Plan is still at an early stage and has some but 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.

- 11.2 The application site is located outside, but adjacent to the development limits of Great Chesterford and on the approach to Little Chesterford 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.
- 11.3 A review of the Council's adopted policies and their compatibility with the NPPF has been carried out on behalf of the Council by Ann Skippers Planning. Whilst this compatibility report relates to the 2012 NPPF the thrust of the conclusions is still considered relevant. 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.
- 11.4 The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that it has a shortfall, and that it should consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need. Following the publication of the revised NPPF in March 2019 and the updating of the Planning Practice Guidance, the Council can demonstrate a 2.68 year housing supply which has dropped recently from 3.29 years. In terms of housing delivery, nationally available figures indicate that delivery was 147% over the past 3 years.
- 11.5 Nonetheless, the Council still remains without a deliverable 5 year supply of housing land and therefore applications have to be considered against the guidance set out in the NPPF. The Council has accepted this previously and has considered and determined planning applications in this light. As a consequence, planning permission has been granted for residential development outside development limits where appropriate, on sites that are identified for potential future development in the emerging Local Plan and on sites which are not identified but which are considered to be sustainable to ensure delivery in the future and to ensure that the level of housing supply is robust. Such sites which are quickly deliverable in the short term to maintain a 5 year land supply.
- 11.6 The application site is not located within the emerging draft local plan, which is at Regulation 22 stage, however this was part of the number of sites which were submitted for consideration. The site was described as *"This is a greenfield site located on the southern edge of Great Chesterford (but within Little Chesterford Parish) and adjoins the existing development limits. The site is within walking distance of the railway station. The site is over 800m from the services and facilities in the village centre but it would be possible to walk or cycle. The site is within the A1 Cam River Valley category of the Landscape Character Assessment. It has a relatively high sensitivity to change. The site lies partly within Sector 4 - Newmarket Road approach from the south east of the Great Chesterford Historic Settlement*

Character Assessment. The principal effect of development would be to extend the village beyond its clearly defined landscape edge detrimentally affecting the setting of the village as a whole. It is considered that development in this sector would diminish the sense of place and local distinctiveness of the settlement. The development of the site is considered unsuitable because the southern edge of the village currently forms a strong defensible boundary to development and development of this site would extend development south-westwards along the valley.” The site was assessed in consideration that the site would provide 100 dwellings. Due to the above the site was not considered in the draft emerging Local Plan. This application for consideration is for 76 dwellings.

- 11.7 The Planning Statement submission highlights “*the policies that are ‘most important for determining the application’ are considered to be out of date in line with Paragraph 11 of the NPPF. The tilted balance of the NPPF therefore applies to the determination of this application. This means that the balance is tilted in favour of sustainable development and consent should be granted unless any adverse impacts would ‘significantly and demonstrably’ outweigh the benefits. The degree to which the principle of development should be considered acceptable is therefore predicated on whether it represents sustainable development.*” The NPPF sets out a presumption in favour of sustainable development. This is reflected in emerging draft Policy SP1.
- 11.8 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.
- 11.9 Economic strand;
The NPPF identifies this as contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. Whilst the proposed development does not directly provide employment it has been stated within the Planning Statement that the proposed development of residential dwelling 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 proposed development would assist in the economic vitality and viability of the village and surrounding local area. The site is near commercial estates which would provide employment opportunities plus be economically supported by the proposed new dwellings.
- 11.10 This proposal would help deliver an economic role.
- 11.11 Social role:
The NPPF identifies this as to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ 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 Part M Building Regulations. 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, new footpaths and cycle routes. The application site is located in one of the most sustainable locations within the District which is adjacent to employment, near village facilities and services, including a main railway link to London. With the village a walkable distance away, this offers a further facilities and services. Financial contributions are proposed towards education provision as well as the provision towards affordable housing to mitigate the impact of the proposed development.

- 11.12 The scheme would facilitate social cohesion as it would enable the provision of a mix of housing for local people near the village. This proposal would help to deliver a social role.
- 11.13 Environmental role:
The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy. 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.
- 11.14 The scheme would integrate the proposed development with the existing built form and public footpaths. There is easy access to bus services from the site encouraging non car based journeys. Habitats on site would be enhanced through improved meaningful landscaping schemes. The scheme has been amended to provide a substantial woodland area to the south of the application site which would create a full stop to the development and a buffer with Little Chesterford. This proposal would help to deliver an environmental role.
- 11.15 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. I attach significant weight to this and consider that the more recent national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan.
- 11.16 Emerging Draft Local Plan Policy SP2 states amongst other things that “*Key villages will be the major focus for development in the rural areas reflecting their role as provider of services to a wide rural area*” and “*New developments in the Type A and Type B villages will be limited with emphasis being on:*”
- a. *Enhancing the maintaining a distinctive character and vitality of local rural communities;*
 - b. *Shortening journeys and facilitating access to jobs and services;*
 - and
 - c. *Strengthening rural enterprise and linkages between settlements and their hinterlands.”*

This is also reflected in adopted Local Plan Policy S3.

- 11.17 The development is considered to be sustainable development and therefore the principle of the proposal is acceptable subject to other considerations.
- 11.18 The relevant assessments have been submitted in support of the proposed

development. These will be individually assessed through this report as will the mitigation measures with any Section 106 Obligations that maybe required. The detailed aspects relating to amenity and house types whilst touched upon below would be assessed at reserved matters stage should planning permission be granted.

- 11.19 The application will result in the permanent loss of some site area of 3 hectares of Grade 2 agricultural 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 and the fact that the Council is looking at releasing greenfield sites in the countryside to meet its housing needs demonstrates that there is insufficient land available within settlement boundaries or brownfield sites. Some 80% of the agricultural land within the district is Grade 2 (very good) and the rest is Grade 3 (good to moderate).
- 11.20 In an appeal decision relating to a site in Saffron Walden the Planning Inspector discussed the loss of agricultural land within his appeal decision relating to UTT/13/2060/OP. The Inspector stated "*LP Policy ENV5 only permits development of the best and most versatile land where opportunities have been assessed for accommodating development on previously developed land or within existing development limits. Where agricultural land is required, areas of poorer quality should be sought except where sustainability considerations indicate otherwise. This accords generally with the thrust of the Framework.*" The Inspector goes onto state "*As such, while the loss of the best and most versatile land would be modest in the context of the general quality of agricultural land in the District, this would be a disbenefit of the proposal to be weighed in the overall balance in my decision. In the circumstances it would carry only limited weight but would nonetheless conflict with the aims of LP Policy ENV5.*" This is considered applicable to this application.
- 11.21 In consideration of the above and the fact that there is insufficient lower grade agricultural land that is sustainably related to existing settlement to meet needs, it is therefore not considered that there is conflict with Policy ENV5. The development is considered to be sustainable development and therefore the principle of the proposal is acceptable. The benefit is considered to outweigh the harm in respect of housing need and principle of the development in this location subject to the design of the development, landscaping and the number of dwellings to be developed.

B Design

- 11.22 With regards to the proposed design of the scheme the NPPF and Local Plan Policy GEN2 seeks for quality design, ensuring that development is compatible in scale, form, layout, appearance and materials. The policies aim to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole seeking high quality design.
- 11.23 As to whether the scheme would be compatible with the character of the settlement area and countryside, the scheme would see development on the urban fringe of Great Chesterford, outside Development Limits. The site is located adjacent to Ash Green development to the north which is a late 80s - early 90s development. The countryside surrounds the site to the west, south and east. However, the site is bound by railway line to the west which is sunken but the overhead railway power lines. The ground levels incline east to west, and drop off steeply to the east of London Road.
- 11.24 Whilst the design of the proposed development is a reserved matter illustrative plans have been submitted as party of the application to demonstrate how the scheme can

be implemented.

- 11.25 Based on the adjacent Ash Green Development and Granta Close opposite the proposed development would be seen as an extension of the Village. As a result, subject to final details, it would not be out of keeping with the surrounding environment and built form. Ash Green provides a soft vegetation along the shared boundary with the application site which provides a softening and the sites transition to the countryside. The revised illustrative masterplan takes this principle and adopts it as part of the development scheme. A landscape buffer is retained along the sites boundaries and locates the LEAP to the northeaster corner of the site closest to the Village and will be connected for accessibility via an extended pedestrian footpath. To the south of the site a 'farmstead' style development is proposed as a phased integration to the wider countryside as you leave the site, this is followed by a large open space area together with a large planted woodland area adjacent but outside the application site. The woodland area would contribution towards the Council's undertaking to increase the level of tree coverage within the District also as a full stop to the development and any future possibility of development beyond this site. The proposed woodland area would help provide a distinctive gap between Great Chesterford and Little Chesterford.
- 11.26 The proposed woodland area and groups of locally native tree species will be used to filter views of the built form from views south of the Site. It will maintain and create a stronger green edge character to Great Chesterford. Landscaping along the eastern boundary of the Site, adjacent to London Road, setting development back would soften the edge of built form from views to the east. To the west adjacent to the railway, the development will be set back with a green corridor providing an improved hedgerow along the site boundary with informal groups of trees along its length. This is also stated to soften the development from the south and west. These features will extend the 'green' edge to the village along the Site. Undoubtedly, the creation of significant landscape features would create and add to the amenity provision and landscape character, as well as the creation of new habitats.
- 11.27 The development is stated would be characterised by four different areas:
- Area 1: The Village End
Area 2: The Farmstead
Area 3: The Meadow and Orchard – Community Green Space
Area 4: The Village Walk and Green Edges.
- 11.28 The illustrative plan shows:
- Proposed vehicle access at interface between character areas
 - Potential emergency access location
 - Village character development
 - Farmstead character development
 - Pedestrian-friendly main access street
 - Shared access lanes / mews
 - Informal neighbourhood spaces
 - Community green space / orchard / play area
 - Woodland / circular nature walk / noise separation from railway
 - Footpath links
 - Wildlife edge (tree groups and mixed native hedge) and informal footpath
 - Existing trees retained and protected

- 11.29 The proposal would see the extension of pedestrian footpath and cycle path to connect with the village and the nearby railway station. A circular footpath network is proposed around the edge of the Site.
- 11.30 Within the application submission it is stated that the proposed dwellings would be 2 storeys. The average density across the site would be 33 dwellings per hectare. Whilst the site is on the edge of Great Chesterford in a countryside location the density reflects the emerging draft Policy H1 which states that within development limits of any other settlement or adjacent to any settlement densities should be between 30-50 dph. The proposed development would comply with this draft policy.
- 11.31 Through the incorporation of design techniques and principles the proposal will be able to discourage and minimise the risk of crime and anti-social behaviour through natural and informal surveillance. Planting throughout the scheme will permit through-visibility, making spaces feel open and safe.
- 11.32 It is stated that the proposed dwellings would meet energy efficiency standards through the use of insulation and minimising energy use. The proposed dwellings would also meet Part M of the Building Regulations in terms of accessibility. This is in accordance with Local Plan Policy GEN2 and the NPPF, also emerging draft Policies H10 (Accessible and Adaptable Homes), D1 (High Quality Design), D8 (Sustainable Design and Construction), D9 (Minimising Carbon Dioxide Emissions) and EN12 regarding reducing water consumption.

C Mix of Housing and Affordable Housing

- 11.33 Adopted Local Plan Policy H9 and emerging draft Policy H6 requires that 40% affordable housing is provided on sites having regard to market and site conditions. Emerging Draft Local Plan Policy H2 states *“New housing developments will provide for a mix of house types and sizes to meet the different needs of the local area and the District as a whole including a significant proportion of 3 and 4+ bedroom market housing and 2 and 3 bedroom affordable housing to meet the needs of families as evidenced by the most recent Strategic Housing Market Assessment having regard to local character, significance of heritage assets and the viability of the development which will be assessed on a site by site basis”*
- 11.34 There would be a range of house types, sizes (ranging 2 to 5 bedrooms) and tenures. This will include housing for sale across a range of prices, with affordable housing to rent and shared equity/ownership. The development will not exceed two storeys in keeping with its village edge location.
- 11.35 The applicants have confirmed that the development would provide 40% affordable housing, which would equate to a maximum of 31 dwellings out of the full 76 dwellings provision.
- 11.36 The applicants have also confirmed that the mix and location of the units would be agreed at the reserved matters stage. The applicants have also confirmed that the development would provide 5% wheelchair accessible and bungalows (equating to 4 units) to meet wheelchair accessible housing need. It is highlighted that there would be 70% (affordable rent) and 30% (shared ownership) division on the proposed properties to be created. No objection has been raised by the UDC Housing Enabling Officer subject to meeting the above.
- 11.37 The final design, number and size of units would be determined at the reserved matters stage but it is considered that the application proposes an acceptable level of

affordable housing on the site and is capable of providing an acceptable mix of dwellings. As such the application complies with Policies H9 and H10 of the Local Plan.

D Amenity

- 11.38 The design layout shows an indicative illustration of how the scheme could be laid out. It is considered that there is sufficient land to ensure back to back distances are adhered to preventing overlooking both between existing and proposed dwellings, and that there would be sufficient amenity space in accordance with the Essex Design Guide. Various types of open space have been designed as can be seen from the illustrative plan. These will be in the form of landscaped areas, Sustainable Drainage (SUDs) features and play space areas. The design of the open spaces would be further detailed at reserved matter stage should planning permission be granted. Nonetheless, it is considered that the site is capable of accommodating the number of dwellings proposed.
- 11.39 The existing residents would be far enough removed from the new housing so that there would be no issues of overlooking or overshadowing. Noise and Vibration Assessment has been submitted with the application to assess the amenity levels of future residents of the development due to the site's proximity to the railway lines. The assessment concluded that the amenity within the development would be acceptable subject to insulation measures. Garden amenity could be improved through screening measures and layout of the dwellings.
- 11.40 Details of lighting both in terms of ecological, countryside, design and amenity impact would be assessed at reserved matters stage should planning permission be approved, in accordance with Local Plan Policy GEN4 and draft Policy EN18.

E Highways

- 11.41 Local plan policy GEN1 states "development will only be permitted if it meets all of the following criteria;
- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.
 - b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.
 - c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.
 - d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expects to have access.
 - e) The development encourages movement by means other than driving a car."

- 11.42 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework.

- 11.43 Emerging Draft Policy TA1 states the following;

"Development and transport planning will be co-ordinated to reduce the need to travel by car, increase public transport use, cycling and walking and improve accessibility and safety in the District while accepting the rural nature of the District. The overall need to travel (especially by car) to meet the day to day service needs will be minimised. Development proposals will be located in close proximity to services and make use of sustainable forms of travel (walking, cycling and public transport) to fulfil

day to day travel needs as a first requirement. To achieve this:

1. The capacity of the access to the main road network and the capacity of the road network itself must be capable of accommodating the development safely and without causing severe congestion;

2. Development will maintain or improve road safety and take account of the needs of all users, including mobility impaired users;

3. New development should be located where it can be linked to services and facilities by a range of transport options including safe and well-designed footpaths and cycle networks, public transport and the private car;

4. Development should be located where it can provide safe, attractive, direct walking and cycling routes between new developments and schools/ other community infrastructure, together with appropriate design for these new facilities that encourages and delivers sustainable travel;

5. Existing rights of way, cycling and equestrian routes (designated and non-designated routes and, where there is evidence of regular public usage, informal provision) will be protected and, should diversion prove unavoidable, provide suitable, appealing replacement routes to equal or enhanced standards ensuring provision for the long-term maintenance of any of the above;

6. A Transport Assessment will be required on all developments creating significant impact on the highway to assess the impact and potential mitigation required; and

7. Appropriate and safe networks, as defined by the Essex Local Transport Plan, will be provided to allow for increasingly independent travel by vulnerable road users to allow such individuals to provide for their own travel needs.”

- 11.44 Draft Policy TA2 amongst other things seeks “Sustainable modes of transport should be facilitated through new developments to promote accessibility and integration into the wider community and existing networks. Priority should be given to cycle and pedestrian movements and access to public transport.....”
- 11.45 The securing of infrastructure delivery to address cumulative impacts and the needs from the development is highlighted in Draft Policy INF1.
- 11.46 Paragraph 109 of the NPPF states “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 11.47 The site is in a sustainable location close to existing residential areas, employment and local facilities. Great Chesterford has access to a range of amenities. This include a convenience store, two doctors’ surgeries, and three pubs/restaurants.
- 11.48 Great Chesterford is a large village in the District and it is considered to be sustainable as there are bus routes which are located and going through Great Chesterford. Service 7 is an hourly service (Saffron Walden – Cambridge), with the nearest bus stop found approximately 700m from the potential access to the site. The closest bus stop to the site, however, is approximately 260m south of the site on London Road, serving the 101 (Tuesdays only Saffron Walden – Whittlesford) and 132 (Saffron Walden – Cambridge Two-hourly between 0900 and 1800) bus services.

11.49 The nearest railway station is Great Chesterford, approximately 700m walk from the site. The rail station is on the West Anglia Main Line, connecting London and Cambridge. Greater Anglia hourly services in each direction between Cambridge and London Liverpool Street. Additional services run in the peak periods. Travel time to Cambridge is approximately 15 minutes and travel to London Liverpool Street takes approximately 1hr 12 minutes

Great Chesterford is served by the B184 and B1383. The M11 runs parallel to the west and north of Great Chesterford. It is accessible via Walden Road at Junction 9a.

11.50 Pedestrian movements along London Road would be via a shared cycle/footway approx. 3m wide adjacent to the site, south-western side of the London Road. This would link to the footpath adjacent to Ash Green. This would fit in with the cycling network improvements planned across the District.

11.51 The site is located within approximately 20 minute walk (0.9miles) to the edge of the historic village centre.

11.52 There are a number of Public Rights of Way (PRoW) in the surrounding area of the site. These connect Great Chesterford to surrounding conurbations Hadstock to the east and Little Chesterford and Saffron Walden to the south.

11.53 Access will be taken from London Road the access will be 5.5m wide with 2m wide footpath either side. A ghost island right-turn lane is proposed, along with a pedestrian and cyclist refuge on the minor arm to enable the movement of pedestrians and cyclists along the proposed Great Chesterford cycle route.

11.54 A Transport Assessment (TA) has been submitted as part of the application. Below is a table highlighting proposed forecast trip generation from the proposed development;

Table 5-2: Forecast Vehicular Trip Generation – 76 Dwellings

| Period | Arrivals | Departures | Total |
|-------------|----------|------------|-------|
| 0800 – 0900 | 14 | 24 | 38 |
| 1700 – 1800 | 27 | 20 | 47 |
| 0700 – 1900 | 230 | 227 | 457 |

11.55 Cumulative development impact from nearby schemes, New World Timber site have been taken into consideration.

11.56 The TA shows that the B1383 London Road / Site Access would be within capacity. With regards to London Road / Ickleton Road the forecast shows an increase in traffic flows resulting from the proposed development. This would be less than 30 vehicles during either peak hour at this junction. The results of the capacity assessment show that the proposed development is forecast to have a minimal impact on the operation of the junction, and an increase in queue lengths on the Ickleton Road of around one vehicle.

11.57 The results show that the proposed development is forecast to have a negligible impact on the operation of the B184 Roundabout with all arms forecast to be within

capacity during all scenarios.

- 11.58 A Traffic Regulation Order is proposed to be submitted by the applicant to reduce the speed limit outside of the site to 40mph. However, this is outside of the scope of the planning application.
- 11.59 The TA submitted has been assessed by ECC Highways, as highlighted in Section 9.14 above, of which they have raised no objection subject to conditions. The scheme is therefore considered to be in accordance with policy subject to conditions.

Parking

- 11.60 It has been confirmed within the submission that the proposed scheme would accord with current local parking standards. A mixture of parking methods would be proposed through the scheme, however it should be noted that this is a reserved matter for further consideration at a later date. The scheme is therefore capable of according with Local Plan Policy GEN8 and The Essex Parking Standards (2009), and Local Residential Parking Standards adopted (February 2013), also in accordance with Draft Policy TA3.

F Landscaping and Ecology

- 11.61 Local Plan Policy ENV8 highlights that development that would adversely affect landscape elements will only be permitted if the need outweighs the harm and mitigation measures are provided.
- 11.62 Draft Policy C1 seeks the protection of landscape character in terms of ensuring development preserves and enhances the landscape pattern and important views.
- 11.63 Similarly, Paragraph 170 of the NPPF states "*Planning policies and decisions should contribute to and enhance the natural and local environment by:*
- a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
 - b) *recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
 - c) *maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
 - d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
 - e) *preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
 - f) *remediating and mitigating"*

- 1.64 Strategic Housing Land Availability Assessment (SHLAA, 2015 and 2018 Update) UDC held a Call for Sites exercise between 1 April and 1 June 2015. The site was submitted as part of the SHLAA, of which the site's suitability, achievability and availability was assessed.
- 1.65 The SHLAA Assessment has informed the Local Plan process and indicated which sites should be allocated in the Local Plan. Sites were assessed in 2015, then again in line with an updated methodology in 2018. The Site was assessed in both 2015 and 2018 (site reference: 04LtChe15). 100no. dwellings was considered. The conclusion of the 2015 site assessment was that *'the site is within walking distance of the railway station. The site is over 800m from the services and facilities in the village centre but it would be possible to walk or cycle. The southern edge of the village currently forms a strong defensible boundary to the development. The development of this site would extend development south-westwards along the valley. The site is considered suitable as development on this site would contribute to a sustainable pattern of development'*. The 2018 assessment then changed the conclusion, but not the assessment criteria, to state that the Site was not suitable because, *'the southern edge of the village currently forms a strong defensible boundary to development and development of this site would extend development south westwards along the valley'*. The difference in the conclusion of the Site's suitability between the 2015 SHLAA site assessment and the conclusion in the 2018 site assessment is not explicitly explained, but appears to be solely on the basis of landscape impacts. The evidence on landscape impacts appears not to have changed in the intervening period, with both assessments referring solely to the Uttlesford Landscape Character Assessment (2006). In both cases, the SHLAA assessment states, *'the site is within the A1 Cam River Valley category of the Landscape Character Assessment. It has a relatively high sensitivity to change'*.
- 11.66 As a result of the above a Landscape and Visual Appraisal (LVA) of the proposed development was undertaken by LDA Design between August 2018 and January 2019 to establish the anticipated landscape and visual effects of the proposed development. This has been submitted as part of the application. The Planning Statement informed by the LVA highlights *"The Site is located within landscape character area A1 Cam River Valley as identified in the Uttlesford Landscape Character Assessment (2006). Effects on landscape character are limited to those areas within the Site and its immediate surroundings up to 2km from the Site within A1 Cam River Valley landscape character area only. Direct effects within the Site would be Moderate and Adverse. Indirect effects within the character area reduce with distance from the Site to Slight-Minimal and Neutral up to 2km from the proposed development where there is intervisibility Overall, only an extremely limited area within the A1 River Cam Valley would be urbanised by the Proposed Development, it would be near existing residential development and would only increase the urban influence upon a limited part of the character area. As the influence of Ash Green and Granta Close residential developments in the north and northeast of the Site already degrade the condition of the area, as does the adjacent railway infrastructure, the scale of effect upon the overall character of A1 Cam River Valley is judged to be Negligible as fundamentally, the character area will have barely perceptible differences from the baseline. This results in Minimal effects."* The proposed development is for a lesser number than what was considered as part of the 2015 and 2018 assessment. It is also stated that the proposed development would be located within the valley floor therefore limiting the impact from the development.
- 11.67 The adjacent TPO trees to the north will be retained. Other than landscaped site

margins there is nothing planting wise of merit on site. As part of the proposed development new planting is proposed including a significant woodland which will significantly enhance the buffer planting and improve biodiversity and provide an enhanced wildlife corridor. It is considered that this would facilitate in providing a meaningfully full stop and boundaries between Great and Little Chesterford. This would also facility in providing visual mitigation. The applicant clarified control of adjoining land to the south, adjacent to the site, and confirmed that the landowner has offered to provide further tree planting on that land of up to 20% of the site, equivalent to 0.64ha of land which is additional to the already proposed 0.83ha of green space. This provides a total of 1.47ha or 46% of the site as open green space.

- 11.68 The proposed development would be an extension of the existing built form and could be designed to be assimilated into the wider environment. The ground levels are likely to change as a result of the proposed development, of which this is a reserved matter.
- 11.69 The UDC Landscape Officer has assisted in providing advice in order to make the proposed development more acceptable. There would be limited impact upon the existing trees. Therefore no objection has been raised subject to conditions. The scheme is therefore considered to accord with Local Plan Policies S7, GEN2, GEN7, ENV3 and ENV8, also the NPPF.
- 11.70 Local Plan Policy GEN7 for nature conservation seeks that development that would have harmful effects upon wildlife or geological features will not be permitted unless the need for development outweighs the harm. It also seeks that a conservation survey be sought for sites that are likely to be ecologically sensitive with associated mitigation measures. This is in line with draft Policy EN7.
- 11.71 An extended Phase 1 Habitat Survey was undertaken in July 2018 and a Preliminary Ecological Appraisal (PEA) is submitted with the application following undertaking a Biodiversity Checklist which identified the sites ecological sensitivities.
- 11.72 The habitats recorded on site include arable land with semi-improved grassland field margins, a species poor hedgerow, a dry ditch and scattered scrub along the boundaries. The development is within 250m of any Habitats of Principal Importance; Ancient Woodland and/or Local Site.
- 11.73 No specific evidence of protected species was found during the survey, and therefore no further surveys for protected species were required with the exception of a pre-construction check for signs of badger. However, a number of mitigation measures have been suggested as protected species cannot be ruled out regardless;
- * Avoidance of excessive light spill onto the northern boundary – it is proposed that lighting will be designed to avoid excessive light spill onto the boundary vegetation, through the use of lighting cowls and adjusting column height as necessary.
 - * Clearance of vegetation and arable field outside of the bird breeding season or a pre- check undertaken.
 - * Retention of grass margins where possible, and precautionary measures taken on areas where machinery will be tracked.
 - * A pre-construction check for signs of badgers.
- 11.74 The PEA identified a number of opportunities for biodiversity enhancement;
- * Planting of species-rich hedgerows along all Site boundaries with locally native species to strengthen the boundaries and improve connectivity.

- * Installation of three bat and three bird boxes on retained boundary trees or integrated into new buildings.
- * Creation of two to three small hibernacula/log piles for wildlife around the Site boundaries, as a general enhancement measure.
- * Sensitive long-term management of the field margins, where retained.

- 11.75 The trees along Ash Green are covered by a TPO. An Arboricultural Survey has been undertaken and submitted as part of the application. A total of 15 trees, 3 groups and 1 hedge have been recorded within the assessment. This includes 6 category 'B' trees (moderate quality within an estimated life expectancy of at least 20 years) and 9 category 'C' groups (low quality with a life expectancy of at least 10 years or young trees < 150mm diameter stem) and 1 category 'C' hedge have also been documented. There is also the group of trees along the shared boundary with Ash Green. The pruning back of one tree is proposed and no other works due to the location of the trees. The provision of amenity space along the shared boundary will help to protect the tree roots of the TPOs as part of Tree root protection measures.
- 11.76 As outlined in Section 9.10, ECC Ecology have raised no objection subject to securing biodiversity mitigation and enhancement measures.
- 11.77 In respect of ecology and trees the proposed development is considered to be in accordance with Local Plan Policies S7, GEN2, GEN7, ENV3 and ENV8, Draft Policies C1 and EN7, and NPPF Paragraph 170.

G Flood Risk and Drainage

- 11.78 Local Plan Policy GEN3 seeks the protection of functional floodplains and buildings would not be permitted unless there is an exceptional need. It goes onto state *"Within areas of flood risk, within the development limit, development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection and there is no increased risk of flooding elsewhere.....Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance."*
- 11.79 Draft Policy EN10 for minimising Flood Risk takes a stronger approach in terms of minimising flood risk in line with more up to date national policy, such as the NPPF. It states that *"All new development will need to demonstrate that there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improve existing flood risk management."*
- 11.80 Draft Policy EN11 seeks for SuDS to be submitted that would provide optimum water run-off rates and volumes taking into account relevant policies and legislation, without creating a risk of bird strike compromising the safety of operations of London Stansted Airport or risking archaeological assets.
- 11.81 Due to the scale of the proposed development a Flood Risk Assessment has been undertaken and submitted as part of the application, in accordance with Policy requirements. The application site falls within Flood Risk Zone 1 where there is low probability of flooding from tidal or fluvial sources. This is reflected in the topography of the land. The site is stated to be located within a negligible risk of groundwater flooding and groundwater flooding incidence has a chance of less than 1% (1 in 1,000 year) annual probability of occurrence. The assessment has been undertaken to demonstrate that the proposed development would not increase the risk of flooding

outside of the application site.

- 11.82 Design & Access Statement outlines that the proposed development will accord with ECC SUD Design Principles of;
- Design for interception of the first 5 mm of all rainfall events;
 - Restrict post-development runoff rates during all rainfall events up to and including the 1 in 100 year event to the greenfield 1 in 1 year runoff rate or lower;
 - Provide Long Term Storage to ensure any volumes leaving the Site above greenfield runoff volumes during the 1 in 100 year 6 hour rainfall event discharge at the greenfield 1 in 1 year runoff rate or lower;
 - Design for an additional 10% of impermeable area to mitigate against urban creep;
 - Design for a 40% increase in rainfall intensity to allow for climate change impacts;
 - Design storage to half-empty within 24 hours to allow for multi-event scenarios;
 - Design an appropriate train of SuDS components to reduce the risk of pollutants entering groundwater; and
 - Integrate SuDS into public open spaces where possible designing with place-making and biodiversity in mind.
- 11.83 Therefore, the surface water drainage and strategy would be developed in accordance with hierarchy of sustainable surface water disposal. The infiltration SUDs which will result Greenfield runoff volumes from the Site are very low and the use of SUDs is stated will reduce post development rates to acceptable levels.
- 11.84 The FRA highlights that Anglia Water foul sewer is located to the north of the site along London Road. There are no records of Great Chesterford properties in the utilities sewer flooding register.
- 11.85 There are no ordinary watercourses or other natural waterbodies and reservoirs, canals or artificial sources on or in proximity to the site and there is no flood risk from these sources.
- 11.86 No objection has been raised by ECC SUDs subject to conditions. The development is therefore considered to be in accordance with Policy GEN3 of the adopted Local Plan also in accordance with Draft emerging Policy EN10 and EN11 which seeks sustainably designed schemes by reducing the risk of flooding on and off site.

H Archaeology:

- 11.87 Local Plan Policy ENV4 seeks the protection of archaeological remains. This is also reflected in emerging draft Policy EN5.
- 11.88 An Archaeological Desk based assessment and survey work has been submitted as part of the application. A series of work which has been undertaken has concluded the following;
- 11.89 *“Great Chesterford is an archaeological sensitive and enriched area and the site lies south of a Roman small town. As a result an Archaeological Assessment has been undertaken and submitted as part of the application. There is a designated heritage assets in the vicinity of the site which includes the Scheduled Monument of ‘Moated site, fishpond and enclosure at Bordeaux Farms’ (to the south), the Great Chesterford*

Conservation Area and the Grade II Listed 'Main building to Great Chesterford Railway Station' (both to the north). It is considered that due to intervening residential built form, topographical variations and mature vegetation the proposed development will not alter any important elements of the setting of these designated heritage assets and their significance will consequently remain unharmed. It is noted that this aligns with the conclusion of UDC's Historic Settlement Character Assessment in relation to Great Chesterford which stated that 'Development on Sector 4 land [which relates to the Site] would not impact on the historic core to any significant degree because the latter is largely shielded from view by modern edge of village development and tree cover'. There is identified likely Romano-British graves on site of which a trial trenching evaluation is proposed. However, the Assessment failed to identify any important archaeological features.

- 11.90 ECC Archaeology has raised no objection to the works subject to conditions. This is therefore in accordance with Local Plan Policy ENV4 and the NPPF.

I Infrastructure provision to support the development

- 11.91 Local Plan Policy GEN6 states that "*Development will not be permitted unless it makes provision at the appropriate time for the community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of the developments necessitates such provision, developers may be required to contribute to the cost of such provision by the relevant statutory authority.*"

Open space

- 11.92 The details relating to public open space and woodland proposed as part of the development is a reserved matter however it is clear that such would be provided as part of the proposed development. This would need to be transferred to the Parish Council or management company or other body such as the Woodland Trust, together with any associated maintenance fees.

- 11.93 *Also, policies LC2-LC4 are considered to be relevant in terms of community facilities and recreation facilities.*

- 11.94 *Policy LC2 - Access to Leisure and Cultural Facilities
Development proposals for sports facilities, arts and leisure buildings, hotel and tourist facilities, will be required to provide inclusive access to all sections of the community, regardless of disability, age or gender.*

- 11.95 *Policy LC3 - Community Facilities
Community facilities will be permitted on a site outside settlements if all the following criteria are met:
a) The need for the facility can be demonstrated;
b) The need cannot be met on a site within the boundaries;
c) The site is well related to a settlement.*

- 11.96 *Policy LC4 - Provision of Outdoor Sport and Recreational Facilities Beyond Development limits
The following developments will be permitted:
a) Outdoor sports and recreational facilities, including associated buildings such as changing rooms and club-houses;
b) Suitable recreational after use of mineral workings.*

- 11.97 In terms of the draft local plan this states "8.12 *New residential development will need*

to provide formal and informal play space and sports facilities which meet open space standards and sports facilities (Indoor and outdoor) as set out in the Sports Strategy. All provision needs to be in an accessible location to the users.”

11.98 Policy INF2 states amongst other things “....*Uttlesford District Council has, working with Sport England, commissioned a Sports Strategy. Development proposals will take into account the findings of this study and provide new sports facilities in line with the recommendations from this study. Where the Sports Strategy identifies a community need which can be met through existing school and college sports facilities, this will be encouraged. In accordance with the most up to date Sport Strategy new development will be required to make appropriate on-site provision or financial contributions to off-site provision of indoor and outdoor sports facilities. Unless specified in the relevant site allocation policy, publicly accessible open space or improvement to existing accessible open space provision will be in accordance with the following standards. Financial support for the continued maintenance of the facility will be secured by planning obligation.*”

11.99 In terms of open space provision the draft plans outlines the following;

| Open Space Requirements | | | |
|---|---|---|---|
| Type of Provision | Level of Provision (Square metres per person) | Threshold for On-Site Provision | Threshold for Off-Site Provision |
| Amenity Greenspace | 10 | All development of 10 dwellings or over | All developments under 10 dwellings and development of 10 dwellings or over where on-site provision is not possible |
| Provision for children and young people (LAPS, LEAPS and NEAPS) | 2 | All development of 10 dwellings or over | All development under 10 dwellings and development of 10 dwellings or over where on-site provision is not possible |
| Allotments | 2 | All development of 10 dwellings of over | All development under 10 dwellings and where on-site provision is not possible. |

11.100 No doubt should planning permission be granted the reserved matters would identify land for open spaces, LEAPs and LAPs which would address the above draft policy.

11.101 The draft local plan states “*The provision of open space, sports facilities and playing pitches should be considered in consultation with the local community.*” This is also reflected in the adopted local plan.

11.102 There is no current policy for sports provision, even though the above is the direction of travel for the draft local plan it has little weight.

Highways

11.103 Whilst the highway implications have been discussed above in Section E in terms of mitigating the proposed development, the following proposed works and contributions are proposed;

- a) Cycle Parking: Payment of £20,000 to provide additional secured covered cycle parking at Great Chesterford Station.

Reason: to accommodate additional cyclists from the site using the station and encourage alternative use of the car in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- b) In addition the cycle/footway of minimum width 3m shall be extended on the south west side of London Road to link into station approach.
- c) Within 6 months of final occupation of the development, a speed management review shall be undertaken on London Road, including but not limited to, a speed survey and analysis of results in consultation with the highway authority. If in the view of the highway authority the results demonstrate that the relocation or change of the speed limit is required, then within 6 months of written notice being provided by the highway authority, the speed limit relocation process shall be undertaken and, if consultations are favourable, this shall include implementation of all necessary signing, road markings and Traffic Management Orders as required, all entirely at the expense of the developer.

Reason: In the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

Affordable Housing

- 11.104 40% affordable housing would be provided in accordance with Local Plan Policy H9. 5% wheelchair accessible housing would be sought in the form of bungalows. This would accord with the emerging Draft Policy H6.

Education

- 11.105 A payment of an education contribution relating to the number of school places generated by the application will be paid.
- A developer contribution of £119,166.48, index linked to April 2018, is sought to mitigate its impact on local EY&C provision.
 - A developer contribution of £352,852.80, index linked to April 2018, is sought to mitigate its impact on local secondary school provision.

This will address the education capacity issues that have been raised.

- 11.106 In view of the above, it is evident that the necessary infrastructure can be provided to meet the needs of the development, in accordance with Policy GEN6 of the Local Plan.

J Other material considerations

- 11.107 The Policies Map appears to show the site is within a Minerals Safeguarding Area (MSA) for chalk. Policy S8 Safeguarding mineral resources and mineral reserves therefore applies. Policy S8 stipulates that the Minerals Planning Authority shall be consulted on all planning applications for development on a site located within an MSA that is 3ha or more for chalk. Non-mineral proposals that exceed these thresholds shall be supported by a minerals resource assessment to establish the existence or otherwise of a mineral resource of economic importance. Proposals which would unnecessarily sterilise mineral resources shall be opposed.

- 11.108 A Minerals Resource Assessment (MRA) has been submitted. The MRA concludes that prior mineral excavation at the Site is unlikely to be necessary or feasible for a number of reasons (as set out in the MRA). As such, it is considered that non-minerals development would not cause unacceptable sterilisation of a proven mineral resource within a MSA. It is stated within the assessment that;
- The site is not currently a permitted site or identified within the Minerals Local Plan.
 - There is no current or predicated future demand for chalk extraction from new sites within Essex.
 - The rubbly chalk located over 30m below surface therefore too deep for prior extraction at the site due to small footprint of the site and operational constraints
 - Cost of works would be unviable
 - The buffer required for mitigation of sensitive properties would be far greater than the site itself
 - The extraction of small quantities would be contrary to hierarchy policy of reducing the need for mineral use and recycling.
- 11.109 ECC Minerals and Waste team have raised no object to the proposed development or the details contained within the MRA. The Proposed Development is therefore considered to be acceptable in line with Policy S8 of the Essex Minerals Local Plan.
- 11.110 Draft Policy EN12 and EN14 seek the prevention of water contamination. Draft Policy EN16 seeks for Risk Assessments to be undertaken and submitted as part of applications and then should planning permission be granted the sites remediated to reduce the potential of the risk of pollution of controlled waters including ground water.
- 11.111 Section 15 of the NPPF seeks the protection and enhancement of the natural and local environment. It seeks the prevention of pollution of the water environment and the remediation and mitigation of contaminated land.
- 11.112 A Phase 1 Environmental Site Assessment has been submitted with the application. Due to the historical nature of the site there is low risk of contamination and low risk to human health and the environment. No objection has been raised by Environmental Health in this respect subject to condition. This is in accordance with policy.

12. CONCLUSION

- 12.1 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. The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that it has a shortfall, and that it should consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need. There is a shortfall of dwellings and as a result the Council remains without a deliverable 5 year land supply. It is important that the Council considers appropriate sites.
- 12.2 The proposed development will provide an economic, social and environmental role. The application site and proposal is sustainable and the scheme will further increase

its level of sustainability, particularly through proposed highway improvements.

- 12.3 There is not considered to be sufficient lower grade agricultural land available that sustainably relates to the existing settlements, regardless of draft allocated sites. Therefore, the application accords with Local Plan Policy ENV5.
- 12.4 Whilst the design, including housing mix is a reserved matter the development is capable of meeting Essex Design Guide standards, being compatible with its surroundings, providing ample playspaces, meeting Secure by Design, Part M of the Building Regulations. Issues surrounding amenity are capable of being designed out and mitigated. It is therefore in accordance with Local Plan Policy GEN2.
- 12.5 The submitted Transport Assessment demonstrates that the proposed development together with proposed highway works can be delivered without any adverse impact upon local highway conditions or road safety. No objection has been raised by the Highways Authority subject to conditions and appropriate highway works.
- 12.6 Adequate parking provision is capable of being provided on site in accordance with adopted parking standards, Local Plan Policy GEN8, Local Residential Parking Standards (adopted February 2013) and Draft Local Plan Policy TA3.
- 12.7 The scheme has been supported by a Landscape Visual Impact Assessment that demonstrates that the development would not give rise to unacceptable visual impact.
- 12.8 The adjacent TPO trees to the north will be retained. As part of the proposed development new planting is proposed including a significant woodland which will significantly enhance the buffer planting and improve biodiversity and provide an enhanced wildlife corridor. The proposed development would be an extension of the existing built form and could be designed to be assimilated into the wider environment. The ground levels are likely to change as a result of the proposed development, of which this is a reserved matter. There would be limited impact upon the existing trees. Therefore no objection has been raised by the Landscape Officer subject to conditions. The scheme is therefore considered to accord with Local Plan Policies S7, GEN2, GEN7, ENV3 and ENV8, also the NPPF.
- 12.9 The proposal would provide 40% affordable housing with 5% provision of wheelchair accessible units in accordance with policy. In terms of local infrastructure the proposed development would contribute towards education provision. Open space for recreation purposes is proposed to be offered this would be supported with a financial contribution towards maintenance, also highway works. This is in accordance with Local Plan Policy GEN6 of the Local Plan.
- 12.10 The ecological assessment submitted as part of the application concluded that the site is of low ecological value the proposed development would provide enhancements through SUDs features, strengthened and enhanced landscaping. No objection has been raised by ECC Ecology, and Natural England subject to conditions and carrying the mitigation measures identified within the submitted ecological report. The scheme is therefore in accordance with Policy GEN7 of the adopted Local Plan, also Draft Local Plan Policy EN7.
- 12.11 The application site is located in Flood Risk Zone 1 and has a low probability of the risk of flooding. The scheme would incorporate sustainable drainage systems, which will be subject to reserved matters and conditions should planning permission be granted. No objection has been raised by ECC SUDs subject to conditions. The

scheme therefore accords with Local Plan Policy GEN3 of the adopted Local Plan and Policy EN10 of the Draft Local Plan.

- 12.12 No objection has been raised regarding contamination, minerals or archaeology subject to condition should planning permission be granted. This is considered to accord with Local Plan Policies ENV14, ENV12 and ENV4 and the NPPF, also Policies EN12, EN14 and EN16 of the Draft Local Plan, Policy S8 of the Essex Minerals Local Plan.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION

(I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 30 March 2020 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 Head of Legal Finance, in which case he shall be authorised to conclude such an obligation to secure the following:

- (i) Highway Works**
- (ii) Education Contribution**
- (iii) 40% Affordable Housing & 5% to be wheelchair accessible**
- (iv) Provision of Open Space and woodland**
- (v) Contribution towards the maintenance of open space for 5 years if the land is to be maintained by Parish Council/Management Company or other body such as the Woodland Trust**
- (vi) Pay Councils reasonable costs**
- (vii) Pay monitoring costs**

(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, the Assistant Director Planning shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:

- (i) Highway works**
- (ii) Education Contribution**
- (iii) Affordable Housing & 5% to be wheelchair accessible**
- (iv) Provision of Open Space and woodland**
- (v) Contribution towards the maintenance of open space and woodland**

1. Approval of the details of layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) 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 3 years from the date of this permission.

(B) 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.

3. Prior to the erection of any individual building or individual phase hereby approved samples of the 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. Thereafter the development shall be carried out in accordance with the approved details.

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

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. Prior to the development of any individual building or individual phase hereby approved a plan indicating the positions, design, materials and type of boundary treatment to be erected shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment(s) shall be completed before the use hereby permitted individual building or individual phase is commenced. Development shall thereafter be carried out in accordance with the approved details.

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

6. If within a period of 5 years from the date of planting the tree (or any tree planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree unless the local planning authority gives its written consent to any variation.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

7. No fixed lighting shall be installed until a detailed lighting scheme has been submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall

include details of the height of the lighting posts, intensity of the lights specified in Lux levels), spread of light including approximate spillage to the rear of the lighting posts or disturbance through glare. The development shall be carried out in accordance with the approved details.

REASON: To protect the amenity of neighbouring residents, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

8. The parking provision shall be in accordance with those standards set down within Essex County Council's Parking Standards Design and Good Practice, September 2009 and Uttlesford Local Residential Parking Standards February 2013.

REASON: To ensure that appropriate parking is provided in the interests of highway safety and efficiency in accordance with policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

9. 5% of the dwellings 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.

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

This includes avoidance of excessive light spill onto the northern boundary, clearance of vegetation and arable field outside of the bird breeding season or a pre-check undertaken, retention of grass margins where possible, and pre-cautionary measures undertaken on areas where machinery will be tracked (for reptiles), a pre-construction check for signs of badger, enhancements of new native hedgerow planting around the site boundaries, installation of hibernacula for reptile around site boundaries and the installation of three bird and three bat boxes on retained trees or new buildings, and creation of two to three small hibernacula/log piles for wildlife around the site boundaries.

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). This is also in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

11. A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior occupation of the development.

The content of the LEMP shall include the following;

- a) Description and evaluation of features to be managed

- b) Ecological trends and constraints on the site that might influence management
- c) Aims and objectives of management
- d) Appropriate management options for achieving aims and objectives
- e) Prescriptions for management actions
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
- g) Details of the body or organisation responsible for implementation of the plan
- h) Ongoing monitoring and remedial measures

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

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 and Species). This is also in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

12. All dwellings with garages/car ports shall be provided with vehicle electric charging points. 20% of parking bays shall be provided with EV charging points, with additional 40% having capacity for future conversion. All points shall be fully wired and connected, ready to use before first occupation of the site and retained thereafter.

REASON: This will facilitate sustainable modes of transport in accordance with the National Planning Policy Framework (para35) that 'Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to [...] incorporate facilities for charging plug-in and other ultra-low emission vehicles'. This is in accordance with Policies GEN1 and ENV13 of the Uttlesford Local Plan (adopted 2005).

13. In the event that contamination is found at any time when carrying out the approved development, it must be reported immediately to the Local Planning Authority and once the Local Planning Authority has identified the part of the site affected by the unexpected contamination development must be halted on that part of the site. An Investigation and risk assessment to assess the nature and extent of the contamination must be completed and submitted to and approved in writing by the Local Planning Authority. If identified as being necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health and other relevant receptors must be 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). Remediation of the site shall be carried out in accordance with the approved scheme. Within 3 months of the completion of measures identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

REASON: To ensure that the proposed development does not cause harm to human

health or pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

14. No development or preliminary groundworks can commence until a program of archaeological trial trenching 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 prior to reserved matters applications being submitted.

REASON: The Historic Environment Record and the documents submitted with the planning application indicates that the proposed development lies within a potentially sensitive area of heritage assets. The development site lies on the edge of the Roman town of Great Chesterford immediately to the east of the known Roman cemetery (EHER 4949). An area of cropmarks located to the north of the development area forms a sequence of enclosures on the southern side of the river (EHER 4866). This occupation may spread across London Road into the development area. The archaeological work would comprise initial trial trenching to identify the extent and depth of archaeological deposits followed by a programme of open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

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

REASON: The Historic Environment Record and the documents submitted with the planning application indicates that the proposed development lies within a potentially sensitive area of heritage assets. The development site lies on the edge of the Roman town of Great Chesterford immediately to the east of the known Roman cemetery (EHER 4949). An area of cropmarks located to the north of the development area forms a sequence of enclosures on the southern side of the river (EHER 4866). This occupation may spread across London Road into the development area. The archaeological work would comprise initial trial trenching to identify the extent and depth of archaeological deposits followed by a programme of open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

16. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON: The Historic Environment Record and the documents submitted with the planning application indicates that the proposed development lies within a potentially sensitive area of heritage assets. The development site lies on the edge of the Roman town of Great Chesterford immediately to the east of the known Roman cemetery (EHER 4949). An area of cropmarks located to the north of the development area forms a sequence of enclosures on the southern side of the river (EHER 4866). This occupation may spread across London Road into the

development area. The archaeological work would comprise initial trial trenching to identify the extent and depth of archaeological deposits followed by a programme of open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

17. The developer shall submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: The Historic Environment Record and the documents submitted with the planning application indicates that the proposed development lies within a potentially sensitive area of heritage assets. The development site lies on the edge of the Roman town of Great Chesterford immediately to the east of the known Roman cemetery (EHER 4949). An area of cropmarks located to the north of the development area forms a sequence of enclosures on the southern side of the river (EHER 4866). This occupation may spread across London Road into the development area. The archaeological work would comprise initial trial trenching to identify the extent and depth of archaeological deposits followed by a programme of open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. This is in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

18. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
 - Demonstrate that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 100 year event plus climate change.
 - Final modelling and calculations for all areas of the drainage system.
 - The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS Manual C753.
 - Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over

the lifetime of the development. To provide mitigation of any environmental harm, which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

19. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

20. No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

21. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This is in accordance with Policy GEN3 of the Uttlesford Local Plan and the NPPF.

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

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody cleaning facilities
- v. The control of noise from construction including the hours of working
- vi. Measures to control the emission of dust and other air pollution during construction

REASON: To ensure the protection of local amenity, that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety, the bus services can operate and Policy DM 1 of the Highway Authority's Development Management Policies February 2011. This is also in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

23. Prior to first occupation of the proposed development, the access provision as shown on submitted drawing 03656-TR-003-P2 shall be provided, including a clear to ground visibility splays with dimensions of 2.4 metres by 160 metres in both directions, as measured from and along the nearside edge of the carriageway. The vehicular visibility splays shall retained free of any obstruction at all times thereafter.

REASON: To ensure adequate inter-visibility between vehicles using the access and those in the existing public highway 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. This is also in accordance with Policies GEN1 of the Uttlesford Local Plan (adopted 2005).

24. Prior to first occupation provision of the highway layout submitted drawing 03656-TR-003-P2 shall be provided, **in addition** the cycle/footway of minimum width 3m shall be extended on the south west side of London Road to link into station approach. For the avoidance of doubt such cycleway to include full depth construction/reconstruction of any existing footway and surfacing of the entire width of the cycleway to the satisfaction of the Local Planning Authority.

REASON: To provide accessibility for cyclists between the site and the station in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. This is also in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

25. A further noise monitoring survey including a minimum of a 3-day noise survey shall be undertaken and submitted to the Local Planning Authority prior to any reserved matters application to fully assess the noise environment in this location.

The glazing and ventilation specification of the dwellings shall be designed to achieve the following environmental noise limits internally:

Bedrooms (23.00-07.00 hrs) 30 dB LAeq and 45 dB LAm_{ax}.
Living Rooms (07.00-23.00 hrs) 35 dB LAeq

External amenity areas shall be screened against road traffic noise where necessary to achieve LAeq16h not exceeding 55dB in at least part of each garden, and where practicable not exceeding 50dB.

Vibration isolation shall be installed to achieve
Daytime 0.2 m·s⁻¹-1.75 VDVB/d, 16 hour
Night-time 0.1 m·s⁻¹-1.75 VDVB/d, 8 hour

Reradiated noise within residential dwelling 40 dB LAmax(slow).

Thereafter the development shall be implemented in accordance with the approved details.

REASON: To protect the residential amenity of future occupiers of the proposed development from excessive environmental noise and vibration, in accordance with Policy GEN4 of the Uttlesford Local Plan (adopted 2005).

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UTT/19/0476/OP - STEBBING

(MAJOR)

PROPOSAL: Outline application with all matters reserved except access for the erection of 17 no. dwellings with associated works.

LOCATION: Land east of Warehouse Villas, Stebbing Road, Stebbing.

APPLICANT: Mr & Mrs Moore.

AGENT: Lindsay Trevillian c/o Phase 2 Planning.

EXPIRY DATE: 13 June 2019 (extension of time agreed).

CASE OFFICER: Clive Theobald.

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site lies on the north side of Stebbing Road to the east of Warehouse Villas and comprises for the purposes of the land edged in red arable agricultural land consisting of 1 ha which fronts onto the road behind a ditch line and partial hedge and tree line which run parallel with the road. A ribbon of post-war former local authority dwellings with long rear gardens front onto the north side of Stebbing Road extending from Collops Lane to the west to Warehouse Villas, whilst a similar ribbon of former local authority dwellings with long rear gardens fronts onto the south side of Stebbing Road extending out from Collops Lane to Collops Villas, with the last dwelling in the line (No.18 Collops Villas) standing opposite and being flush with the eastern boundary of the site. The site is substantially level and is currently ploughed. Stebbing Road is a Class 3 highway.

3. PROPOSAL

3.1 This outline application relates to the change of use of the land from agricultural to residential use for the erection of 17 no. dwellings with parking with all matters reserved except for Access. The submitted scheme would include 40% affordable housing provision.

3.2 The indicative submitted site layout drawing shows a line of 7 no. pairs of two storey semi-detached dwellings and conjoining two storey dwelling/two flats (ground/first floor) extending out from No 16 Warehouse Villas with side hardstanding parking provision. The indicative elevational drawing shows the dwellings in similar building form and architectural style to those of the existing dwellings at Warehouse Villas, Collops Villas and beyond.

3.3 An accommodation schedule has been prepared for the application proposal which sets out indicatively the bedroom sizes for the dwellings, the intended category split between market and affordable housing dwellings, the size of the dwellings, rear garden amenity sizes and level of parking provision per dwelling, which is shown below:

| Plot | Beds | Area | Amenity | Parking | Category |
|------|------------|--------------------|--------------------|----------------|--------------------|
| 1A | 1 bed flat | 51 m ² | 77 m ² | 1no. | Affordable Housing |
| 1B | 1 bed flat | 51 m ² | 77 m ² | 1no. | Affordable Housing |
| 2 | 2 | 100 m ² | 360 m ² | 2no. | Affordable Housing |
| 3 | 2 | 81 m ² | 370 m ² | 2no. + 1no. VP | Affordable Housing |
| 4 | 2 | 81 m ² | 350 m ² | 2no. + 1no. VP | Affordable Housing |
| 5 | 4 | 106 m ² | 395 m ² | 3no. | Affordable Housing |
| 6 | 3 | 97 m ² | 413 m ² | 2no. + 1no. VP | Affordable Housing |
| 7 | 3 | 97 m ² | 402 m ² | 2no. + 1no. VP | Market Housing |
| 8 | 4 | 106 m ² | 432 m ² | 3no. | Market Housing |
| 9 | 4 | 106 m ² | 448 m ² | 3no. | Market Housing |
| 10 | 3 | 97 m ² | 419 m ² | 2no. + 1no. VP | Market Housing |
| 11 | 3 | 97 m ² | 416 m ² | 2no. + 1no. VP | Market Housing |
| 12 | 4 | 106 m ² | 437 m ² | 3no. | Market Housing |
| 13 | 4 | 106 m ² | 431 m ² | 3no. | Market Housing |
| 14 | 4 | 106 m ² | 398 m ² | 3no. | Market Housing |
| 15 | 4 | 106 m ² | 397 m ² | 3no. | Market Housing |
| 16 | 4 | 106 m ² | 399 m ² | 3no. | Market Housing |

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The application falls to be considered under Schedule 2, 10 (b) of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (Urban Development Projects). However, the proposal is not EIA development as (i) the development does not include more than 1 hectare of urban development which is not dwellinghouse development, (ii) the development does not include more than 150 dwellings and (iii) the overall site area of the development does not exceed 5 hectares.

5. APPLICANT'S CASE

- 5.1 The application is accompanied by a supporting planning statement which informs the submitted scheme. The statement sets out the planning justification for the proposed development based upon the National Planning Policy Framework, relevant local adopted plan policies and other material planning considerations. The statement summarises the proposal as follows:

- The application site is located outside of any town boundary or village envelope defined with the Local Plan and therefore is classed as being within open countryside. However, importantly the site is located directly adjacent to established built form and would extend the existing form of residential ribbon development. The proposal, therefore, provides a strong and logical relationship with the existing settlement boundary.
- The development proposal would have a limited visual influence on the surroundings and that the appearance of the settlement in its rural landscape context would not be notably altered or harmed. It would nestle into a largely contained and framed site set within a linear formation next to existing adjoining dwellings to the west and opposite the site thereby resulting in a limited influence beyond the site itself and its immediate setting. Thereby it is submitted that the proposed development would not be harmful to the character and appearance of the landscape or local countryside.

- The new vehicular access arrangements comply with the Highway Authority's normal requirements in respect of surfacing, visibility, turning, distances and sight lines.
- The Applicant has provided detailed documentation in support of the application, including a Preliminary Ecological Assessment, Transport Assessment and Speed Survey which all support the approval of such a development.
- The proposal has demonstrated compliance with the Council's housing standards, amenity standards, highway standards, sustainable standards, air quality standards, and ecology. The Applicant has concluded that the proposal is acceptable in all regards and complies with the relevant policies of the development or has demonstrated appropriate mitigation to address any shortfall and bring the proposal back into line with standards.
- The scheme would help to fulfil the three principles of sustainable development; economic, social and environment. As such the proposal would comply with the positive stance towards sustainable development in this respect as set out in the NPPF and the presumption in favour of approval.
- The Applicant has undertaken the "Planning Balance" as set out in the NPPF and has concluded that no significant harm has been identified whereas the benefits of the proposal are considerable. Therefore, any harm is certainly not of a degree of significance so as to 'significantly and demonstrably' outweigh the clear benefits in relation to sustainable development, which the proposal would provide. It, therefore, follows that in accordance with paragraph 11 of the NPPF, the decision maker should grant planning permission.
- For the reasons set out above, the application proposal does not conflict with the statutory development plan and is also acceptable taking into account all other material considerations, most notably the NPPF. The Council is respectfully requested to allow this application and grant planning permission for the development as currently proposed.

6. RELEVANT SITE HISTORY

- 6.1 There is no relevant planning history recorded for the site. However, the current planning application was subject to a preliminary enquiry submitted by the applicant's agent at the end of 2018. The summary and conclusions of the Council's response to that enquiry was as follows:

"The proposal site lies outside development limits within the countryside. However, the location of the site within close distance of Stebbing village, which is regarded as being a reasonably sustainable settlement, and also its inclusion on a bus route (including school bus route) with available bus stops nearby, the potential for the development to maintain and enhance the vibrancy and vitality of the village and the limited environmental impact which I consider your client's proposal would have on the character of the countryside at this village fringe location would I believe mean that the proposal can be regarded as representing a presumption in favour of sustainable development, recognising at the same time that the Council does not have a current 5 year housing supply, which has material weight in the planning balance.

As such, I consider that the principle of housing development at this site could be supported by the Council were a planning application to be submitted. However, any application should show that the applicant has approached the Parish Council with regard to the subject of affordable housing and has obtained their local support in principle, although I consider the scale of the proposal is such that it

would not be necessary in this instance for a community event to take place, unless of course your clients felt that there would be some mileage in this”.

7. POLICIES

7.1 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 ENV5 – Protection of Agricultural Land
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Risk
ULP Policy GEN6 – Infrastructure Provision to Support Development
ULP Policy GEN7 – Nature Conservation
ULP Policy GEN8 – Vehicle Parking Standards

7.2 Uttlesford Emerging Local Plan

Policy SP1 – The Presumption in Favour of Sustainable Development
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 H9 – Affordable Housing
Policy H10 – Accessible and Adaptable Homes
Policy TA1 – Accessible Development
Policy TA2 – Sustainable Transport
Policy TA3 – Vehicle Parking Standards
Policy TA4 – New Transport Infrastructure or Measures
Policy D1- High Quality Design
Policy D2 – Car Parking Design
Policy EN5 1 – Scheduled Monuments and Sites of Archaeological Importance
Policy EN7 – Protecting and Enhancing the Natural Environment
EN10 – Minimising Flood Risk
EN11 – Surface Water Flooding

7.3 Supplementary Planning Documents/Guidance

SPD “Accessible Homes and Playspace”

7.4 National Planning Policies

National Planning Policy Framework (February 2019)

7.5 Other Material Considerations

Essex Design Guide
Essex County Council Parking Standards: Design and Good Practice (Sept 2009)
Uttlesford District Council Parking Standards (February 2013)

8. PARISH COUNCIL COMMENTS

- 8.1
- Stebbing Parish Council wishes to state that the references made by Mr Theobald in his letter to L Trevillian (December 2018) that SPC has been approached by/discussed with the applicants are inaccurate. Please note neither of the applicants or Mr Trevillian have approached or discussed with the Parish Council about this application before its submission. Therefore any statements made re; the Parish Council's "support in principle" connected to this should be taken as completely erroneous.

SPC objects to this application for the following reasons:

- This site was already rejected in the SLAA 'Call for Sites' (Ref.10Ste16) stating *"The site is beyond expected walking distance to the school and village facilities. Development of the site would extend ribbon development within a small hamlet in the countryside with limited access to services and facilities. The site is considered unsuitable as development on the site would not contribute to sustainable patterns of development."*
- Therefore we are surprised that the Planning Officer in his reply to the preliminary enquiry from the applicant's agent appears more than encouraging in their comments (despite the final paragraph statement) plus contradictory to the above comments from the SLAA 'Call for Sites' rejection. In fact, it would appear that the applicant's agent, Mr Trevillian, has had a great deal of direction for the Planning Statement drawn up for the applicants.
- It is both disappointing and curious to SPC that both the Planning Officer, the Agent and the Transport Survey Consultants consider that this site on Warehouse Road as for example in section 2.10 of Planning Statement ".... site is situated within an accessible and sustainable Location....."
- SPC disagrees with this statement for the following reasons:
 - This site is outside of the Development limits of the village
 - Bus routes and times not fit for purpose
 - No bus service to Great Dunmow or Braintree (so no access to local services by this method)
 - Cycling (sec2.15 transport statement) would not be substitute for short trips of 5km or less for the majority of people (especially older people and those with children)
 - Unrealistic dangerous roads B1256 for cyclists especially if ill trying to access doctors. Really only for keen cyclists.
 - There are not very good levels of accessibility and integration opportunities as stated in Section 2.17 Transport Statement
 - SPC wishes to state that Sections 2.19 – 2.22 inc. are virtually completely inaccurate. The Primary school and the Community run Village Shop [not shops] are the only two facilities from the list of six that are within walking distance. Please note there are not pavements along all of this route
 - There is not a Doctor's surgery or Chemist shop in walking distance of the proposed site
 - SPC considers section 2.22 wrong. The site does not have good levels of accessibility and integration opportunities as stated in the Transport Statement.

It should be noted that the Stebbing draft Neighbourhood Plan states that the site is outside the limit for a comfortable walking distance to the village centre given that the roads are only partly paved.

SPC disagrees totally with the Planning Officer and the Planning Consultant that this proposed development will meet NPPF paragraphs 78 & 79 requirements. Stebbing is not '...a settlement going into decline.....' and we have a vital and vibrant community. Therefore we disagree with the assessment of sustainability, and that this proposed site does not meet the 'three strands of economic; social and environmental sustainability as stated in Para 6.6 Of of the Planning Statement.

In relation to Paragraph 77& 78 of the NPPF, this proposed development will not support local services, it will in fact stretch the already oversubscribed Primary School and overstretched Doctors' Surgeries.

This Proposed site does not meet paragraph 84 of the NPPF as it will have an unacceptable impact on local roads and as has been stated above.

SPC Disagree with paragraph 6.20 in that we would expect that the majority of all travel will be by car from this development and not as stated.

Paragraph 6.24 - Making Effective use of Land quotes from the NPPF para. 118 "d] Promote and support the development of underutilised land and buildings, especially if this would meet identified needs"

There is no stipulation that these affordable homes are to meet the needs of Stebbing residents or those with a close association with the village. Therefore SPC refutes this assertion from the applicant.

SPC would welcome an Exception site and to that end has for some years been working to bring forward an 'Exception Site' to supply affordable homes for Stebbing residents and those with close associations to the village and the community. Therefore we would welcome the idea of 7 affordable homes. However this application is only for outline planning and is not on an "Exception Site".

We have seen the letter from English Rural Housing supporting the application and despite our great respect and admiration for the work that ERH do we feel that as with a previous development in the village an agreement may not be met between the applicant and or the ultimate developer of the site. Therefore, there is no guarantee that 'local people' as is quoted and not from Stebbing or associated with, would happen.

SPC questions what other discussions have gone on with UDC as this is not an "exception Site' and SPC pose the question - how can UDC planning change the rules?

SPC believe that this application is premature, the community of Stebbing is threatened with a total of 10,000 to possibly 13500 homes on its village boundary. Should this happen, it should be properly planned. Even in UDC's Conservation appraisal it said it was the gaps and occasional open views that made Stebbing such an attractive village. Allowing the proposed development would start to alter that.

SPC believe this site to be of archaeological interest and strongly request that before an application is granted or at worst if granted that a condition and not just an advisory condition that an Archaeological survey is carried out by a

professional accredited company 'organisation. We have seen the comments re this from Place Services.

In conclusion we object to this application.

9. CONSULTATIONS

Environment Agency

- 9.1 We have inspected the application as submitted and have no objections to the proposal. We offer guidance comments on foul drainage detailed in the letter below.

Foul Drainage:

We note that the current Application Form states 'unknown' under method of disposal for foul sewerage. Whilst this application is seeking outline permission with all matters reserved except Access and such details would be expected to be detailed in any future reserved matters application stage, we take this opportunity to highlight the hierarchy for foul water disposal.

Government guidance contained within the National Planning Practice Guidance Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank.

The first presumption should be to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works. A private means of foul effluent disposal is only acceptable when foul mains drainage is not feasible (in terms of cost and/or practicality).

The site adjoins existing houses that are connected to the main sewer. This sewer takes wastewater to Felstead Water Recycling Centre (WRC).

The proposal needs to show that there is or can be volumetric capacity in the sewerage network for the additional wastewater to be transported. Two of the comments from local residents mention 'an issue' with sewerage.

Felsted WRC previously has been non-compliant for flows. This was because it was receiving flows from Great Dunmow WRC whilst building work occurred. Building work is now complete (early 2018) and Felsted does not receive any additional flows. Updated figures shows that Felsted WRC is now compliant and it has capacity for this proposed development.

Anglian Water

- 9.2 No objections in respect of Assets Affected, Wastewater Treatment, Used Water Network and Surface Water Disposal subject to appropriate mitigation and Anglian Water informatives.

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 advise the applicant to ensure that all workplace risk assessments have been completed before permitted works are begun. Should any excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), then 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 mitigation measures being agreed and subsequently implemented (footpath extension to improve pedestrian connectivity and existing bus stops along Stebbing Road being upgraded in the interests of sustainable transport) and highway conditions.

ECC SuDS

- 9.5 (Revised comments received 17 October 2019):

Having reviewed the documents which accompanied the planning application, we do not object subject to appropriate drainage conditions being imposed on any planning permission being granted.

ECC Ecology

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

Summary:

I have reviewed the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Jan 2019) supplied by the applicant relating to the likely impacts of development on Protected and Priority habitats and species. 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 is needed to enable the LPA to demonstrate its compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006.

In terms of biodiversity net gain for the proposed development, the biodiversity enhancements proposed should be undertaken and the locations stated in a biodiversity layout as a planning condition of any permission granted.

ECC Archaeology

- 9.7 The Historic Environment Advisor of Essex County Council has identified the above application from the weekly list as having archaeological implications.

The following recommendation is in line with the new National Planning Policy Framework:

RECOMMENDATION: An Archaeological Programme of Trial Trenching followed by Open Area Excavation

Essex Police

- 9.8 Whilst there are no apparent concerns with the indicated house layout, to comment further we would require the finer detail 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.

UDC Housing Enabling Officer

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

The affordable housing provision on this site will attract the 40% UDC policy requirement as the site is for 17 (net) units. This amounts to 7 affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

Homes should meet the following standards: 1 bed property to house 2 persons, 2 bed properties to house 4 persons, 3 bed properties to house 5 persons and 4 bed properties to house 6 persons.

The mix and tenure split of the properties are given below: this mix should be indistinguishable from the market housing, with good integration within the scheme and be predominately houses with parking spaces.

The proposed mix is as follows:

| Number proposed | Number suggested | Bedroom size | Property Type |
|-----------------|------------------|--------------|---------------|
| 2 | 2 | 1 bed | Flat |
| 3 | 4 | 2 bed | Houses |
| 1 | 1 | 3 bed | House |
| 1 | 0 | 4 bed | House |

I would suggest that the 4 bed house is changed to a 2 bed house as this will best meet the housing needs of local residents. The affordable housing will be split between affordable rent and shared ownership products. My suggestion would be for 2x2 and 1x3 bed houses for shared ownership.

10. REPRESENTATIONS

10.1 29 representations received (Object). Neighbour notification period expires 9 April 2019, Advertisement expires 18 April 2019. Site notice expires 25 April 2019.

10.2 Summary of representations received as follows:

- Site is outside development limits
- Development would be built on greenfield land (agricultural)
- Erosion of countryside at this edge of village location
- No demonstrated housing need put forward
- No low-cost housing shown
- Planning permission has already been given for new housing in the village
- Stebbing lacks local service infrastructure to support the housing scheme
- Stebbing Primary School has a full pupil roll
- Development will lead to further parking congestion outside the school
- Few employment opportunities exist within the village to support proposal
- Most of the occupiers of the dwellings would work elsewhere
- Development would put strain on already overstretched utilities
- Sewerage infrastructure is old and not capable of additional capacity
- Area has poor and unstable internet connection
- Narrow, winding carriageway. No pavements exist at the front of the site
- Pavements do not extend fully from Warehouse Road into Stebbing village
- Little public transport provision through the village
- Bus service along Warehouse Road is only five times a day. First bus is at 0720 and then 0940. Not an appropriate service for commuters
- Most occupants would use their cars to get to the village and to work
- Proposal would lead to on-street parking as already occurs along the road
- Impact on wildlife. Deer and brown hares are seen on the field
- Site is not identified for housing in the emerging Stebbing Village Plan
- The impact of the development needs to be read in conjunction with the proposed garden community on the Braintree/Uttlesford border
- Brownfield sites need to be considered first
- The development will block established views across the countryside
- Proposal will reduce property values

11. APPRAISAL

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

- A Principle of residential development – sustainability principles, loss of agricultural land / alternative use of farmland, countryside protection, flood risk, provision of new housing, infrastructure provision (NPPF, ULP Policies ENV5, E4, S7, H1, GEN3 and GEN6);
- B Whether proposed access arrangements would be acceptable (ULP Policy GEN1);
- C Design (ULP Policies GEN2 and GEN8);
- D Housing Mix (ULP Policy H10);
- E Affordable Housing provision (ULP Policy H9);
- F Impact on wildlife / biodiversity (ULP Policy GEN7).

A Principle of residential development – sustainability principles, loss of agricultural land / alternative use of farmland, countryside protection, flood risk, provision of new housing, infrastructure provision (NPPF, ULP Policies ENV5, E4, S7, H1, GEN3 and GEN6)

- 11.1 The National Planning Policy Framework (NPPF) (February 2019) has a presumption in favour of sustainable development. Paragraph 8 of the NPPF sets out three overarching objectives of the planning system; economic, social and environmental to contribute to the achievement of sustainable development where paragraph 8 states that these objectives *“are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)”*.
- 11.2 Paragraph 8 further states by way of amplification that all planning proposals should *“help build a strong, responsive and competitive economy by ensuring that sufficient land of the right types is available in the right places and at the right time...”*, *“support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and by fostering a well-designed and safe built environment with accessible services...”*, and *“to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land...”*.
- 11.3 As a material consideration carrying significant weight, the NPPF advises at paragraph 213 that due weight should be given to relevant Development Plan policies according to their degree of consistency with the NPPF, so the closer the policies are to the NPPF, the more weight they may be given to a planning proposal. In this context, ULP Policy S7, which seeks to protect the countryside for its own sake and which states that planning permission will only be given for development that needs to take place there or is appropriate to a rural area, is a saved local plan policy which has been found by independent policy review (Ann Skippers policy compatibility report) to be partly consistent with the NPPF and to carry moderate weight in decision taking through various recent appeal decisions.
- 11.4 The site lies at the eastern end of a linear post-war housing settlement originally constructed as local authority housing stock which extends out eastwards from Collops Lane along both sides of Stebbing Road to include Oakfield, Warehouse Villas and Collops Villas. This existing linear housing form also extends northwards along Warehouse Road on its eastern side towards Church End, Stebbing. The site (as does the remainder of this existing linear development), lies outside the defined settlement boundary for Stebbing village as shown in the adopted Local Plan.
- 11.5 The site currently comprises arable farmland in active crop production which is shown as Grade 2 agricultural land on the Agricultural Land Classification Map. Grade 2 agricultural land represents good quality farmland in terms of food production whereby a significant amount of farmland within Uttlesford District is of this grade. The submitted proposal would remove approximately 1 hectare of the existing field within the applicant’s ownership from arable food production which would not be significant for the existing agricultural unit taken as a whole and therefore would not have significant consequences for food security and would represent an appropriate alternative use of farmland in light of this subject to due consideration of other relevant matters for this application. As such, no policy objections are raised under ULP Policies E4 and ENV5.
- 11.6 The site is located approximately 1km from Stebbing village which is regarded as being a medium sized sustainable settlement, having as it does a village shop, a primary school, pub, church, village hall and bowls club. Additionally, a children’s nursery is located close by at Stebbing Green and the village football club ground

lies opposite the site. The Council has recently approved housing developments either within or immediately outside the settlement boundary for the village to reflect this position, including rear of Garden Fields. A footpath exists along Warehouse Road connecting to Watchhouse Road, albeit that there is a section of Watchhouse Road to Church End which does not contain a pavement meaning that there is not a continuous footpath link from Stebbing Road through to Stebbing village. That said, the site is situated on a daily bus route (No.16 Wethersfield-Chelmsford) and daily school bus route (No.417 Rayne-Newport). A bus stop exists within close proximity of the site along Stebbing Road in both directions.

- 11.7 As such, it is considered that the site is situated within a reasonably sustainable location adjacent to existing housing relative to local services and amenities where access to public transport is available to the site and where the occupiers of the proposed dwellings would not be completely dependent upon the car for travel, although it is accepted that this mode of travel would be primarily used for this location. It follows from this that the site cannot be described as being isolated for the purposes of definition and relevant case law and that the development would have moderate social connectivity as a result of this in terms of meeting the social objective of the NPPF.
- 11.8 It should be noted in this respect that the applicant has agreed to meet with ECC Highways' highway mitigation request to fund and provide for the extension of the existing footpath which currently extends from Stebbing Road to the end of Warehouse Villas so that it continues to run in front of the proposal site to improve pedestrian connectivity from the development to the existing adjacent housing and bus stops along the road *"in the interests of providing safe and suitable access for all users of the development in the interests of highway safety"* where at present soft highway verge exists along the road carriageway in front of a ditch line. The applicant has also agreed to meet ECC Highways' additional highway mitigation request to fund and provide for the upgrade of the two existing bus stops located to the west of the development site along Stebbing Road known as "ATCO Warehouse Villas" to include a flagpole, timetable casing and raised kerb *"in the interests of increasing the accessibility of the site and to promote sustainable transport"*. It is considered that these agreed enhanced pedestrian connectivity and promotion of sustainable transport measures should be considered within the planning balance when considering the overall sustainability of this housing proposal.
- 11.9 Economic benefits would accrue, although would be fairly limited and likely to be restricted primarily to the build process of the dwellings rather than any tangible economic effects on the village, although it is possible that the development would be able to support the village shop and local pub etc.
- 11.10 The submitted application proposes 17 no. dwellings in linear fashion which would reflect and continue the established linear building grain further east along Stebbing Road from the last dwelling at Warehouse Villas (No.16) whereby the eastern flank boundary of the proposed development would correspond exactly in physical terms with the eastern flank boundary of the last dwelling at Collops Villas (No.18) situated opposite on the south side of Stebbing Road. Whilst the proposal would represent a continuation of this existing linear built form along Stebbing Road, the development would, nonetheless, have the effect of being "bookended" with the eastern end of the existing housing development along the south side of the road and would be physically framed because of this rather than being read as a protruding linear feature beyond existing built form into the wider open countryside beyond. As a consequence of this, long distance views currently

afforded across the flat agricultural landscape from Whitehouse Lane situated to the north of the site looking south would not be significantly impacted as the proposed line of dwellings would be read against the existing line of dwellings which extend along the south side of Stebbing Road (Collops Villas) whereby this prevailing situation would have a neutralising effect on rural amenity. This would also be the case on the approach to the proposed development along Stebbing Road as approached from the east from Stebbing Green. As such, the impact of the development on the countryside at this location would be limited and not significant for the purposes of ULP Policy S7.

- 11.11 The site lies within Flood Zone 1 (Low Risk) meaning that the site is not susceptible to fluvial flooding, with the nearest river situated further to the south-east (head of the River Ter). A drainage strategy has been submitted with the application (G H Bullard & Associates - revised October 2019) which sets out how the drainage aspects of the proposed development would be addressed. ECC SuDS had initially placed a holding objection to the scheme based upon the original drainage strategy submitted, although they have since removed their objection following the receipt of updated storage and calculation data in relation to greenfield run-off/discharge rates and the discounting of various means of drainage treatment in terms of surface water run-off from buildings included within the revised drainage strategy. As such, ECC SuDS are now satisfied that the revised drainage information submitted overcomes their initially expressed concerns and have now recommended approval in principle to the drainage scheme subject to drainage conditions requiring a detailed surface water drainage scheme for the site based upon SuDS principles and an assessment of the hydrological and hydrogeological context of the development, a construction management scheme and an ongoing maintenance scheme being agreed and implemented prior to works commencing/occupation and yearly logs being maintained in accordance with an approved Maintenance Plan. No drainage objections are therefore raised to the proposal under ULP Policy GEN3 subject to these conditions being imposed on any planning permission granted and the maintenance plan being subject to a S106 agreement.
- 11.12 It is considered from the above assessment that any adverse effects arising from the proposal, in this case the site's edge of settlement location and the limited environmental harm arising, would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Framework taken as a whole, including the delivery of new housing, where, as previously mentioned, the applicant has agreed to pay infrastructure commuted sums in the interests of improving pedestrian connectivity for the site and providing enhanced bus stop measures in the interests of enhancing sustainable transport.
- 11.13 The Council has very recently published its 2019 Housing delivery Test and 5-Year Land Supply Statement (October 2019) whereby the purpose of the statement is to set out the Council's 5-year housing supply and an indicative trajectory of housing delivery during the plan period for the purposes of decision-taking. This latest housing trajectory and 5-year housing land supply (5YHLS) statement for Uttlesford District Council as of 1 April 2019 indicates that the Council's 5YHLS is 2.68 years, which is down from 3.29 years as calculated for 2018. This further 5YHLS deficit figure compares with the Council's 5YHLS figure for the new draft Local Plan of 5.65 years. This indicated reduced 5YHLS figure for 2019 down from 2018 is a material consideration for the current application proposal whereby Paragraph 11 of the NPPF is engaged in view of the Council's local housing policies now having little weight because of the 5 year housing deficit and where weight should be given to the benefits of new housing delivery

for the district. It is therefore considered that the principle of housing at this site is acceptable in the tilted planning balance.

B Whether indicated access arrangements would be acceptable (ULP Policy GEN1)

11.14 Access falls to be considered for this outline application. The revised site layout drawing 1158 02D shows that six pairs of shared access points would serve Plots 1-15 and a single access point would serve Plot 16 from Stebbing Road with shared driveways and frontage turning heads. The application is accompanied by a revised Transport Statement (Journey Transport Planning, July 2019) which has assessed the highway suitability of the site for housing purposes, including a highways safety assessment, the type of access arrangements proposed, vehicle parking, residential trip rates and possible local infrastructure improvements. The transport statement is accompanied by public transport data, speed survey data, TRICS data and proposed access visibility.

The transport statement summarises and concludes as follows:

- Access to the development is proposed by way of 7 private access drives which can all achieve the required visibility in accordance with the requirements set out in the Design Manual for Roads and Bridges within land in either client or Highway Authority control.
- The TRICS trip generation assessment demonstrates that the proposal would not have a detrimental impact on highway safety or capacity in the vicinity.
- The assessment demonstrates that the vehicular trips can be accommodated on the local highway network without having a detrimental or significant impact in terms of either highway safety or capacity.
- The site is considered to be in accessible location for the purposes of access via means other than the private car.
- As a part of the proposal, a footway will be provided along the site frontage along with a commitment to upgrading the nearby bus stops on Warehouse Road.
- The proposed change of use will incorporate car parking in accordance with Uttlesford District Council requirements.
- The servicing and delivery requirements for the proposal can be undertaken in accordance with Essex County Council requirements and adequate space is available within the site to allow for cars to enter and exit the site safely in forward gear.
- This Transport Statement demonstrates that the proposal has been developed in accordance with the aims and objectives of current national and local policy as it relates to transport and will not have a significant or severe impact on the efficiency or safety of the local transport network.
- In view of the foregoing, it is considered that there are no substantive highway or transportation reasons why the proposals as submitted should not be permitted.

11.15 ECC Highways have been consulted on the application, including the revised Transport Statement who informally advised the Council that the vehicle crossover access points as shown should be widened from 3m to 5m to conform to highway standards. Revised Site Layout drawing 1158 02D now shows the access points widened to 5m and also shows an extended 2m width footpath running along the

frontage of the site as requested by ECC Highways as part of an agreed highways mitigation package request for this proposal as previously discussed in this report.

- 11.16 ECC Highways have subsequently recommended highways approval for the proposed scheme on the basis of the revised drawing and in view of the applicant's agreement to the highways mitigation package subject to highway conditions (to include the provision of the extended footpath and the upgrade of the existing bus stops) whereby these off-site highway infrastructure works can reasonably be dealt with by way of conditions and s278 highway works rather than as part of a S106 agreement for the proposal.

C Design (ULP Policies GEN2 and GEN8)

- 11.17 Layout, Scale, Appearance and Landscaping (Design) are reserved matters for this outline housing proposal. However, the indicative site layout drawing demonstrates that 17 no. dwellings could be accommodated in linear form on the site as an extension to Warehouse Villas with hardstanding parking to the side of each dwelling and with deep rear gardens consistent with those rear gardens of adjacent dwellings. Detailed consideration of layout, including parking arrangements, would be a matter for reserved matters stage.

- 11.18 A streetscene elevation drawing has been submitted for illustrative purposes showing two storey semi-detached dwellings designed in similar built form to adjacent dwellings in Warehouse Villas, Collops Villas and Oakfield with similar ridge heights. As such, the development could be similar in character to the adjacent built form where the appearance of the dwellings as shown has been informed and modified by the preliminary enquiry process, although, again, detailed consideration of appearance, and also landscaping, including frontage boundary treatment would be matters reserved for a DFO application. Similarly, it is not possible at this outline stage to assess the impact of the proposal on residential amenity, although the indicated linear nature of the development would suggest that such impacts would be very limited. No objections are therefore raised in consideration of design at this outline stage insofar as this can be reasonably assessed under ULP Policy GEN2.

D Housing Mix (ULP Policy H10)

- 11.19 The submitted accommodation schedule as shown at paragraph 3.3 above shows a mix of bedroom units for the development ranging from 1 bed affordable units through to 4 bed market dwellings, which is based upon the latest Strategic Housing Market Assessment (SHMA) for the district and which reflects a more accurate local housing demand than ULP Policy H10 which requires that developments of 3 or more dwellings should provide a significant proportion of smaller 2 and 3 bedroomed market dwellings. It is contended by the applicant and agreed by Officers that the housing mix as shown in the accommodation schedule is balanced and would be acceptable for this location whereby the mix seeks to reflect the needs and aspirations of the local community and would also compliment the housing character of the immediate area. No objections are therefore raised under ULP Policy H10 where it should be emphasised that further consideration of the housing mix would be able to be negotiated at detailed stage.

E Affordable Housing provision (ULP Policy H9)

- 11.20 ULP Policy H9 seeks the provision of affordable housing on a site for site basis and stipulates that 40% affordable housing will be sought on those development

sites within the rural areas of 0.5 ha or more or of 15 dwellings or more. Thus, a 40% affordable housing requirement would apply to the proposed 17 no. dwelling scheme the subject of the current application, which would equate to 7 no. affordable units rounded up where the applicant has stated that it intends to deliver the maximum number of affordable units for the scheme.

- 11.21 The Council's Housing Enabling officer has set out her preferences in her consultation response relating to the affordable housing tenure split for the 7 no. affordable units for this scheme (see paragraph 9.9 above) where it is recommended that the tenure be split between affordable rent and shared ownership. She has commented that the 4 bed affordable housing unit shown for the scheme (Plot 5) should be substituted with a 2 bed unit as this would best meet the housing needs of local residents.
- 11.22 Some local concern has been expressed that the affordable units to be provided may not be subject to local first let and that as a result the units may not be prioritised for local people. The Council has since confirmed that it would be able to agree to local connection on first let only if local affordable need in the village still exists from the last local housing needs survey conducted with subsequent lets being available for wider letting where this arrangement would require a cascade clause and a specific clause for re-lets in any S106 agreement to be agreed. English Rural Housing Association have advised the Council that they have expressed a desire on behalf of the applicant in owning and managing the affordable homes and would wish to be named in any S106 agreement (or would be willing to be a party to it) whereby the S106 would state in this regard that English Rural HA would own and manage the affordable homes as well as setting out the qualifying local connection criteria. The letter adds that *"As with all English Rural schemes, the affordable homes would remain in the community for local people in perpetuity; our tenants do not have a right to buy"*.
- 11.23 It should be emphasised that specific arrangements relating to whom would be the nominated affordable housing provider for this housing scheme and how the affordable units would be subsequently delivered is a matter for the Council in consideration of any S106 agreement for the scheme whereby the applicant has confirmed for the application that it is committed in delivering the full affordable housing provision under the requirements of ULP Policy H9. No policy objections are therefore raised on this basis.

F Impact on wildlife / biodiversity (ULP Policy GEN7)

- 11.24 The site currently comprises arable farmland subject to ploughing with a frontage ditch, hedge and partial tree line onto Stebbing Road. A Preliminary Ecological Appraisal Report (T4 Ecology, Jan 2019) accompanying the application identifies the likely impacts of the proposed development on protected and priority species. The field itself has limited habitat value for protected and priority species, although it is noted from representation responses received that deer and brown hares have been seen on the field. The report advises that no trees with roosting potential are situated on the site nor would be lost to the development proposal, whilst the trees are not considered to provide, nor form part of, a significant commuting and foraging network due to the broken tree line, although the report advises that it is possible that small numbers of bats may commute and forage in the area. The report further advises that the existing boundary tree line and hedgerows are to be retained and incorporated into the proposal where possible and that in addition significant new planting would be undertaken to enhance areas where there are currently no such features, including a new ditch and native

hedgerow planting along the northern and eastern boundaries of the site and the planting of new trees and hedgerows within the site interior, where no such features currently exist.

- 11.25 ECC Place Services (Ecology) have advised the Council that sufficient ecological information is available for determination and that this provides certainty for the Council of the likely impacts of the proposal on protected and priority species. As such, they confirm that the development can be made to be acceptable subject to the reasonable biodiversity enhancement measures recommended in the submitted ecology report being secured by condition on any planning permission granted and that any biodiversity net gains to be achieved through the enhancements proposed be undertaken and the locations stated in a Biodiversity Enhancement Layout to provide finalised details to be agreed with the LPA. No ecology objections are therefore raised to the proposal under ULP Policy GEN7 on this basis.

12. CONCLUSION

- 12.1 The principle of residential development at this location, together with means of access would conform to the provisions of the NPPF and relevant adopted local plan policy and would be acceptable subject to a S106 agreement and appropriate conditions. The relevant plan policies contained within the Council's emerging Local Plan carry limited weight at this time as the plan has yet to be formally adopted by the Secretary of State.

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

- A The principle of additional housing at the edge of this small linear settlement which lies on a bus route within close distance of Stebbing village is considered acceptable whereupon the loss of Grade II agricultural land would not be significant in terms of the area affected, the impact of the development on the particular character of the countryside would also not be significant in view of the housing layout indicated, the site is within a low risk flood area, the proposal would include provision of 40% affordable housing, and would help through housing delivery to offset the Council's current lack of a 5 year housing land supply which currently stands at 2.68 years. As such, there would be a presumption in favour of sustainable development in the tilted planning balance where the adverse effects of the proposal would not outweigh the economic and housing benefits of the scheme and where highway mitigation works to improve access connectivity for the site and sustainable transport measures have been agreed by the applicant.
- B The proposed site access arrangements are considered acceptable.
- C The indicated design of the development insofar as this can be assessed at this outline stage is considered acceptable where detailed assessment of Scale, Layout, Appearance and Landscaping are reserved matters.
- D The housing mix as presented is considered acceptable.
- E The applicant has agreed to provide the full 40% affordable housing requirement for this housing scheme.
- F The proposal would not have a harmful effect on protected and priority species and would include a biodiversity enhancement layout to be agreed to produce net biodiversity gains.

RECOMMENDATION – APPROVAL WITH CONDITIONS WITH s106

- (1) The applicant be informed that the committee be minded to refuse planning permission for the reasons set out in paragraph (3) below unless by 18**

February 2020 the freehold owner enters into a binding agreement 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 Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:

- (i) Provision of affordable housing**
- (ii) Maintenance of SUDS**
- (iii) Pay the Council's reasonable legal costs**
- (iv) Pay the monitoring fee**

(2) In the event of such an agreement being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below.

(3) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning shall be authorised to refuse permission at his discretion at any time thereafter for the following reasons:

- (i) Non-provision of affordable housing**
- (ii) Non-maintenance of SuDS**
- (iii) Non-payment of the Council's reasonable legal costs**
- (iv) Non-payment of the monitoring fee**

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 5 of the Town and Country Planning (General Development Management Procedure) (England) Order 2015 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 5 of the Town and Country Planning (General Development Management Procedure) (England) Order 2015 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 5 of the Town and Country Planning (General Development Management Procedure) (England) Order 2015 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 the dwellings, the shared access (minimum width 5m), turning head and parking provision for those dwellings as shown on revised submitted drawing 11158 02D shall be provided, including clear to ground visibility splays with dimensions of 2.4 metres x 90 metres in both directions for each dwelling as measured from and along the nearside edge of the carriageway. The turning, parking and access points with associated vehicular visibility splays shall be retained free of any obstruction at all times thereafter.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access points and those in the existing public highway in the interest of highway safety in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

5. Prior to occupation of the development a 2m wide footway shall be provided along the frontage of the development to join up with the existing footway to the west.

REASON: To provide safe and suitable access for all users in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. Prior to occupation of the development the 2 no. bus stops located to the west of the development on Stebbing Road (known as Warehouse Villas ATCO numbers 150024001002 and 1500IM2121) shall be upgraded to include a pole and timetable casing and raised kerb.

REASON: To increase the accessibility of the site and promote sustainable development and transport in accordance with ULP Policies GEN1 and GEN6 of the Uttlesford Local Plan (adopted 2005).

7. Cycle parking shall be provided in accordance with the Essex Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle / powered two wheeler parking is provided in the interest of highway safety and amenity in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

8. Any gates provided at the vehicular access points shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway.

REASON To enable vehicles using the access points to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

9. No works except demolition shall take place until a detailed surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. If infiltration is found to be viable it should be utilised as much as possible. If it is found to be partially viable it then a hybrid approach should be utilised as much as possible.
- Limiting discharge rates to 1l/s for all storm events up to an including the 1 in 100 year rate plus 40% allowance for climate change.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005) Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Pre-commencement condition justification: To ensure that the resulting development does not cause surface water flooding to adjacent properties and land.

10. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005) Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water

being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

Pre-commencement condition justification: To ensure that the resulting development does not cause surface water flooding to adjacent properties and land.

11. Prior to occupation a maintenance plan detailing the maintenance arrangements, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, shall be submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005). Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

12. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

13. Prior to commencement of development, a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Preliminary Ecological Appraisal Report (T4 Ecology Ltd., Jan 2019), shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: To ensure that appropriate biodiversity enhancements can be incorporated into the scheme.

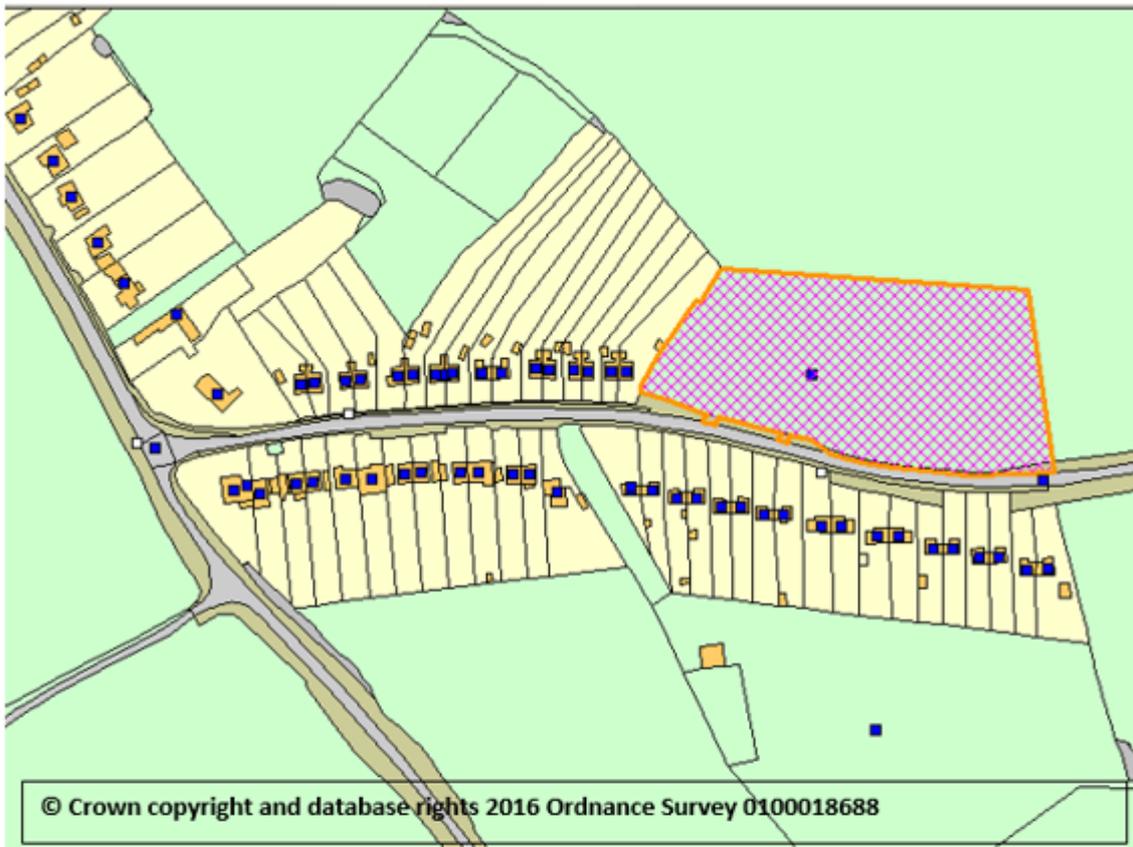
14. One dwelling approved by this permission shall be built to Category 3 (wheelchair user) housing M4 (3) (2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan (adopted 2005) and the Council's adopted SPD "Accessible Homes and Playspace".

15. No development or preliminary groundworks shall 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: To identify and record any archaeological deposits which may exist at the site given that the Historic Environment Record shows that the proposed development site lies within an area of known archaeological deposits in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005)

Pre-commencement condition justification: To ensure that the development does not compromise any underground heritage assets which may exist at the site.



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

UTT/19/2545/FUL (ELSENHAM)

(Referred to Committee by Cllr Lees. Reason: significant local interest, inappropriate land fill, and too little parking space)

PROPOSAL: Proposed demolition of existing house and erection of 3no. 4-bedroom dwellings

LOCATION: Crossways , Station Road, Elsenham

APPLICANT: Mr D Salisbury

AGENT: Mr Michael McGarr, English Architectural

EXPIRY DATE: 10th December, 2019

CASE OFFICER: Jonathan Doe

1. NOTATION

1.1 Within Defined Development Limit of Elsenham

2. DESCRIPTION OF SITE

2.1 The site is that of a four-bedroom detached house and its curtilage. The site is on the western side of Station Road. To the rear of the house is single storey building providing annex type accommodation and a detached double garage.

2.2 The site appears to have been relatively recently gated by a pair of solid gates some 2m in height and there is a tall hedge along the remainder of the frontage of the site.

2.3 The site is on the opposite side of the road to but near the junction of Station Road with The Croft. The site is some 130m north of the mini-roundabout junction of Station Road with High Street, Stansted Road and Robin Hood Road.

2.4 To the south of the application property is a chalet type dwelling known as The Stocks. To the north of the application property is a detached known as Oak Lodge. The site backs onto tennis courts and other parts of a recreation ground.

3. PROPOSAL

3.1 Proposed demolition of existing house and erection of 3no. 4-bedroom dwellings.

3.2 The three detached houses would be evenly set out in line facing Station Road with their front elevations approximately at the line of the face of the front elevation of the house existing on the site. The three houses would share a single common vehicular access, the existing access. The existing hedge would be reduced in size but retained along the front boundary of the site.

3.3 The three houses would be to essentially the same design although different external materials and varied decorations to the front gables would provide visual interest. The houses would have integral double garages set onto the shared drive of permeable pavers running across the site. The fronts of the garages

would project forward of the rest of the front elevations of the houses to form single storey front bays. These bays would have front gables which would have a window set in. A bedroom would be set in each gable roof above the garage.

- 3.4 The front bays, of integral garage with accommodation above, would produce at L-shaped footprint at the front of each house. The main element of each house would have a side roof slope which would follow down to the height of the eaves along the side of the front bay. The breaking up of built form on the front elevations and the relatively low eaves height to one side of each house would, it is considered, reduce the apparent visual bulk of the houses.
- 3.5 The houses would be 4.8m in height to the eaves of the full two-storey element of the house and 3m in height to the eaves along the integral garage front bay. The houses would have a maximum height of 8m to the ridge of the gable roofs.
- 3.6 External materials would consist of brick, painted render or painted weatherboard to the walls, clay tiles to the roofs.

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 documentation includes an extract from the Environment Agency's flood map; a copy of a consultation response from Environmental Health for a previous application at the site; a copy of a consultation response from Place Services, Ecology for a previous application at the site; a bat survey; and, a design and access statement.
- 5.2 The design and access statement points out that the site is in a sustainable location and has an existing vehicular access.

6. RELEVANT SITE HISTORY

- 6.1 UTT/19/0107/FUL - Proposed demolition of existing house and outbuilding and erection of 5 no. 3-bedroom dwellings – Withdrawn 21.06.2019

7. POLICIES

Uttlesford Local Plan (2005)

S3 – Other Development Limits

GEN1 – Access

GEN2 – Design

GEN3 – Flood Protection

GEN7 – Nature Conservation

GEN8 – Vehicle Parking Standards

H3 – New Houses within Development Limits

H10 – Housing Mix

Supplementary Planning Documents/Guidance

SPD "Accessible Homes and Playspace"

National Policies

National Planning Policy Guidance (NPPF) (February 2019)

Other Material Considerations

ECC Parking Standards
UDC Parking Standards
Essex Design Guide (2018 version)
Uttlesford Local Heritage List October 2018

8. PARISH COUNCIL COMMENTS

8.1 No response at time of drafting of report.

9. CONSULTATIONS

Ecology

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

Environmental Health

9.2 This is a revised application to one submitted under UTT/19/0107/FUL (and which was subsequently withdrawn). The application seeks consent for the demolition of an existing single detached dwelling and the redevelopment of the site to provide 3 new detached dwellings. The site is bounded by residential properties to the north, south and east. The M11 motorway is some 600m+ to the west of the site, and there is a railway line 220m to the east, beyond an existing residential estate. To the immediate rear (west) of the site are two floodlit tennis courts, a bowls club and recreational park.

9.3 Key transport noise sources are some distance from the site, with the M11 motorway some 600m+ to the west, and the railway line 220m to the east. Station Road will be a source of traffic noise, but it is noted that the proposed dwellings are set back in the plot beyond the proposed parking areas, and it is considered that standard double glazing should reduce internal noise impacts, whilst the dwellings will provide protection to the rear garden areas. The two floodlit tennis courts and recreational park are a further potential source of noise when used, although this is not incompatible with the existing established residential use in the area. It is noted that 2m high fencing is proposed to protect the gardens and standard double glazing will provide protection to internal areas. No specific noise related conditions are therefore considered necessary in respect of the application as proposed.

9.4 The current constraints mapping shows that the nearest potentially contaminative historic features are the railway line to the east, with a cemetery adjacent to it, and an area of unknown filled ground some 220m to the north-east. These are not considered significant in the context of the proposed development. The current use of the site is residential, although this does include a double garage

and annex building. In view of this and the proposed residential use of the site, it is recommended that the following informative is attached to any consent granted for this application:

- 9.5 The applicant is advised that it is their responsibility to ensure that final ground conditions are fit for the end use of the site. 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.

10. REPRESENTATIONS

- 10.1 30 letters were sent to occupiers of neighbouring properties. 7 written representations have been received. A summary of the points raised in the representations is:
- Lovely dwelling to be demolished adds to the character of the village
 - House should be retained and restored
 - Plans are inadequate
 - Proposed development would be overbearing and out of character
 - Loss of privacy
 - Garages too small
 - Site is at risk of flooding from surface water
 - Ditch at rear of site should be maintained by owner
 - Annex was used as a separate property and so two dwellings would be demolished
 - Design of proposed dwellings does not fit the area
 - Loss of wildlife on site
 - Proposal would be cramped development
 - Could cause traffic problems
 - Village overrun with four-bedroomed houses
 - Overshadowing
 - No consideration for the street scene
 - Owners are simply looking to maximise profit
 - Would be criminal to knock down this much admired house set in leafy grounds
 - Trees will be lost
 - Elsenham has taken more than its fair share of new housing developments
 - House and gardens have been in a state of poor repair for some time, new houses could only look better.

11. APPRAISAL

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

- A The principle of the development (Policies S3 and H3)
- B Appearance of the proposed houses in the street scene (Policy GEN2)
- C Merit of the existing house to appearance and character of the site and its setting; any status as a non-designated heritage asset (NPPF, especially paragraph 197)
- D Impact to neighbours (Policy GEN2)
- E Vehicular access and parking (Policies GEN1 and GEN8)
- F Amenity of future occupiers (Policy GEN2)

- G Nature conservation (Policy GEN7)
- H Housing mix (Policy H10)
- I Flood risk (Policy GEN3)

A The principle of the development (Policies S3 and H3)

- 11.1 The site is within the Defined Development Limit of Elsenham; the proposal is for residential development within a residential area.
- 11.2 Policy S3 states that within Key Rural Settlements, such as Elsenham, development compatible with the settlement's character and countryside setting will be permitted. Policy H3 states that infilling with new houses will be permitted on land in a list of defined settlements, which includes Elsenham, if the development would be compatible with the character of the settlement. Policy H3 goes on to say that windfall sites will be permitted if they meet all of a number of criteria.
- 11.3 The first criterion of Policy H3 is that the site comprises previously developed land. This is the case.
- 11.4 The second criterion is that the site has reasonable accessibility to jobs, shops and services by means other than the car. Elsenham is a sustainable location and as such the second criterion is met.
- 11.5 The third criterion is that existing infrastructure has the capacity to absorb further development. Whilst a number of written representations from neighbouring residents have questioned whether this is the case, infrastructure provision in a settlement the size of Elsenham is better than in many locations within the district and a reason for refusal on this basis would not be tenable.
- 11.6 The fourth criterion is that development would support local services and facilities. The addition of three households would support local services and facilities.
- 11.7 The site is not a key employment site.
- 11.8 The development would avoid making inefficient use of land.
- 11.9 Furthermore, the proposal meets a requirement of the NPPF, set out at section 11, of making effective use of land. Paragraph 117 of the NPPF states that planning decisions should promote an effective use of land in meeting the need for homes. The Council is not currently able to demonstrate a five housing land supply and the proposal would assist in some part to reach this objective.
- 11.10 The principle of the development is acceptable with regard to Policies S3 and H3.

B Appearance of the proposed houses in the street scene (Policy GEN2)

- 11.11 As referred to above, strategic policies require development to be compatible with a settlement's character. Policy GEN2 provides more detail as to this consideration stating that development will not be permitted unless its design meets all of a number of criteria.
- 11.12 The first criterion of Policy GEN2 is that the development be compatible with the scale, form, layout, appearance and materials of surrounding buildings. The

buildings immediately surrounding the site are a chalet style dwelling, with a front gable, to the south and a two-storey house, with a shallow front gable, to the north. More generally in the locality of the site there is a variety of appearances to dwellings though two-storey houses greatly predominate. Surrounding residential development generally fills the plot on which it sets far more than currently is the case on the application site though this varies somewhat. Having considered the setting to the site, the existing street scene it is thought that in broad terms the scale, form and appearance of the proposal is acceptable. The layout would be compatible with surroundings in that the three houses would face Station Road and conform to a front building line formed by existing built forms.

- 11.13 The second criterion is that the development should safeguard important environmental features in its setting. In this regard the hedge to the frontage of the site would be retained, though reduced in width to bring its extent back to the boundary of the property (drawing 18009 p02 revision d refers). For the reason of visual amenity, it is considered necessary that a condition be imposed requiring the retention of the hedge.
- 11.14 With regard to the appearance of the proposal within its street scene, the proposal is considered acceptable with regard to Policy GEN2.

C Merit of the existing house to appearance and character of the site and its setting; any status as a non-designated heritage asset (NPPF, especially paragraph 197)

- 11.15 A number of written representations from neighbours have commented that the existing house has merit and its demolition would be a loss. The existing house does have something of an arts and crafts style and is a substantial property of visual interest and has, it would appear, at one time have been a fine property. However, it is understood that the property has now been vacant for some two years and this is apparent to its appearance. The site is not in a Conservation Area and there is no entry for Elsenham on the Local Heritage List. Window frames on the front elevation have been replaced with what appears to be uPVC.
- 11.16 On balance it is considered that the scale of any harm from the loss of the existing built form is not sufficient to reasonably justify a reason or part of a reason for refusal of the proposal.

D Impact to neighbours (Policy GEN2)

- 11.17 The site has two immediate neighbours; Oak Lodge, to the north, and The Stocks, to the south. First floor windows on the rear elevations of the proposed houses would overlook the recreation ground to the west. There would be some first floor windows on flank elevations but these would be to bathrooms or other en-suite facilities and it could reasonably be required by condition that such windows be obscure glazed. There would be no overlooking of neighbours. Built form would be erected to the south of Oak Lodge closer to the common side boundary than there is built form now. However, the new built form would be some 4m from the rear elevation of Oak Lodge and only minimally deeper into its site than the depth of the rear elevation of Oak Lodge into its site. Due to positioning of proposed built form, isolation distances and orientation there would be no material loss of amenity to any neighbour with regard to loss of daylight, overbearing impact or overshadowing.

11.18 With regard to impact to neighbours, the proposal is acceptable with regard to Policy GEN2.

E Vehicular access and parking (Policies GEN1 and GEN8)

11.19 At the time of drafting this report no response had been received from the local highway authority. However, given that the proposed development would use an existing vehicular access the proposal is considered acceptable with regard to Policy GEN1.

11.20 The four bedroomed houses would require 2 parking spaces each to meet the relevant parking standard. This could be provided within the integral garages. Visitor parking could be accommodated on the shared drive, the paved area in front of the houses. The proposal is considered acceptable with regard to Policy GEN8.

F Amenity of future occupiers (Policy GEN2)

11.21 All the houses would have private amenity areas which would meet the relevant standard. Open plan kitchen, dining and living areas would be set at the rear of the houses, with access to the rear garden.

11.22 The houses would provide an environment which would meet the reasonable needs of all potential users and as such is acceptable with regard to Policy GEN2.

G Nature conservation (Policy GEN7)

11.23 Essex County Council, Place Services, Ecology has been consulted on the application and a written response has been received that there is no objection subject to securing biodiversity mitigation and enhancement measures. These can be secured by conditions.

11.24 The proposal is acceptable with regard to Policy GEN7.

H Housing mix (Policy H10)

11.25 Policy H10 states that all developments of three or more dwellings will be required to include a significant proportion of market housing comprising small properties. Explanatory text to this policy indicates that 2 and 3 bedroomed homes comprise small properties.

11.26 However, as stated at paragraph 4.10 of the emerging Local Plan, the 2015 Strategic Housing Market Assessment (SHMA) concluded that the majority of the need for market housing is for 3 and 4+ bedroom houses.

I Flood risk (Policy GEN3)

11.27 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 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.

12. CONCLUSION

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

- A** The site forms part of the built-up settlement of Elsenham and is within the defined development limit. There can be no objection in principle.
- B** The site is within a varied streetscene and the proposed design fits the general pattern formed by surrounding development.
- C** The existing property is not of sufficient merit to constitute a non-designated heritage asset.
- D** The proposal is acceptable with regard to impact to neighbours.
- E** Vehicular access and parking is adequate.
- F** Amenity for future occupiers would be adequate.
- G** The proposal is acceptable with regard to nature conservation.
- H** Housing mix could not form a reason for refusal.
- I** The proposal is acceptable with regard to flood risk.

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

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

3. 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 Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

4. Prior to first occupation of any dwelling hereby permitted, an electric car charging facility shall be installed in the garage and retained as such unless the written consent of the local planning authority is given to any alteration.

REASON: In the interest of sustainable development and in accordance with Policy GEN2 of the adopted Local Plan; Policies TA 2 and TA 3 of the Regulation 19 Local Plan; and, the provisions of the National Planning Policy Framework.

5. The existing hedge to the frontage of the site shall be retained at a height of not less than 2m in height.

REASON: In the interest of the retention of the appearance and character of the site and general visual amenity in accordance with Policy GEN2 of the adopted Local Plan and Policy D 1 of the emerging Local Plan.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the garage to any dwelling hereby permitted shall be retained such that it is available for parking and shall not be converted to residential accommodation without the prior written consent of the local planning authority.

REASON: To ensure that adequate parking is retained to the houses hereby permitted in accordance with Policy GEN8 of the adopted Local Plan.

7. Prior to first occupation any window above ground floor level and on a side elevation shall be obscure glazed and retained as such.

REASON: In the interest of the residential amenity of occupiers of neighbouring property, to avoid overlooking, in accordance with Policy GEN2 of the adopted Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 1, Class B (or any order revoking and re-enacting that Order with or without modification), no addition shall be made to the roof of a dwelling hereby permitted without the prior written consent of the local planning authority.

REASON: In the interests of visual amenity and of the residential amenity of occupiers of neighbouring property, in accordance with Policy GEN2 of the adopted Local Plan.

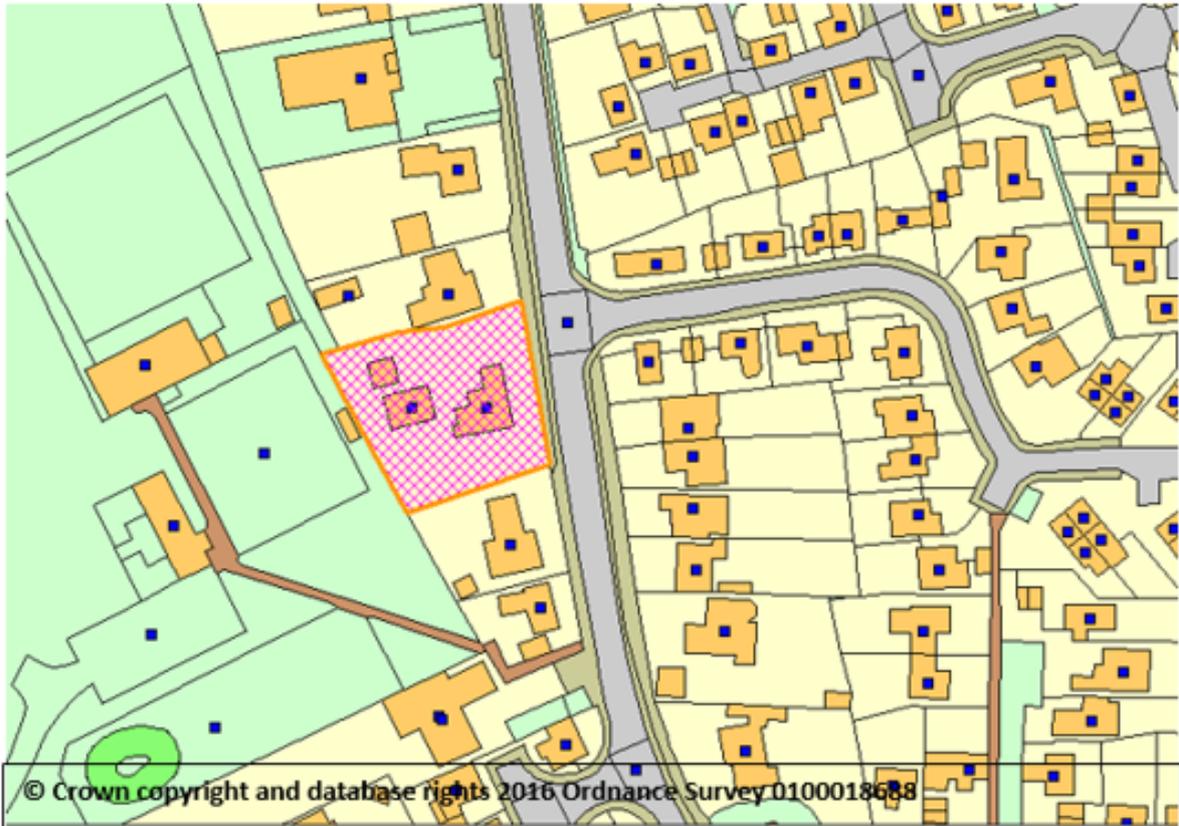
9. Prior to first occupation of any dwelling hereby permitted, all mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey Report (Essex Mammal Surveys, May 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination shall have been implemented. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance Protected and Priority species and allow the local planning authority 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 and species).

10. Prior to any dwelling hereby permitted being erected above slab level, a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 - a) Purpose and conservation objectives for the proposed enhancement measures;
 - b) Detailed designs to achieve stated objectives;

- c) Locations of proposed enhancement measures by appropriate maps and plans;
 - d) Persons responsible for implementing the enhancement measures;
 - e) Details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species/habitats and allow the local planning authority to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).



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|---------------|-----------------------------|
| Organisation: | Uttlesford District Council |
| Department: | Planning |
| Date: | 27 November 2019 |

UTT/19/2557/FUL - AYTHORPE RODING

(Referred to Committee by Cllr Susan Barker. Reason: The application is of far greater scale than the original application for a bungalow with bedrooms at first floor; plot too small for the size of proposal to be in keeping with adjoining houses; garage to the front of the property is not in keeping with the street scene; and, the build line is not sympathetic to the street scene)

PROPOSAL: Proposed new dwelling and garage (following outline approval UTT/17/2513/OP).

LOCATION: The New Farm House, Keeres Green, Aythorpe Roding

APPLICANT: Mr A White

AGENT: Mr Seb Walsh

EXPIRY DATE: 5th December 2019

CASE OFFICER: Jonathan Doe

1. NOTATION

1.1 Outside defined settlement limits

2. DESCRIPTION OF SITE

2.1 The site is formed by part of the curtilage of a detached house on the northern side of an unclassified road known as Keeres Green. To the west the road is also known as School Lane. The junction with Dunmow Road, part of the B184, is some 300m to the west.

2.2 Leaden Roding is about half a mile to the south.

3. PROPOSAL

3.1 Proposed new dwelling and garage (following outline approval UTT/17/2513/OP).

3.2 The application seeks full planning permission for a four-bedroomed detached house with an attached single garage.

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 documentation includes a design and access statement and a completed biodiversity checklist.

6. RELEVANT SITE HISTORY

- 6.1 UTT/17/2513/OP - Outline application with appearance, landscaping and scale reserved, for 1 no. dwelling and garage – Approved 23.01.2018

7. POLICIES

Uttlesford Local Plan (2005)

S7 – The Countryside
GEN1 – Access
GEN2 – Design
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
H3 – New Houses within Development Limits

Supplementary Planning Documents/Guidance

Uttlesford Local Parking Standards
ECC Parking Standards DGP09/2009
Essex Design Guide
Accessible homes and playspace

National Policies

National Planning Policy Framework

Other Material Considerations

Not applicable.

8. PARISH COUNCIL COMMENTS

- 8.1 The Parish Council objected to the outline application. The Parish Council continues to support the concerns of residents in this detailed application.
1. The planned house is much larger than the outline application. It would dominate the small plot and is out of keeping with the neighbouring properties.
 2. Placing a garage in front of the property will negatively impact the rural street scene.

9. CONSULTATIONS

Highways

- 9.1 Considering the site history and previous approved scheme UTT/17/2513/OP, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to measures addressing implementation of a parking/turning area and no unbound material for first 6m.

10. REPRESENTATIONS

- 10.1 A site notice was posted. 15 letters were sent to occupiers of neighbouring properties. 5 letters of objection have been received making points summarised below:

- modern design of proposal is not in keeping with the architecture of the hamlet
- spoils the spaced out design and atmosphere which is the most important aspect of the charm of this country hamlet
- built form too close to boundaries of its plot
- vehicular access would create a highway hazard
- a huge change from a bungalow
- zinc framed windows would be visually jarring
- garage sticks out bizarrely
- ugly front aspect is a consequence of trying to fit a double garage and a large house into a very narrow gap
- height would give an overbearing effect
- integral garages are not a feature of the area
- vehicle movements so close to boundary would be intrusive
- loss of sunlight to our property and our greenhouse would be overshadowed
- unsustainable location
- out of context in respect of its modern design
- no regard to the listed buildings which are seen in the immediate vicinity.

11. APPRAISAL

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

- A The principle of development, including the history of the site (Policies S7 and H3)
- B Design and affect to street scene (Policy GEN2)
- C Impact to neighbours (Policy GEN2)
- D Highway access and parking (Policies GEN1 and GEN8)
- E Nature conservation (Policy GEN7)
- F Amenity of future occupiers (Policy GEN2)

A The principle of development, including the history of the site

- 11.1 Outline planning permission, UTT/17/2513/OP, exists for a dwelling on the site. Whilst an indicative street scene drawing shows a chalet style dwelling, the decision notice refers to a dwelling; not to a bungalow. There is no condition requiring a bungalow type dwelling; a condition states that scale and appearance are reserved for later approval.
- 11.2 Policy S7 states that 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. There is no special reason why the development would need to be there. However, it is judged that the proposal would protect the rural character of the site and on balance not represent erosion to the existing character of the broader setting of the locality.
- 11.3 The plot is relatively narrow given its rural setting and the house would be well set back from the road, there would be a distance of some 17m between the front of the garage and the frontage to the site with the main front elevation of the house set back a further 5m. There is a hedge along much of the frontage. A house on this plot would fit the pattern of existing ribbon development being a typical infill plot and not look out of keeping with its setting in overall terms (design is discussed below).

- 11.4 The site is in a hamlet with no apparent services or facilities within easy reach. In relation to a recent (11th April 2019) appeal decision (APP/C1570/W/18/3206066) for a site at land adjacent to Cut Elms Farmhouse the Inspector commented, in paragraph 13, that Keeres Green is a small settlement with no apparent services or facilities within easy reach. Given the rural location of the site located some distance to any services and facilities, it is highly likely that future occupiers of the site would be mostly dependent upon the private car. However, given that outline planning permission has been granted, in February 2018, for a dwelling on the site, it is considered that a reason for refusal based on an unsustainable location could not be adequately substantiated at appeal.
- 11.5 Policy H3 states that windfall sites will be permitted if they meet all of a number of criteria.
- 11.6 The first criterion of Policy H3 is that the site should comprise previously developed land. This is the case; the site is part of a garden to an existing house.
- 11.7 The second criterion is that the site has reasonable accessibility to jobs, shops and services by modes other than the car. Whilst this is a debatable point, it is inescapable that the site was considered to be acceptable with regard to sustainability when outline planning permission was given for a dwelling. The policy context has not changed sufficiently since the date of that decision for any reason for refusal to be raised on the ground of an unsustainable location. Whilst the emerging Local Plan has changed its status somewhat, it is often referred to in Inspectors' decision letters that the emerging Local Plan is capable of being changed and so can only be given very limited weight.
- 11.8 The third criterion is that existing infrastructure has the capacity to absorb further development. Additional demand for infrastructure created by only one dwelling would be minimal. The application form states that foul sewage would be dealt with by a package treatment plant. The proposal is considered acceptable with regard to the third criterion.
- 11.9 With regard to the remainder criteria of Policy H3, the development would support local services and facilities; the site is not a key employment site; and, development would not make inefficient use of land.
- 11.10 The proposal would meet Government advice set out at paragraph 117 of the NPPF that planning decisions should promote an effective use of land in meeting the need for homes and other uses.
- 11.11 A 2.68 year housing land supply currently exists in the District, which represents a significant shortfall. The NPPF is clear that where a five-year supply of deliverable housing sites cannot demonstrated the presumption in favour of sustainable development, as set out under paragraph 11 of the Framework, is engaged. For decision making 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 Framework's policies taken as a whole.

B Design and affect to street scene (Policy GEN2)

- 11.12 The appearance of the front elevation of the proposed house would have a somewhat contemporary style with flat roofed front dormers to two first floor

windows and a flat roof to a porch accommodating the entrance door. External materials would be render to walls and tiles with the appearance of slates to the roof. The window frames would be of aluminium. A single storey rear bay would have a zinc finish where not glazed.

- 11.13 The house would be some 12m wide and the two-storey form would be some 8m deep. The garage would project, by some 5m, from the front elevation of the house. The house would have a two-storey front bay with gable end. The house would have a maximum height of 8.8m to the ridge of the roof, 4.3m to the eaves. The existing house at New Farm House has a maximum height of 9.1m.
- 11.14 Policy GEN2 states that development will not be permitted unless its design meets all of a number of criteria.
- 11.15 The first criterion is that it is compatible with the scale, form, layout, appearance and materials of surrounding buildings. The proposed house would be set between two houses with pitched roofs; the scale and form would be compatible with surrounding buildings. The layout would be compatible with surrounding buildings in that the front elevation of the house would be in line with the front elevation of the house at New Farm House and the front of the garage would be in line with the front elevation of the house at Clarendon House, the house to the left hand side when viewing the street scene. Comment has been made in representations from neighbours regarding materials but the main elements of the proposed house would be rendered walls and a slate tile roof. These materials would be compatible with surrounding buildings.
- 11.16 The appearance of the proposal and its affect to the street scene are considered acceptable with regard to Policy GEN2.

C Impact to neighbours (Policy GEN2)

- 11.17 The proposed house would have two neighbouring properties on adjoining plots; Clarendon House, to the west, and The New Farm House, to the east. The proposed house would be set 4m from the side boundary with Clarendon House. There is a close boarded fence on this boundary. The built form of the house at Clarendon House is separated from the common side boundary with the application site by a double garage. Due to orientation and isolation distances the proposal would have no material adverse impact to the occupiers of Clarendon House. The proposed house would be 4m from the common side boundary with the existing house at The New Farm House. Due to orientation and isolation distances the proposal would have no material adverse impact to the occupiers of The New Farm House.
- 11.18 The effect of the proposal in relation to any impact to neighbours is considered acceptable with regard to Policy GEN2.

D Highway access and parking (Policies GEN1 and GEN8)

- 11.19 The local highway authority, Essex County Council, has been consulted on the application and a response received in writing of no objection, subject to conditions. Accordingly the proposal is considered acceptable with regard to Policy GEN1.
- 11.20 The parking requirement for a house of four or more bedrooms is three parking spaces. This level of provision would be available in the form of an integral single

garage and two parking spaces between the proposed house and front boundary planting. Accordingly the proposal is considered acceptable with regard to Policy GEN8.

E Nature conservation (Policy GEN7)

11.21 The application documentation includes a completed biodiversity validation checklist which indicates that the site is of very limited biodiversity interest. At the site visit the site was seen to consist essentially of mown grass. Accordingly the proposal is considered acceptable with regard to Policy GEN7.

F Amenity of future occupiers (Policy GEN2)

11.22 The proposed dwelling would have a private amenity area of some 300 sq m with an outlook of agricultural land to the north. The design of the proposed houses is such that they would provide an environment which would meet the reasonable needs of all potential users.

12. CONCLUSION

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

- A** This is a brownfield site with outline planning permission for a dwelling and the proposal would infill between two adjoining house plots; the proposal cannot be said to be unacceptable in principle.
- B** The house has insignificant elements of contemporary design but overall its mass, form and positioning are such that it would be acceptable within its street scene.
- C** There would be no material adverse impact to any neighbour.
- D** The local highway authority has raised no objection to the proposal and parking provision is acceptable.
- E** The proposal is acceptable with regard to ecological matters.
- F** The proposal would create a dwelling with a high degree of amenity for future occupiers.

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

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

3. The dwelling 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

4. Prior to first occupation of the house hereby permitted, an electric car charging facility shall be installed in the garage and retained as such unless the written consent of the local planning authority is given to any alteration.

REASON: In the interest of sustainable development and in accordance with Policy GEN2 of the adopted Local Plan; Policies TA 2 and TA 3 of the emerging Local Plan; and, the provisions of the National Planning Policy Framework.

5. Prior to first occupation landscape works, as shown on approved drawing 19 130 02 revision B, 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.

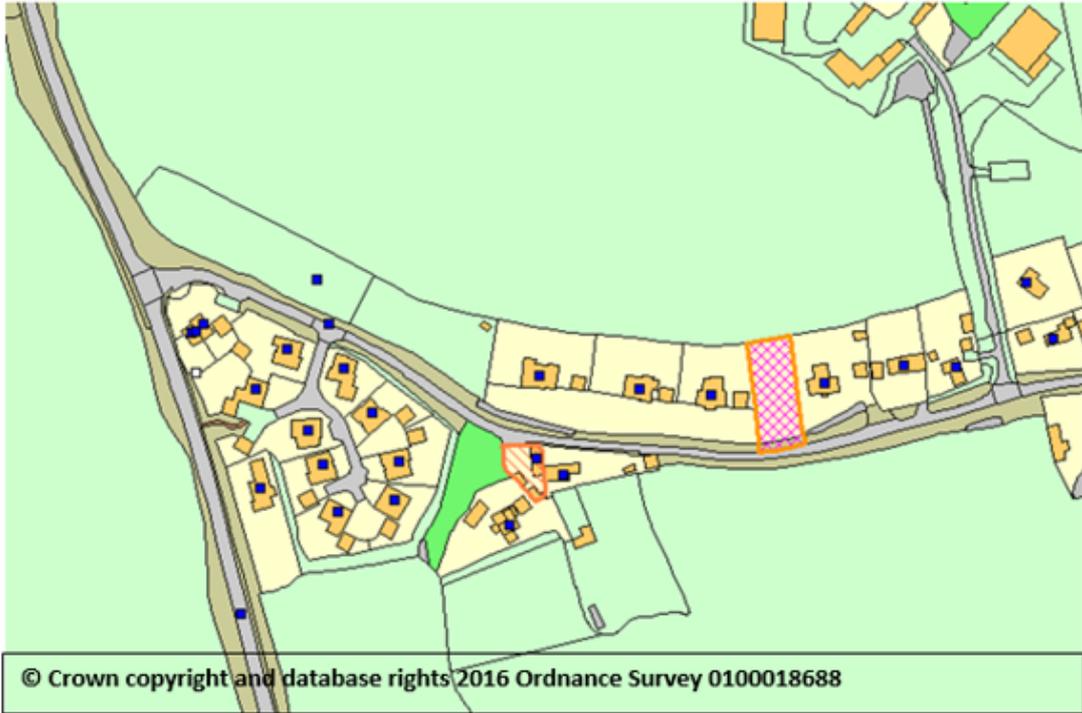
REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

6. Prior to the occupation of the development the access arrangements, vehicle parking and turning area as indicated on DWG no. 19 130 02 Rev. B shall be provided. The access, parking and turning area shall be retained at all times for their intended purpose.

REASON: To ensure that appropriate access, parking and turning is provided.

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.



Organisation: Uttlesford District Council
Department: Planning
Date: 02 December 2019

UTT/19/2452/FUL - STEBBING

(Referred to Committee by Cllr Evans. Reason: inadequacy of parking and garaging provision (1 x 4 bed and 1 x 3 bed dwelling))

| | |
|----------------------|---|
| PROPOSAL: | Demolition of shed and erection of 2 no. residential dwellings with vehicular accesses and associated parking. |
| LOCATION: | Land Adj 5 Pound Gate, Stebbing |
| APPLICANT: | Mr Rich-Jones |
| AGENT: | Mr Chris Wragg, Arcady Architects Ltd |
| EXPIRY DATE: | 23rd December 2019 |
| CASE OFFICER: | Rachel Beale |

1. NOTATION

- 1.1 Within development limits. Within 250m of Local Wildlife Site.

2. DESCRIPTION OF SITE

- 2.1 The site is located along the northern edge of Pound Gate between the residential dwelling houses of Daisy Cottage (to the east) and no 5. Pound Gate (to the west). The application is predominantly square in shape with a slight cross fall from west to east. The site is accessed directly off 'Pound Gate' through an existing vehicular access point central to the southern boundary. The site is overgrown and in the centre is a small unused green house, shed and garage. The northern boundary is defined by a mature hedgerow that extends along the rear of the properties and divides the dwellings from the agricultural fields to the north.

3. PROPOSAL

- 3.1 Full planning permission is sought for the erection of two detached dwelling houses. Plot 1 would have four bedrooms. Plot 2 would have three bedrooms. Each dwelling would be provided with an attached garage and driveway parking to the front.

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
 - Transport Statement

- Sustainable Construction Checklist
- Design & Access Statement
- Biodiversity Checklist

6. RELEVANT SITE HISTORY

- 6.1 UTT/0263/95/FUL - Change of use of builder's yard to residential, erection of garage, greenhouse and shed. Approved.

7. POLICIES

Uttlesford Local Plan (2005)

- 7.4 Uttlesford District Local Plan 2005
- S3 Other Development limits
 - GEN1 Access
 - GEN2 Design
 - GEN6 Infrastructure
 - GEN7 Nature Conservation
 - GEN8 Vehicle Parking Standards
 - H3 New Houses within Development Limits
 - H9 Affordable Housing
 - H10 Housing Mix
 - SPD Lifetime Homes
 - SPD Parking

Supplementary Planning Documents/Guidance

- 7.5 Uttlesford District Regulation 19 Local Plan
- SP9 Development within Development Limits
 - D3
 - TA3

National Policies

- 7.6 National Policies
- National Planning Policy Framework
 - Planning Practice Guidance

Other Material Considerations

Essex Parking Standards – Sept 2009

8. PARISH COUNCIL COMMENTS

- 8.1 Whilst we do not object to this application, we are very concerned at its being directly opposite the T-junction with Gardenfields, and so are asking our District Councillor to request it be called in and a site visit carried out, if it is likely to be approved by officers.

There appears to be inadequate provision for parking within the house boundaries and any vehicles parked on the access road would cause severe inconvenience to other residents.

We suggest the garages be replaced with open sided cart sheds as the shown garages appear to be too small to accommodate many modern style cars.

9. CONSULTATIONS

Essex County Council Highways

- 9.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to conditions.

Essex County Council Ecology

- 9.2 No objection subject to securing biodiversity mitigation and enhancements.

The proposals are limited in scale/scope and are unlikely to impact designated sites, and protected & Priority species & habitats although the new access requires removal of two trees.

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, ecological surveys are not required as we are satisfied that there is sufficient information to support determination of this application.

We recommend however that precautionary mitigation measures should be undertaken for this application for birds and mobile mammals, which has been outlined via the informative below. These should therefore be appended to any consent issued.

The planning system should aim to deliver overall net gains for biodiversity (enhancements), as laid out in the National Planning Policy Framework and other planning policy documents. Therefore, it is recommended that biodiversity enhancements are included with this application. This could include installation of boxes for bats or birds (such as swift brick/nest boxes), and an insect/bee house. This will ensure measurable net gain for biodiversity, which will meet the requirements of Paragraph 170d of the National Planning Policy Framework 2019. This should be secured by a condition of any consent via a Biodiversity Enhancement Layout.

10. REPRESENTATIONS

- 10.1 Three representations have been received neither objecting to nor supporting the proposed development. The summary of the representations are as follows:

1. Concerns about an existing fence being removed
2. Concerns that not enough parking is proposed
3. Concerns over disruption caused by construction vehicles

The Officer comments on these representations are as follows:

1. This is not a material planning consideration
2. This is addressed in the following report

3. This is not a material planning consideration

11. APPRAISAL

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

- A Principle of development (S3, H3, NPPF)
- B Character and appearance (S3, H3, GEN2, NPPF)
- C Transport (GEN1, GEN8, NPPF)
- D Accessibility (GEN2)
- E Amenity (GEN2, NPPF)
- F Biodiversity (GEN7, NPPF)
- G Affordable housing (H9)

A Principle of development (S3, H3, NPPF)

- 11.1 The Local Plan identifies the site to be within Stebbing's settlement limits and so Local Plan Policy S3 applies. The principle of development on the site will be established if the development's design and scale respects the immediate character and setting.
- 11.2 The proposal will develop a piece of land situated between existing residential dwellings, meaning Local Plan Policy H3 applies. This policy permits infilling on land within Stebbing if the development would be compatible with the settlement.
- 11.3 Paragraph 118 of the NPPF encourages the effective use of land and requires decisions to "promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing". It also gives substantial weight to the use of value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- 11.4 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 '5-Year Land Supply Statement October 2019', the Council's housing land supply is currently 2.68 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.
- 11.5 Therefore, on balance, the proposed scheme is seen to accord with the NPPF and comply with Local Plan Policies S3 and H3 of the Uttlesford Local Plan 2005.

B Character and appearance (S3, H3, GEN2, NPPF)

- 11.6 The scale of the proposed dwelling houses respect the scale of the surrounding dwellings and be sympathetic to the street scene. The architectural features and materials will reference existing dwellings within the settlement and protect the local character. In addition, taking into account The Essex Design Guide, a non-adopted but useful guidance document, the design of the buildings are considered to reflect the Essex vernacular. It is therefore considered that the proposed development

accords with the above policies in so much as they relate to character and design.

C Transport and Parking (GEN1, GEN8, NPPF)

11.7 The site's location within the village of Stebbing ensures that the occupants of the proposed dwellings would have access to a small range of services and facilities without the need of a car and so it is therefore considered that the proposal meets the sustainable transport objectives of Policy GEN1 and paragraph 103 of the NPPF

11.8 The Highway Authority have stated that “the impact of the proposal is acceptable”, subject to conditions. The garages provided would meet the required sizes of the adopted Essex Parking Standards, as would the hardstanding bays to the front of the dwellings, therefore ensuring that the total parking provision would be compliant. It is therefore concluded that the proposal accords with the above policies and guidance insofar as they relate to parking.

D Accessibility (GEN2)

11.9 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, NPPF)

11.10 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 Biodiversity (GEN7, NPPF)

11.11 Policy GEN7 of the Local Plan states that development that would have a harmful effect on wildlife will not be permitted unless the need for the development outweighs the importance of the feature of nature conservation. Where the site includes protected species, measures to mitigate and/or compensate for the potential impacts of development must be secured.

G Affordable housing (H9)

11.12 Local Plan Policy H9 seeks an element of affordable housing on a site by site basis. This has been effectively superseded by paragraph 63 of the NPPF which states that the provision of affordable housing should not be sought for residential developments which are not major developments. The proposal qualifies as a small scale (minor) development of 10-units or less and there are no other material circumstances that indicate that it would be justifiable to seek a contribution for affordable housing.

12. CONCLUSION

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

- A** The principle of the development is deemed to be appropriate in that it would be and sustainable development and acceptable in terms of design, layout, amenity, access and parking arrangements, in accordance with local and national planning policies.

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 dwellings 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.

3. The external finishing materials shall be as specified on the submitted plans and application form. Where alternative materials be sought the details of such materials shall be submitted and approved in writing by the Local Planning Authority prior to any works commencing on site. The works approved shall be constructed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to secure a high quality of design and appearance in accordance with Policy GEN2 of the Uttlesford Local Plan 2005.

4. Prior to slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Policy GEN7 of the Uttlesford Local Plan 2005.

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

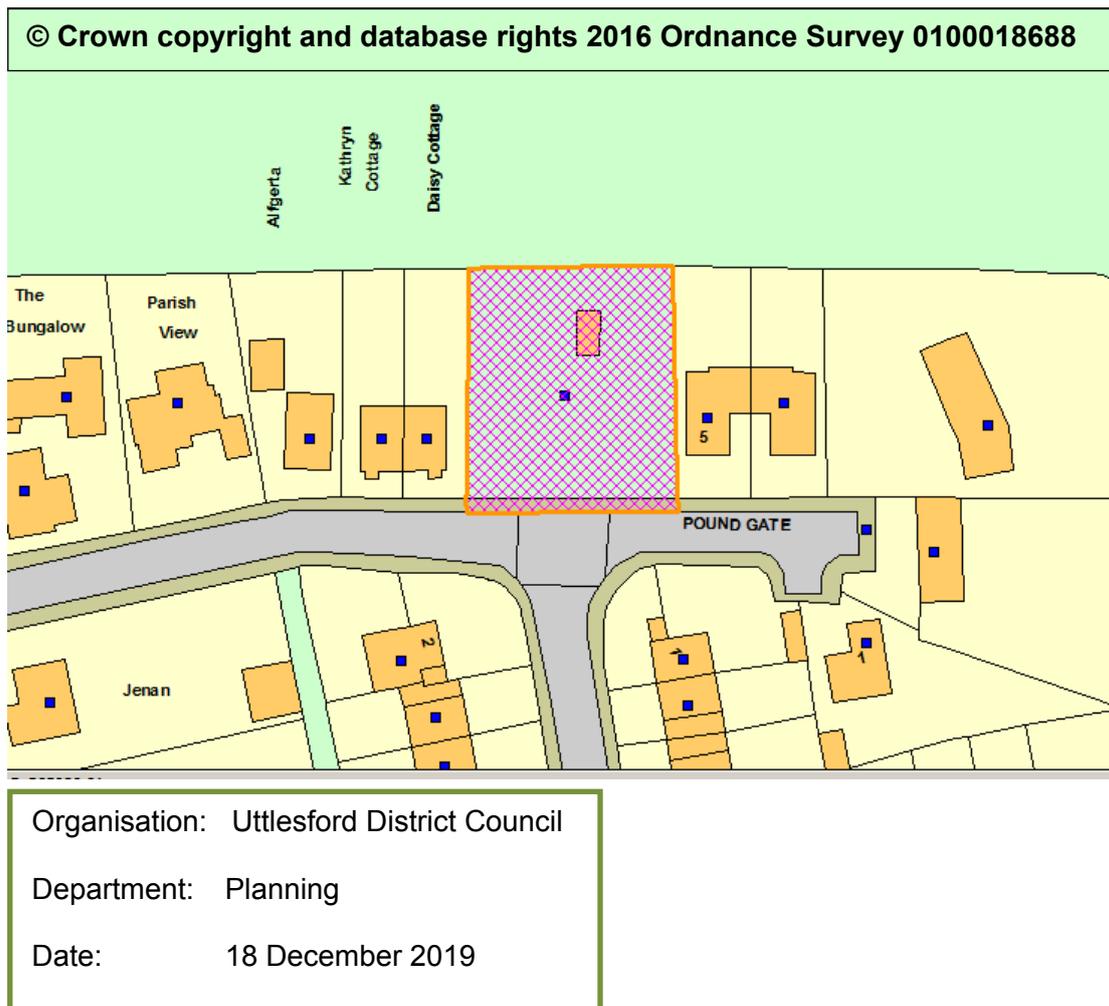
Reason: To ensure that appropriate access and parking is provided, in accordance with Policy GEN1 and GEN8 of the Uttlesford Local Plan 2005.

6. 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, in accordance with Policy GEN1 of the Uttlesford Local Plan 2005.

7. Any redundant 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 verge / footway / kerbing within one month of the proposed new access is brought into first beneficial 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 Policy GEN1 of the Uttlesford Local Plan 2005.



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UTT/19/1064/DFO – NEWPORT

(Major Application)

PROPOSAL: Details following outline application UTT/15/0879/OP for 12 dwellings (allowed on appeal under reference APP/C1570/W/15/3137906) Details of Layout, scale, appearance and landscaping

LOCATION: Land At Holmwood, Whiteditch Lane, Newport

APPLICANT: Mr & Mrs Stringer

AGENT: GF Planning Limited

EXPIRY DATE: 20th December 2019

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Outside Development Limits,

2. DESCRIPTION OF SITE

2.1 The application site is at the northern end of Whiteditch Lane, it is rectangular in shape and occupied by a bungalow, its garden, stables, a manege and a series of paddocks. The south is bounded by tree belt and woodland area. The northern and western parts comprised of detached residential buildings facing Whiteditch Lane; whilst the eastern side comprised of playing fields of Newport Grammer School.

3. PROPOSAL

3.1 This application considers the reserved matters following outline application UTT/15/0879/OP for 12 dwellings (allowed on appeal under reference APP/C1570/W/15/3137906) this includes; layout, scale, appearance and landscaping. The details of access to the site has already considered and allowed under the above planning application.

3.2 The proposal will include the following:

3.3

| Plot | House Type | Bedrooms | Garden | Parking |
|------|-------------------------|----------|----------|---------|
| 1 | Detached, Two Storey | 5 | 100sqm + | 3 |
| 2 | Detached, Two Storey | 5 | 100sqm + | 3 |
| 3 | Detached, Two Storey | 5 | 100sqm + | 3 |
| 4 | Detached, Two Storey | 5 | 100sqm + | 3 |
| 5 | Detached, Bungalow | 3 | 100sqm+ | 3 |
| 6 | Semi Detached, Bunglaow | 2 | 50sqm+ | 2 |
| 7 | Semi Detached, Bungalow | 2 | 50sqm+ | 2 |
| 8 | End Terrace, Two Storey | 3 | 100sqm+ | 2 |
| 9 | Mid terrace, Two Storey | 2 | 50sqm+ | 2 |
| 10 | End Terrace, Two Storey | 2 | 50sqm+ | 2 |
| 11 | Detached, Two Storey | 4 | 100sqm+ | 3 |

| | | | | |
|----|----------------------|---|---------|---|
| 12 | Detached, Two Storey | 4 | 100sqm+ | 3 |
|----|----------------------|---|---------|---|

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 planning 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.

6. RELEVANT SITE HISTORY

- 6.1 UTT/15/0879/OP.
Outline application for the erection of 12 no. dwellings with all matters reserved except access.

Allowed on appeal under reference APP/C1570/W/15/3137906 (23/5/2019).

7. POLICIES

7.1 National Policies

National Planning Policy Framework (2019)

7.2 Uttlesford Local Plan (2005)

Policy S7 – The countryside
Policy GEN2 – Design
Policy GEN4- Good Neighbourliness
Policy GEN8- Vehicle Parking Standards
Policy H10- Housing Mix
ENV3- Open Space and Trees

7.3 Supplementary Planning Documents/Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council parking Standards (2006)
Supplementary Planning Document- Accessible homes and play space homes
Essex Design Guide

7.4 Emerging Plans

Uttlesford Emerging Local Plan
Newport, Quendon and Rickling Emerging Neighbourhood Plan

8. PARISH COUNCIL COMMENTS

- 8.1 Concerns raised that this application has been submitted for review as significant information is missing. There is no indication of the plans for surface water or foul drainage, there does not appear to be any detail on road widths or swept path analysis and judging by the trees indicated in the site plan the sight lines at the entrance to the site appear to be inadequate from a safety perspective. The number of parking spaces per dwelling is not shown. Therefore we concur with ECC SUDS team and wish to submit a holding objection until such time as sufficient information is made available to fully assess the application fully.

9.0 CONSULTATIONS

The Highways Authority

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

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

1. No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking 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.

2. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

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.

Anglian Water

- 9.2 No comments/ objections

Ecology

- 9.3 We have reviewed the submitted landscape documents (Liz Lake Associates, April 2019), provided by the applicant for this application. In addition, we have reassessed the Ecological Report (Jones and Sons Environmental Ltd, 2015), relating to the likely impacts on designated sites, protected and priority species / habitats.

We approve of the submitted landscape scheme, but query whether any aquatic planting will be undertaken within the wildlife pond, as well as, how this feature will be managed. We note that the Appeal Decision has included the following condition for a Biodiversity Management Plan:

Condition 10) No development shall take place until a Biodiversity Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall be in accordance with the Phase 1 Ecology Report (Jones and Sons Environmental, January 2015) and should include: a description and evaluation of features to be managed; ecological trends and constraints on site that might influence management; aims and objectives of management; appropriate management options for achieving the aims and objectives of the project; prescriptions for management actions; a work schedule (including an annual work plan capable of being rolled forward over a five year period); details of the body or organisation responsible for implementation of the plan; and ongoing monitoring and remedial measures. The plan shall include details of the legal and funding mechanisms by which the long term implementation of the plan will be secured by the developer with the management body responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the plan are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The development hereby permitted shall be implemented in accordance with the approved Biodiversity Management Plan.

Therefore, it is considered appropriate that any details regarding the wildlife pond could be set out within the Biodiversity Management Plan. In addition, we request that the ecological enhancement measures, as proposed within the Ecological Report (Jones and Sons Environmental Ltd, 2015) should also be outlined within this document, as this will ensure that this application delivers measurable net gains for biodiversity, as outlined within paragraph 170d of the NPPF.

Aerodrome Safeguarding

9.4 No Objections

Crime Prevention Officer

9.5 Whilst there are no apparent concerns with the layout however to comment further we would require the finer detail 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 the development are agreed prior to a planning application.

SUDs

9.6 Dated 23/8/2019
Having reviewed the Flood Risk Assessment and the associated documents which

accompanied the planning application, we do not object to the granting of reserve matter planning permission ref UTT/19/1064/DFO. It is in line with the outline planning application and as such should be subject to the same condition as applied to outline application (UTT/15/0879/OP). The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Drainage strategies and the documents submitted with this application are implemented as approved. Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

County Archaeology Officer

9.7 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 and the Historic Environment Characterisation study indicate that the proposed development lies within a potentially sensitive area of heritage assets. The proposed development lies just outside the suggested limits of the medieval town and in close proximity to the potential site of Newport castle (EHER 7307, 234). Recent trial trenching to the north of the site has identified Late Bronze Age, Early Iron Age and Roman occupation (EHER 49066, 48597, 49074). Multi-period archaeological features are therefore likely to be preserved.

10 REPRESENTATIONS

10.1 1 letter of objection has been received, comments include:

10.2 The application has insufficient details in regards to:
Drainage,
Insufficient parking,
No turning areas for large vehicles,
The hedges removed from the site should be replaced,
The footpath to the side of the site should not be obstructed,
The byway will require further upgrading,
A further ecology survey should be undertaken and conditions imposed.

10.3 All material planning merits will be considered in the following report.

10.4 The following paragraphs addresses the comments received.

10.5 Drainage and flooding is not a consideration in the reserved matters application, condition imposed on the outline planning permission UTT/15/0879/OP. The local leads flood authority (SUDs) have not made any objections.

10.6 Details of the access to the site and surveys of Whiteditch Lane prior and post development of the site are not a consideration in this reserved matters application. have been set out as conditions to the outline planning permission -

UTT/15/0879/OP.

- 10.7 Parking provisions for the dwellings are set out on the site plan, this is considered in this report.
- 10.8 Conditions recommended by the ecology officer are imposed on the outline planning permission UTT/15/0879/OP.
- 10.9 Conditions recommended by the archaeology officer are imposed on the outline planning permission UTT/15/0879/OP.

11 The issues to be considered in the determination of this application are

- A Layout of the development , including the design, impact to amenity and Parking (ULP Policies GEN2, GEN4, GEN8, ENV13 Essex Design Guide, UDC Local Residential Parking Standards, NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan and the emerging Uttlesford Local Plan)
- B Scale and appearance of the development, including the design and impact to amenity, (ULP Policies S7, GEN2, H10, Essex Design Guide, UDC Local Residential Parking Standards, NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan)
- C Landscaping(ULP Policies S7, GEN2, ENV3 and the NPPF)
- D Nature Conservation (ULP Policy GEN7);
- E Any other material considerations

A Layout of the development , including the design, impact to amenity and Parking (ULP Policies GEN2, GEN4, GEN8, ENV13 Essex Design Guide, UDC Local Residential Parking Standards, NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan and the emerging Uttlesford Local Plan)

- 11.1 The development will include a layout that will provide an appropriate siting of the dwellings, garage and provision within the site. The layout of the development provides sufficient distance and space between the properties and ensure the site is not overdeveloped or have a cramped appearance. The layout of the scheme ensures the properties will have sufficient private amenity space in accordance with the Essex Design Guide; this is contributed by the distance between properties and landscaping features.
- 11.2 The adopted Uttlesford Local Residential Parking Standards require two or three bedroom dwellings should include two off street parking spaces and four bedrooms and above should include three off street parking spaces. It is considered sufficient parking spaces have been proposed and in accordance with these adopted standards. Also the proposal would need to comply with accessible and adaptable dwellings M4(2) of the Building Regulations 2010. Approved Document M, Volume 1 2015 edition and 2016 amendments. Also in respect to Part M4 (2) paragraph 2.12 relating to car parking, in order to comply with the building regulations, as such this should be conditioned if approved.
- 11.3 In terms of layout a number of the parking spaces are in a tandem design this would be compatible with other large approved residential schemes and although not an ideal parking layout it does not give rise to any concerns in regards to on-street parking. Furthermore, three visitor parking spaces will be provided within the development, although the number of visitor spaces is not in accordance with the Essex County Council Parking Standards the layout of the site is not restrictive and a number of the dwellings have additional space for off street parking. The emerging

Uttlesford Local Plan TA2 considers the requirement of electric charging points. It is stated within this policy that houses require one charging point per house with a drive or garage, this will help mitigate the impact of increasing As such the provision of the one charging point per dwelling is not unreasonable and therefore a condition for this provision should be imposed. This is also complaint with the aims of ULP Policy ENV13 and paragraph 105 of the NPPF.

- 11.4 Refuse collection is proposed from within the site, with refuse vehicles travel in forward gear, with room within the site for refuse vehicles to turn and exit the site in forward gear. Each dwelling is within the maximum collection and drag distances prescribed.
- 11.5 The separation distances between the proposed dwellings and the existing neighbouring dwellings ensure the development will not result in any loss of light, overshadowing that will have a harmful impact to neighbouring occupiers.
- 11.6 ULP Policy GEN2 also considers the impact to neighbouring properties in regards to loss of light, over shadowing, overlooking and loss of privacy. The site plan submitted shows that the proposed dwellings as sited are unlikely to give rise to a significant loss of residential amenity to adjacent dwellings. Sufficient distance between the dwellings and the existing dwelling outside the application site to not result in any harmful impact to neighbours private amenity.
- 11.7 The housing enabling officer has made no objections to the layout of affordable housing. Therefore the development is considered the proposal accords with ULP Polices H10.
- 11.8 The introduction of the dwellings will result in an increase of noise and disturbance, mainly due to the increase of vehicular movement within the site, that being said this would be consistent to the other residential development along Whiteditch Lane. As such I do not consider the disturbance would be of a significant level that will result in a material harmful impact to the amenity of the existing neighbouring occupiers. As such the proposal is in accordance with ULP Policy GEN4
- 11.9 Taking into regards the details set out in the above paragraphs it is considered layout of the development is appropriate and in accordance with ULP Policies S7, GEN2, GEN4, GEN8, H10, ENV13, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan)

B Scale and appearance of the development, including the design and impact to amenity, (ULP Policies S7, GEN2, H10, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan (NQRNP)

- 11.10 Policy GEN2 considers the design of the development to ensure the development is compatible with its surroundings, while one of the main objectives of the emerging NQRNP is to ensure housing is of a high quality design and that outside of the conservation area more variety of designs should be used. The scale of the dwellings are considered appropriate and will include a mixture of larger detached dwellings, smaller terrace dwelling and bungalows. The scale of the dwellings are not dominant or intrusive in the setting of the site or its surroundings. Whiteditch Lane includes a number of new residential developments, it is considered the scale of the development including the scale of the dwellings within the site are compatible with the neighbouring residential development and therefore would not

be out of place or harmful to the character of the site.

- 11.11 As shown on the submitted plans the proposed dwellings are two storeys and will include the use of external materials that will be considered acceptable in this location, that being said a condition should be imposed for the submission of further details of the materials. The scale and appearance of the dwellings are not considered to be adversely intrusive or dominant in the street scene or surrounding area.
- 11.12 The housing enabling officer has made no objections to the scale of affordable housing. Therefore the development is considered the proposal accords with ULP Policies H10.
- 11.13 As such taking due consideration of the above it is considered the proposed development includes an acceptable scale and appearance and in accordance with ULP Policies GEN2 and GEN8, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF.

C Landscaping (ULP Policies S7, GEN2, ENV3 and the NPPF)

- 11.14 Landscaping details have been submitted with the application, this includes post and rail fencing to the north, east and south boundary and some close board fencing to the west boundary to provide privacy for the neighbouring properties. Planting, soft landscaping details and the provision of small play area have been provided. The Council's Landscape Officer has been consulted, no objections of further recommendations have been made. As such it is considered the proposed landscape details are appropriate in the context of the site and surrounding area.
- 11.15 Between the north and south of the site of the application site there is significant vegetation and trees which provide further mitigation and privacy between the two sites a landscaping condition should be included to ensure further enhancement is made. As such taking into consideration the details above it is considered the development will not create any loss of privacy that will have a harmful impact to the amenity of existing neighbouring occupiers. Taking into consideration the details set out in the application the landscaping details are considered appropriate and accords with Policies S7, GEN2, ENV3 and the NPPF

D Protected species and biodiversity (ULP Policy GEN7 and ENV8)

- 11.16 Policy GEN7 and paragraph 174 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species. Policy ENV8 requires the protection of hedgerows, linear tree belts, and semi-natural grasslands. A protected species survey was submitted with the approved outline planning application, no objections have been made by the ecology officer subject to conditions. It is advised these condition have been imposed on the allowed outline application and therefore do not need to be duplicated. As such it is considered the proposed development will not have a harmful impact on protected species or biodiversity and is in accordance with Policy GEN7 and the National Planning Policy Framework.

E Any other material considerations

- 11.17 The following policies are included in emerging Local Plan submission and therefore have been considered in the assessment of the application; these policies hold

some limited weight.

SP10- Protection of countryside
D1- High quality design
EN8- Protecting the natural environment
EN17- Air Quality
EN19- Noise sensitive development
H2- Housing Mix
EN10- Open spaces
TA2- Sustainable Transport

12 CONCLUSION

- A The layout, scale and appearance of the development is acceptable. No significant loss of residential amenity will arise from the proposals. The amenity areas and parking provision are appropriate and complies with Policies GEN2 and GEN8. The housing mix for the development is also considered acceptable (ULP Policy H10)
- B The landscaping details are considered appropriate for the site and therefore accords with ULP Policies S7, GEN2, and ENV3.
- C The submitted layout plan shows that impacts on residential amenity are likely to be insignificant and therefore accords with ULP Policies GEN2 and GEN4.
- D The proposal would not be harmful to protect/priority species subject to accordance of conditions imposed on the outline planning application (ULP Policy GEN7).

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 No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking 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 and in accordance with ULP Policy GEN1.
- 3 Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.
REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity ULP Policy GEN1.
- 4 A minimum of a single electric vehicle charging point shall be installed at each of the houses. These shall be provided, fully wired and connected, ready to use before first occupation.

REASON: The requirement of the charging points are required to mitigate the harm

for poor air quality due to the increase in vehicle movement and being within and in accordance with ULP ENV13, TA2 of the emerging local plan and the NPPF

- 5 The dwellings hereby approved 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

- 6 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:

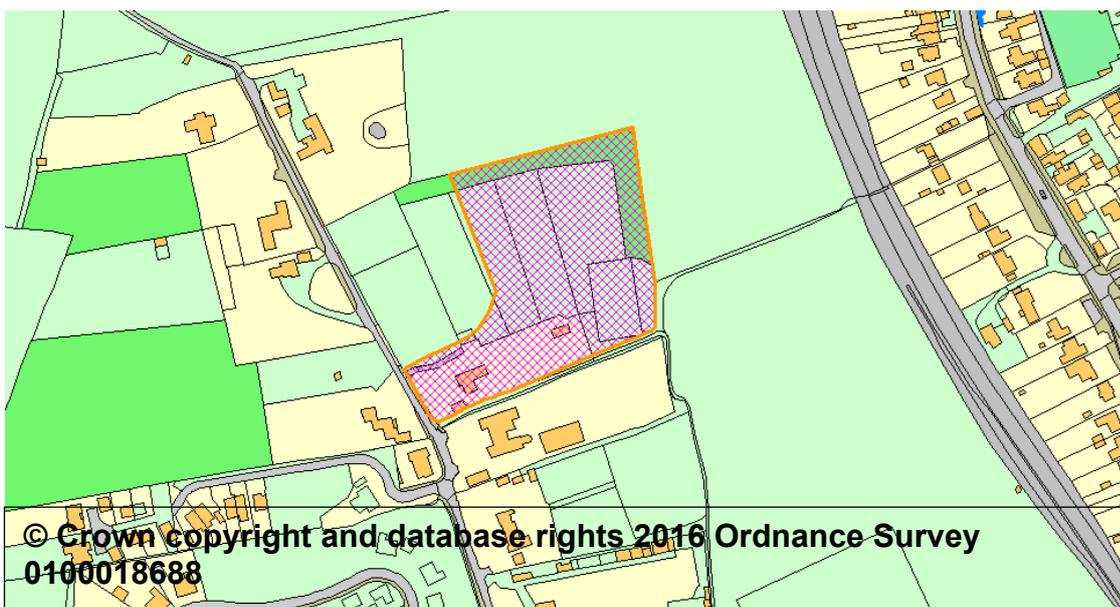
- Walls
- Roof
- Windows
- Doors

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 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

- 7 The landscaping shall be carried out strictly in accordance with the details shown on drawing nos. 2556 01, 2556 02, and 2556 03, unless otherwise agreed in writing by the local planning authority.

REASON: The use of this pre commencement condition is required to ensure compatibility with the character of the area in accordance with Policy S7 of the Uttlesford Local Plan (adopted 2005)



Organisation: Uttlesford District Council

Department: Planning

Date: 19th November 2019

UTT/19/2022/FUL - WIMBISH

This application has come to Committee due to the fact that the applicant is related to a member of staff employed by Uttlesford District Council

PROPOSAL: Change of use of Holiday Let to 1 no. Dwelling.

LOCATION: Midden, Top Road, Wimbish, CB10 2XJ

APPLICANT: Mrs J Mawson

AGENT: Mrs Lucy Carpenter

EXPIRY DATE: 11th October 2019

CASE OFFICER: Matt Cranitch

1. NOTATION

1.1 Outside Development Limits,

2. DESCRIPTION OF SITE

2.1 The application site lies on the south side of Top Road and to the east of Wimbish Green. It is accessed by a road that runs north to south off Top Road. Warners Farmhouse lies to the immediate west of this access road. There is an outbuilding belonging to Warners Farmhouse adjacent to this road north west of the site. The access road leads to a concrete hardstanding apron used for parking and turning. A detached barn building forms the southern boundary of the apron which is also under the applicant's ownership. To the east and north east of this barn building sits the application building. The application building is an L shaped, single storey, black painted, weather boarded building which is currently used as a holiday let. To the south of the application building is meadow. To the east and north is mown lawn. To the west is the concrete hardstanding apron.

3. PROPOSAL

3.1 This application is for the change of use of the application building from a holiday let to a single dwelling. There is no proposed change to the built form of the existing building. The existing access will serve the dwelling and off street parking will be provided.

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 planning statement incorporating a design and access statement to support 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 included in the application:
Biodiversity Checklist

6. RELEVANT SITE HISTORY

- 6.1 UTT/0111/07/CLE – Certificate of lawfulness for use of land as garden. Refused. The evidence and plans were incorrect.
- 6.2 UTT/1296/08/CLE- Certificate of lawfulness for use of land as garden. Granted.
- 6.3 UTT/12/5728/FUL & UTT/13/2394/FUL- Change of use of buildings and land associated with dwelling house together with holiday let to dwelling. Both refused on the grounds of being contrary to Policy H6, buildings of insufficient merit and alternative uses have not been explored.
- 6.4 UTT/14/1371/FUL- Change of use of annex outbuilding to holiday let with 2 no. single storey extensions. Approved with conditions, including short stay holiday lets only, maximum period of four weeks in any six-month period calculated from the first day of occupation by that person.
- 6.5 UTT/15/3512/FUL- Erection of new dwelling, garage, drive and crossover, land North of 'The Midden'. Refused and dismissed at appeal on the grounds that it had not been demonstrated that the Council did not have a 5 year housing supply; it does not represent infilling; the new access as well as the bungalow would urbanise the rural area; it would not represent sensitive infill; it would intensify the existing isolated and sporadic built development in the vicinity; it is physically and functionally remote from a discernible settlement.
- 6.6 UTT/16/3618/FUL- Erection of cart lodge and vehicular access. Refused on the grounds of cumulative impact with existing buildings on the site would result in a cramped and urbanising appearance.
- 6.7 UTT/17/1210/FUL- Construction of new access to serve holiday let and paddock. Refused on the grounds of depletion of the rural character of the area. The benefit does not outweigh the harm caused.

7. POLICIES

7.1 National Policies

7.2 National Planning Policy Framework

7.3 Uttlesford Local Plan (2005)

Policy S7 –The Countryside

Policy GEN2 – Design
 Policy GEN1- Access
 Policy GEN8- Parking Standards

7.4 Supplementary Planning Documents/Guidance

Uttlesford Local Residential Parking Standards (2013)
 Essex Parking Standards 2009
 Supplementary Planning Document- Accessible homes and play space homes
 Essex Design Guide

8. PARISH COUNCIL COMMENTS

8.1 No comment

9.0 CONSULTATIONS

The Highways Authority

9.1 No objections or further recommendations made

10 REPRESENTATIONS

1 representation in support and 1 representation in objection received, see the following summary:

| 10.1 | Comment Received in Support | Case Officer comments |
|------|---|---|
| | This development provides a zero impact way of providing a new permanent residence | This will be considered in the following report |
| | | |
| 10.2 | Comments Received in Objection | |
| | This application does not accord with the provisions of the local development plan | This will be considered in the following report |
| | The building is well outside the nearest discernible settlement | This will be considered in the following report |
| | The application cannot be regarded as 'infilling' as it is on the outer extremity of the settlement | This will be considered in the following report |
| | The NPPF and the Councils 5-year housing supply is not relevant in this case as it is not a new build, or a brown-field site, or a conversion from an industrial building | This will be considered in the following report |
| | The building has already been deemed as of insufficient architectural merit in previous applications | This will be considered in the following report |
| | The building is not designed as a permanent residence and is not domestic in character | This will be considered in the following report |
| | There would be a significant increase in traffic along the length of Top Road and the Roman Road to | This will be considered in the following report |

| | |
|---|--|
| Radwinter | |
| Conflict of interest – concern expressed that the Chair of Wimbish Parish Council is a personal friend of the applicant | The Parish Council has made no comment on this application |
| There is no compelling reason why this building should be converted into a permanent residence | This is not a material consideration |
| The building has never been used for its intended purpose as a holiday let | This is not a material consideration |
| The owner lived in the property in 2014/15 contrary to planning restrictions and was served with an enforcement notice after nearly a year's residence | This is not a material consideration |
| The building is a poorly built structure which could become damp in the winter due to its foundations and cracks in the walls so it is not suitable to become a permanent residence | This is not a material consideration |
| | |

11 APPRAISAL

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

- A The principle of the development of this site, design (ULP Policies S7, GEN2, NPPF, SPD Accessible Homes and Playspace)
- B Whether the development would result in harm to the amenity of the neighbouring properties by way of overlooking, overshadowing or overbearing effects (ULP Policies GEN2, GEN4, Essex Design Guide and the NPPF)
- C Access to the site (ULP Policy GEN1);
- D Vehicle Parking Standards (ULP Policy GEN8 and ECC Parking Standards);
- E Any other material considerations

A **The principle of the development of this site, design (ULP Policies S7, GEN2, NPPF, SPD Accessible Homes and Playspace);**

11.1 The Local Plan places the site as being outside any settlement limits (i.e. within the open countryside) and so Policy S7 applies to the proposal. The policy recognizes 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 is not an example of such a development and so the development would be contrary to Policy S7.

11.2 Since the adoption of the Local Plan, however, the government published the National Planning Policy Framework (NPPF) which required LPAs to adopt a more flexible approach to building in the countryside, especially if the authority cannot demonstrate a five year supply of deliverable housing sites, as is the case for Uttlesford District Council. In such cases the so called tilted balance applies to development: there is a presumption in favour of sustainable development.

11.3 The LPA commissioned an independent assessment of the Local Plan's compatibility with the NPPF which concluded that Policy S7 carried some weight

(and such a view has been upheld on appeal).

- 11.4 However Paragraph 11 of the NPPF considers the presumption of sustainable development, and this includes where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes where five year housing supply cannot be delivered). This means that applications for sustainable development outside development limits may need to continue to be granted where appropriate to ensure the level of housing supply is robust and provides a continuous delivery of housing. Moreover the proposal should be considered against the three strands of sustainable development including economic, social and environmental
- 11.5 Therefore the proposal should be considered against the three dimensions of sustainable development as stipulated in the NPPF: economic, social and environmental
- 11.6 Economic - any economic benefit arising from the actual conversion works is now past and no longer carries any benefit, but the future occupiers would help to support local facilities. Permanent residents of the building may provide more frequent economic benefits to local facilities than the more sporadic economic benefits those letting the current property provide.

The applicant has stated that the current holiday let is not a viable proposition due to a number of factors including that:

- that bookings for holiday lets in the area are in decline with visitors choosing hotel and catered options instead
- of the limited enquiries received about letting the property many are for periods in excess of 4 weeks which is not allowed under the current conditions attached to the holiday let approval
- and other enquiries are for larger groups than can be accommodated in the holiday let
- furthermore the holiday let has not actually been in operation for a number of years due to renovations taking place.

Whilst there may be some economic loss to the local community in terms of the economic benefits sporadic visitors who book the holiday let might bring, permanent residents would bring more consistent economic benefit to the local community in terms of the use of services. Therefore on balance it is considered there would be more economic gain to the local community by a change of use from a holiday let to a permanent residence.

- 11.7 Social – The site is relatively near Wimbish and although outside of the development limits I do not consider the site to be isolated. This is supported by recent case law *Braintree DC v SSCLG* [2018] EWCA Civ. 610 which considers the definition of an isolated dwelling, and gives further clarification to its definition. However whilst the applicant states that there are some opportunities to access local services in a sustainable manner the opportunities are limited. Therefore in reality the occupants of the proposed dwellinghouse would most likely use a car/cars for most of their journeys to access services. However the NPPF does acknowledge that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas'*. The proposal would provide a limited contribution to the LPA's shortfall of new housing.
- 11.8 Environmental - Previous to the approved change of use to a holiday let in 2014 there was an annexe outbuilding to Walkers Farm occupying much of the same

footprint as the current holiday let. Therefore the site is a brownfield site and both the NPPF and the Uttlesford Local Plan 2005 encourage the use of brownfield sites for development. It is not proposed to change the footprint or scale of the existing building on site and therefore the proposed change of use does not involve any encroachment into the countryside or have any increased detrimental effect on rural character. Therefore the proposed change of use causes no harm to the countryside.

- 11.9 The design of the dwelling is in a traditional form and appropriate in scale and siting so as to be compatible with the surrounding area. No changes are proposed to the building as it currently exists. The dwelling will include sufficient private amenity space in accordance with the aims of the Essex Design Guide. The applicant states that the existing building complies with Part M of the Building Regulations for less able occupiers which have effectively superseded the SPD entitled 'Accessible Homes and Playspace'.
- 11.10 The proposed development therefore will not result in any harmful encroachment to the outlying rural countryside area or have a dominating or intrusive impact to the site. It will provide one more dwellinghouse in the District and result in a modest economic benefit to the local community. As such it is considered the revised scheme is in accordance with ULP Policies S7 and GEN2, and with the sustainable strand of development as outlined in the NPPF.

B Whether the development would result in harm to the amenity of the neighbouring properties by way of overlooking, overshadowing or overbearing effects (ULP Policies GEN2, GEN4, Essex Design Guide and the NPPF)

- 11.11 Policy GEN2 of the Local Plan states that new development should not have any materially adverse effect on the reasonable occupation and enjoyment of a residential property as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- 11.12 Policy GEN4 considers the impact to neighbouring properties in regards to noise and disturbance.
- 11.13 To the south of the existing holiday is a meadow and to the east and north is mown lawn, land that formed part of the certificate of lawfulness for use as garden land. This land is owned by the applicant. To the west and adjacent to the primary elevation of the Midden is the concrete hard standing apron used for parking and turning. A barn owned by the applicant is located at the end of the this apron located at right angles to the Midden Further north along the access road and on the opposite side of the access road are the side and rear elevations of a long barn which belongs to the neighbouring property. This barn has no fenestration in the rear elevation. Therefore the siting and scale of the proposed dwelling means that the development will not result in any material loss of light or have any detrimental effect on the privacy of any neighbouring properties. Furthermore the siting of the dwelling will not result in any overbearing impacts that will be harmful to neighbouring properties. No more noise is likely to be created by the use of the existing building as a permanent residence as opposed to a holiday let.

The proposal therefore complies with ULP Policies GEN2 and GEN4.

C Access to the site (ULP Policy GEN1)

- 11.14 The dwelling would be served by the existing access road which branches off a shared access with Walkers Farm to Top Road. Whilst an objection has been made concerning the increase in traffic the development might entail Essex County Council Highways have been consulted and have not made any objections or further recommendations. The proposal will include a net increase of open dwelling; this is not considered of a significant increase of vehicular movement that will have a harmful impact to highway safety.

The proposal complies with ULP Policy GEN1.

D Vehicle Parking Standards (ULP Policy GEN8 and ECC Parking Standards);

- 11.15 In order to comply with locally adopted parking standards, for dwellings of two bedrooms, two parking spaces should be provided per dwelling off-road. These need to accord with the size dimensions as outlined in adopted Vehicle Parking Standards (2009) of 5.5m in depth and 2.9m in width. Two parking spaces and turning area have been shown on the proposed block plan and Essex County Council Highways specialist has been consulted no objections have been made. As such it is considered the proposal complies with ULP Policy GEN8 and the Uttlesford Neighbourhood Parking Standards (2013) and ECC Parking Standards (2009)

E Any other material considerations

- 11.16 The following policies are included in the emerging local plan and therefore have been considered in the assessment of the application, these policies hold some limited weight.

SP10 Protection of countryside
D1- High quality design
TA4- Vehicle parking standards
TA1-Accessible development

12. CONCLUSION

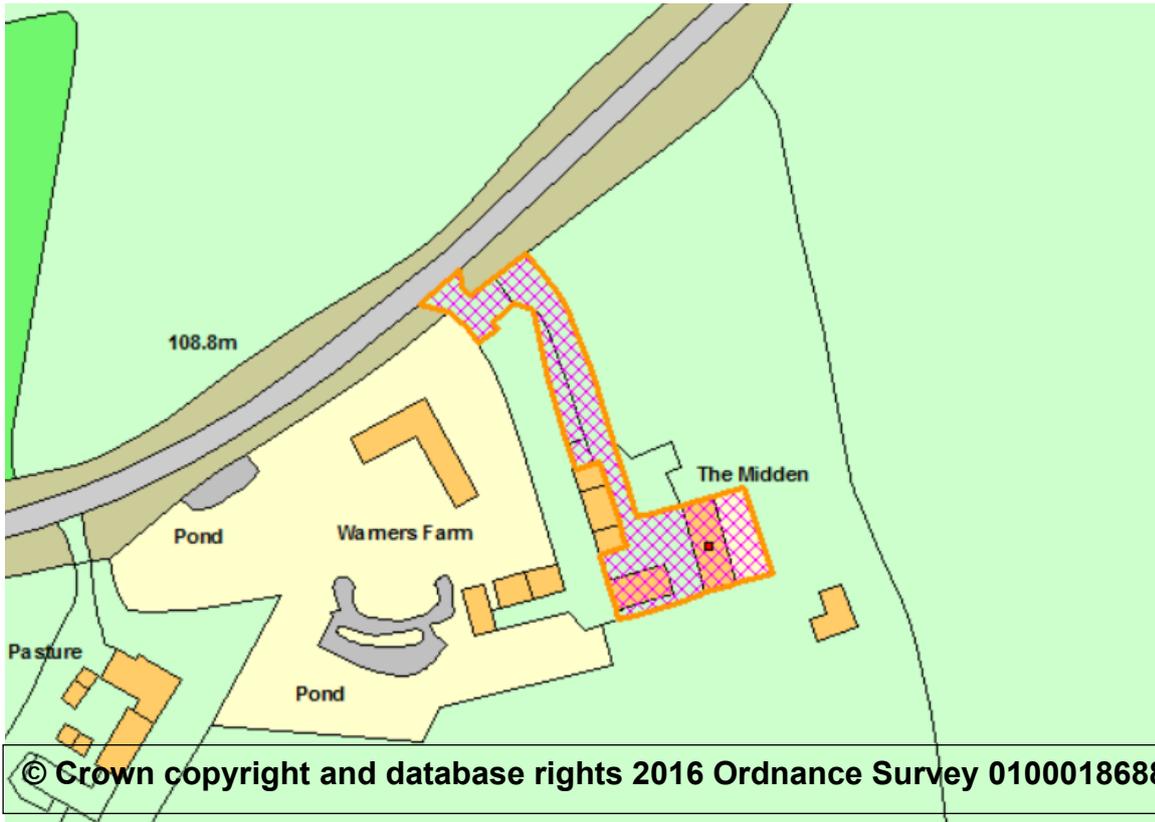
- 12.1 In conclusion the development will represent an acceptable form of sustainable development in terms of countryside impact, design, layout, and amenity, access, parking arrangements. The proposal would comply with national and relevant local plan policy and is acceptable.

RECOMMENDATION – APPROVAL, SUBJECT TO 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: 25 November 2019

UTT/19/2442/FUL – LITTLE CHESTERFORD

(Referred to Committee – UDC joint ownership)

| | |
|----------------------|--|
| PROPOSAL: | Electrical reinforcement works including the relocation of oil storage tank, provision of new LV switchroom, replacement of timber fence and gates and provision of temporary new transformer and enclosure fence and gates |
| LOCATION: | Electricity Sub Station 3, Chesterford Research Park, Little Chesterford |
| APPLICANT: | Chesterford Park Ltd Partnership |
| AGENT: | Mr Peter Tanner |
| EXPIRY DATE: | 27.11.19 (Extension of time 13.12.19) |
| CASE OFFICER: | Rosemary Clark |

1. NOTATION

- 1.1 Chesterford Park Boundary, Safeguarding Employment Land

2. DESCRIPTION OF SITE

- 2.1 The application site comprises an existing Electricity substation located to the north-east of the Research Park. The substation has its own vehicular access.

3. PROPOSAL

- 3.1 This application relates to electrical reinforcement works, extension and alterations to existing building and replacement timber fence and gates. The works comprise amendments and upgrades to the existing Substation 3 within the park, which is essential for the electricity supply of the park, including the addition of a New LV switchroom, relocation of oil tanks and provision of temporary new transformer. The new switchroom is located adjacent to the existing generator room, with the existing structure also to be clad in timber cladding to provide an improved and consistent appearance overall. An existing oil storage tank is to be repositioned slightly further to the north to facilitate the new switchroom. New timber doors will be provided to the new switchroom, generator room and the existing LV switchboard, whilst new louvres will be added to the generator room. Replacement timber fencing will enclose the new transformer.

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 None

6. RELEVANT SITE HISTORY

6.1 None

7. POLICIES

7.1 Uttlesford Local Plan (2005)

S5 – Chesterford Park Boundary
E2 – Safeguarding Employment Land
GEN2 - Design

Supplementary Planning Documents/Guidance

7.2 N/a

National Policies

7.3 National Planning Policy Framework

Other Material Considerations

7.4 Emerging Local Plan –
LtCHE1 – Chesterford Research Park
EMP2 - Existing and Proposed Employment Areas
D1 – High Quality Design

8. PARISH COUNCIL COMMENTS

8.1 No comment

9. CONSULTATIONS

Environmental Health

No objections

10. REPRESENTATIONS

10.1 32 Neighbours consulted – expired 24.10.19 – Site Notice Posted –
Expired 31.10.19 – No responses received

11. APPRAISAL

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

- A Whether the development adversely impact the character and appearance of the locality and is acceptable in size, scale and design (ULP Policy S5, E2 and GEN2)
- B Whether the development adversely impacts neighbouring residential amenity (ULP Policy GEN2 and GEN4)

A Whether the development is acceptable in size, scale and design and appropriate for this location

- 11.1 Policy S5 of the Uttlesford Local Plan states that Chesterford Park Research and Development is defined as a developed site in the countryside. Facilities for research and development will be permitted within these boundaries if they are in accordance with this Plan.
- 11.2 The proposal relates to an existing electricity substation situated to the North-east of the site. The works comprise amendments and upgrades to the existing Substation 3 which is essential for the electricity supply of the park, including the addition of a New LV Switchroom, relocation of oil tanks and provision of temporary new transformer. The extended building will be completely re-clad with black painted timber cladding and new doors. The proposal is for modest additions and amendments that would be appropriate in this location and therefore comply with the relevant Local Plan Policies.

B Whether the development adversely impacts the amenity of the surrounding occupiers

- 11.3 The proposed is appropriate in this location and would not adversely impact the neighbouring businesses. Environmental Health have been consulted as part of the application process and raise no objections. The proposed development is therefore in accordance with Local Plan Policies GEN2 and GEN4.

12. CONCLUSION

The proposal is acceptable in terms of size, scale and design and is appropriate development in this location. The proposal therefore complies with ULP S5, E2 and GEN2.

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

A The proposed works are acceptable in terms of size, scale and design and would not adversely impact the character and appearance of the locality therefore comply with ULP Policies S5, E2 and GEN2

B The proposed works would not adversely impact the amenity of neighbouring occupiers complying with ULP Policy GEN2.

RECOMMENDATION – APPROVAL WITH CONDITIONS

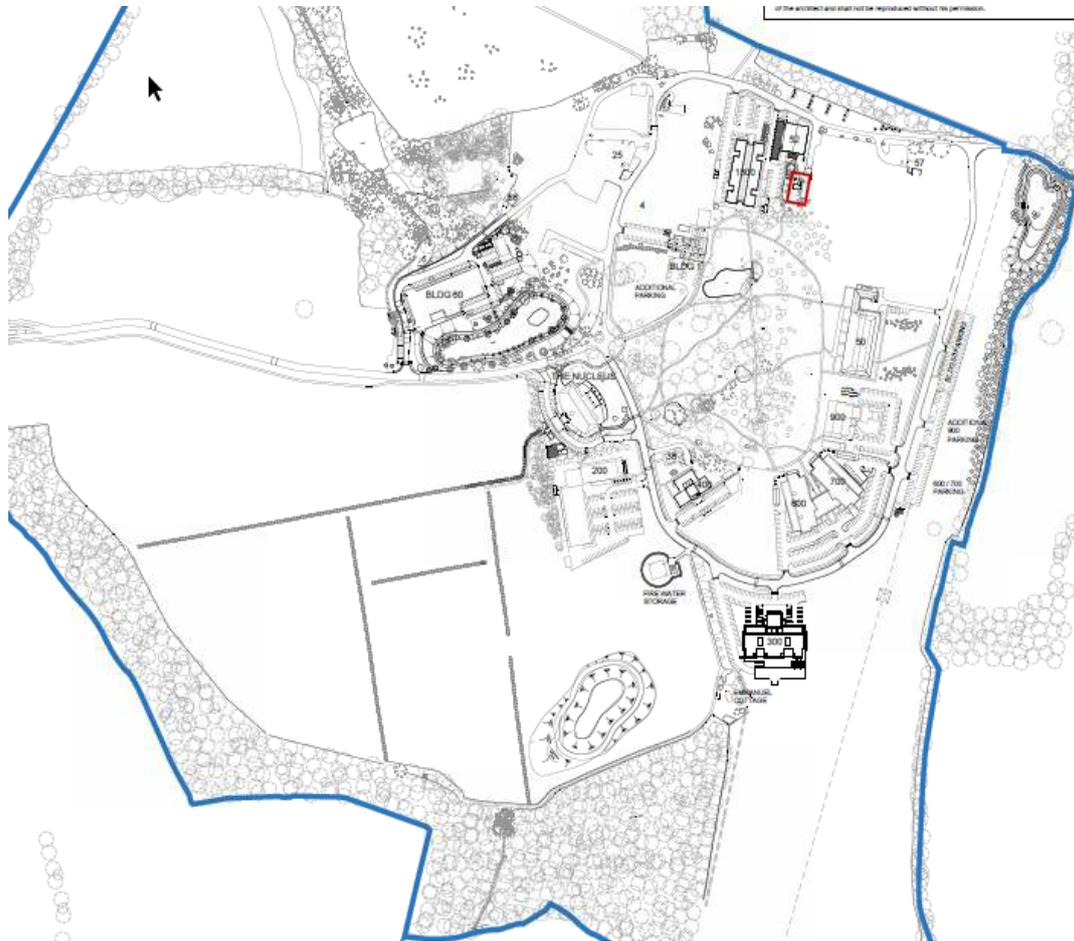
Conditions

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.

Application: UTTUTT/19/2442/FUL

Address: Electricity Sub Station 3



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Organisation: Uttlesford District Council

Department: Planning

Date: 18.11.19

UTT/19/2606/LB – BARNSTON

(MINOR)

Application is reported to the Committee as the applicant is a Member

PROPOSAL: Demolition of existing garden room and erection of replacement garden room, replace glazing to rear elevation of house and alterations to entrance porch including enclosing with glazing, infill panel and adding an external door and replacement of area of roof covering (Revised scheme to that approved under UTT/18/1696/LB).

LOCATION: Little Garnetts, Bishops Green
High Easter Road, Barnston
Dunmow, Essex
CM6 1NF

APPLICANT: Mr & Mrs Barker

AGENT: N/A

EXPIRY DATE: 19/12/2019

CASE OFFICER: Alishba Emanuel

1. NOTATION

- 1.1 Protected Lane: High Easter Road
Listed Building: Grade II
Archaeological Site
Within 500M of S.S.S.I
Within 2KM of S.S.S.I
Outside Development Limits

2. DESCRIPTION OF SITE

- 2.1 The site comprises of a Grade II, double storey detached dwelling with off white rendered walls under a pitched roof. To the front of the property, is a porch with a pitched roof and paved parking area. To the rear of the property is a single storey conservatory set in an extensive garden.
- 2.2 It is located in the open countryside of Bishops Green, located between High Roding and Onslow Green.

3. PROPOSAL

- 3.1 This application seeks listed building consent for the demolition of existing garden room and erection of replacement garden room, replace glazing to rear elevation of house and alterations to entrance porch including enclosing with glazing, infill panel and adding an external door and replacement of area of roof covering (Revised scheme to that approved under UTT/18/1696/LB).

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 heritage 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 included is a
Biodiversity Checklist
Biodiversity Photos

6. RELEVANT SITE HISTORY

- 6.1 UTT/18/1695/HHF - Demolition of existing garden room and erection of replacement garden room, replace glazing to rear elevation of house and alterations to entrance porch including enclosing with glazing, infill panel and adding an external door and replacement of area of roof covering (APPROVED).

7. POLICIES

Uttlesford Local Plan (2005)

- Policy ENV2

Supplementary Planning Documents/Guidance

- Not Applicable

National Policies

- National Planning Policy Framework (2019)

Other Material Considerations

Uttlesford Emerging Local Plan

The following policies are relevant regarding this proposal, however until the plan adopted little weight can be given to them.

EN4 – Development Affecting Listed Buildings

8. PARISH/TOWN COUNCIL COMMENTS

8.1 No comments received in regards to the listed building consent application

9. CONSULTATIONS

9.1 Conservation Officer

The application is for the proposed demolition of existing garden room and erection of replacement garden room, replace glazing to rear elevation of house and alterations to entrance porch including enclosing with glazing, infill panel and adding an external door and replacement of area of roof covering (Revised scheme to that approved under UTT/18/1696/LB).

The above concerns Little Garnetts, a Grade II listed (HE Ref: 1142496) building.

The scheme differs from that approved under UTT/18/1696/LB in the omission of the proposed chimney, and so I have no objections. Notwithstanding, the drawings are somewhat ambiguous as to additional alterations to the listed structure, noting a red dotted line (usually denoting removal of fabric) present on drawing 04B (proposed plan) on entrance hall stairs, which would be inappropriate without further information being supplied. It is therefore recommended that clarification is sought to ascertain no further works are being proposed.

Should permission be granted, I recommend the following conditions (or similar to that effect) are imposed:

a) Works shall not be commenced until a schedule of the types and colour of the materials to be used in the external finishes has been submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

b) Works shall not be commenced until 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 have been 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.

c) All rainwater goods shall be black and cast metal and permanently maintained as such.

10. REPRESENTATIONS

10.1 No comments were received

11. APPRAISAL

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

A Whether the proposal is in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy ENV2 of Uttlesford District Council's adopted Local Plan.

B Any other material considerations.

A Whether the proposal is in accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework and Policy ENV2 of Uttlesford District Council's adopted Local Plan

- 11.1 Policy ENV2 (Development affecting Listed Buildings) seeks to protect the fabric, character and the setting of listed buildings from development, which would adversely affect them. This policy reflects the thrust of the statutory duty in section 16(2) of the Planning (Listed Building and Conservation Areas) Act 1990.
- 11.2 The application is for the proposed demolition of existing garden room and erection of replacement garden room, replace glazing to rear elevation of house and alterations to entrance porch including enclosing with glazing, infill panel and adding an external door and replacement of area of roof covering (Revised scheme to that approved under UTT/18/1696/LB).
- 11.3 Paragraph 189 of the NPPF requires the applicant to describe the significance of the heritage asset affected to understand the potential impact of the development on their significance; as such the application includes a heritage statement. Paragraph 196 considers the harm to the designated heritage asset; this harm should be weighed against the public benefits of the works.
- 11.4 This application has been referred to the conservation officer; no objections have been made subject to the imposition of conditions. The proposed scheme would preserve the primacy of the heritage asset, and its rural character and setting. It will provide additional residential accommodation which would contribute positively to the optimum viable future use as a dwelling without unduly compromising its historic fabric or planform, thus contributing to significant public benefits.
- 11.5 Despite the requirement for additional information to be supplied before works can be begin, taking in the comments received from the conservation officer the proposal accords with ULP policy ENV2, Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and NPPF.
- 11.6 Overall the proposed works to the building have been assessed and will not result in any significant harm to the fabric and setting of the heritage asset and is therefore considered that the development would not diminish its special architectural or historic interest.

B Any other material Considerations

- 11.7 The following policies are included in emerging local plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.
- 11.6 EN4-Development affecting Listed Buildings

12. CONCLUSION

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

- 12.1 The proposals would not have a detrimental impact on the historic fabric, character or appearance of the listed building and complies with the requirements of Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

RECOMMENDATION – LISTED BUILDING CONSENT WITH CONDITIONS

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. The new roof shall be constructed from hand made plain clay tiles, details of which shall be submitted to and approved by the local planning authority before the development commences.

REASON: In the interest of protecting the architectural and historical significance of the existing building in accordance with the NPPF and Uttlesford Local Policy ENV2.

3. Notwithstanding the submitted plans, all render to be used on the external walls shall be of a smooth appearance and all new external joinery shall be painted timber.

REASON: In order to protect the architectural character of the heritage asset in accordance with Uttlesford Local Plan Policy ENV2 and the NPPF.

4. Notwithstanding the submitted plans, any new windows in the historic parts of the dwelling shall be single glazed.

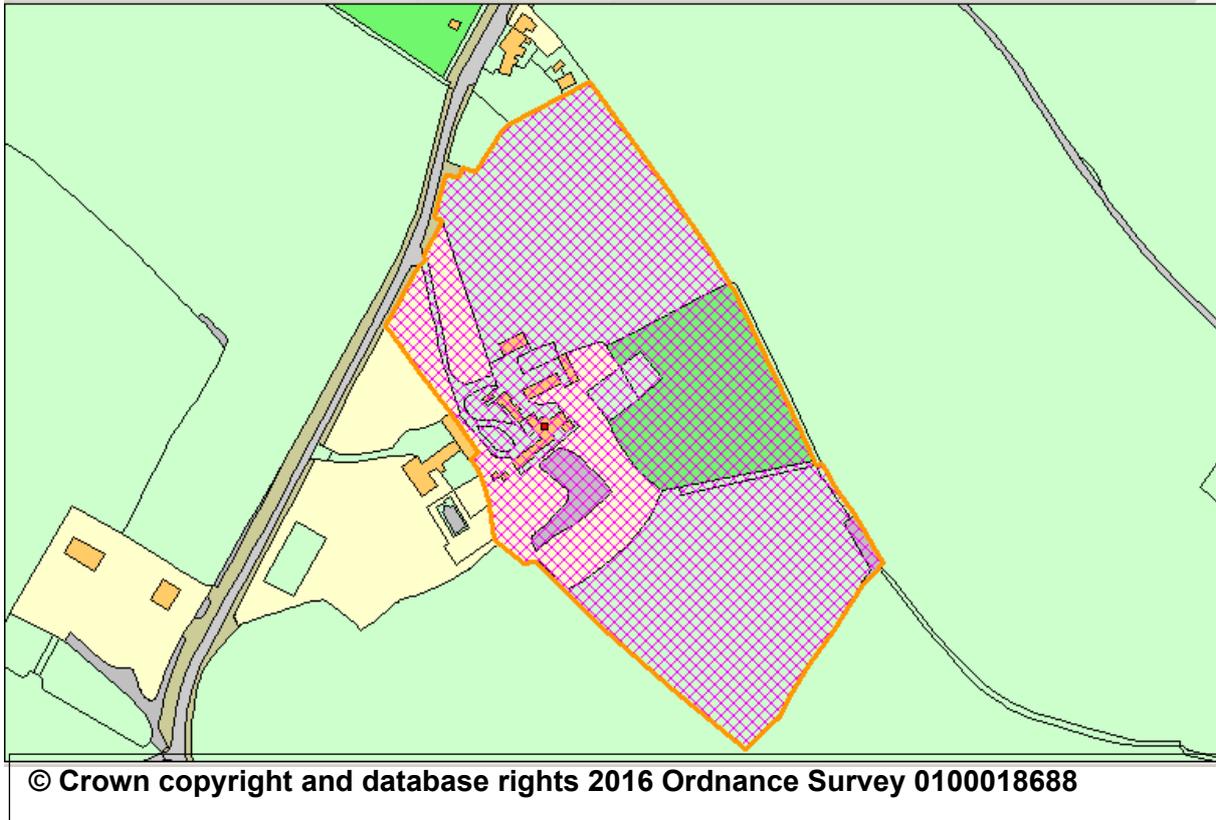
REASON: In order to protect the architectural character of the heritage asset in accordance with Uttlesford Local Plan Policy ENV2 and the NPPF.

5. No works shall take place until detailed scale 1:20 and 1:1 plans illustrating the window and door, eaves, verges and cills, detailing and sections through the windows and doors to show the mouldings have been submitted to and approved in writing by the local planning authority prior to the commencement of the development. The works shall be implemented in accordance with the approved plans. Subsequently the mouldings of the windows and doors shall not be changed without the prior written consent of the local planning authority.

REASON: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with ULP Policy ENV2 and the NPPF.

6. All rainwater goods associated with the development hereby approved shall be black and of cast metal and permanently maintained.

REASON: In the interests of preserving the historic character and appearance of the listed building and its setting in accordance with ULP Policy ENV2 and the NPPF.



Organisation: Uttlesford District Council

Department: Planning

Date: 22nd November 2019

UTT/19/2613/NMA – BARNSTON

(Referred to committee as application relates to at Councillor)

PROPOSAL: Non Material Amendment to UTT/18/1695/HHF - removal of proposed chimney and replacement with matching window. Change to gully.

LOCATION: Little Garnetts, Bishops Green, High Easter Road, Barnston

APPLICANT: Mr & Mrs Barker

AGENT: N/A

EXPIRY DATE: 18/11/2019

CASE OFFICER: Alishba Emanuel

1. NOTATION

- 1.1 Protected Lane: High Easter Road
- 1.2 Listed Building: Grade II
- 1.3 Archaeological Site
- 1.4 Within 500M of S.S.S.I
- 1.5 Within 2KM of S.S.S.I
- 1.6 Outside Development Limits

2. DESCRIPTION OF SITE

- 2.1 The site comprises of a Grade II, double storey detached dwelling with off white rendered walls under a pitched roof. To the front of the property, is a porch with a pitched roof and paved parking area. To the rear of the property is a single storey conservatory set in an extensive garden.
- 2.2 It is located in the open countryside of Bishops Green, located between High Roding and Onslow Green.

3. PROPOSAL

- 3.1 This application relates to a non-material amendment to UTT/18/1695/HHF - Removal of the proposed chimney and replacement of it with a matching window. Change to gully

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 Applicant has supplied drawings illustrating the window replacement

6. RELEVANT SITE HISTORY

- 6.1 UTT/18/1695/HHF - Demolition of existing garden room and erection of replacement garden room, replace glazing to rear elevation of house and alterations to entrance porch including enclosing with glazing, infill panel and adding an external door and replacement of area of roof covering (APPROVED).

7. POLICIES

Uttlesford Local Plan (2005)

- GEN2

Supplementary Planning Documents/Guidance

- Not Applicable

National Policies

- National Planning Policy Framework

Other Material Considerations

Uttlesford Emerging Local Plan

The following policies are relevant regarding this proposal, however until the plan adopted little weight can be given to them.

- D1 – High Quality Design

8. PARISH/TOWN COUNCIL COMMENTS

- 8.1 Not applicable. Consultations are not undertaken with Non Material Amendment Applications

9. CONSULTATIONS

- Not applicable. Consultations are not undertaken with Non Material Amendment Applications

10. REPRESENTATIONS

- 10.1 Not applicable. Consultations are not undertaken with Non Material Amendment Applications

11. APPRAISAL

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

- A **Where the proposed amendments are minor in nature and would not have an adverse impact on the character of the surrounding buildings or any neighbouring amenity (ULP Policy GEN2)**

- 11.1 The principle of this development has been established in the approval of application UTT/18/1695/HHF. This application relates to alterations to that application as approved.
- 11.2 The removal of the proposed chimney and replacement matching window and change to gully of the side elevation of the property is considered acceptable as it will align symmetrically with the windows proposed on the side elevation on the replacement garden room. Due to the nature of the replacement window and its locality, the amended design removing the chimney will not have an adverse impact on the main dwellinghouse or the locality's surrounding. The materials used for the window will match those of the other proposed windows of the garden room.

The proposed amendments are considered to be acceptable and accord with relevant Local Plan Policies. The proposals are a small amendment to the previously approved scheme and constitute a non-material amendment.

12. CONCLUSION

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

A The proposed amendments consisting of the following:

- Removal of proposed chimney
- Replacement of chimney with a matching window
- Change to gully

Are considered minor enough to be non-material amendments and would not have any adverse impact on visual or residential amenity and the application is therefore recommended for approval.

RECOMMENDATION – APPROVE NON MATERIAL AMENDMENTS

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