



# Uttlesford District Council

Chief Executive: Dawn French

## Planning Committee

**Date:** Wednesday, 5th June, 2019

**Time:** 2.00 pm

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

**Chairman:** Councillor S Merifield

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

**Substitutes:** Councillors S Barker, N Gregory, E Oliver, N Reeve, G Sell, M Tayler  
and J De Vries

### Public Speaking

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## 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 - 14

To consider the minutes of the previous meeting.

**3 UTT/19/0004/FUL Park View and Pleasant View, Brick Kiln  
Lane, Rickling Green**

15 - 24

To consider application number UTT/19/0004/FUL

- 4 UTT/18/2959/DFO Land East of Little Walden Road, Saffron Walden 25 - 40**

To consider application number UTT/18/2959/DFO

- 5 UTT/19/0484/OP Friarton, Chatter End Road, Farnham 41 - 48**

To consider application number UTT/19/0484/OP

- 6 UTT/18/3293/FUL Branksome, Whiteditch Lane, Newport 49 - 60**

To consider application number UTT/18/3293/FUL

- 7 UTT/17/2100/FUL Bullocks Farm, Bullocks Lane, Takeley 61 - 68**

To consider application number UTT/17/2100/FUL

- 8 UTT/18/3518/FUL Holroyd Components Ltd, Shire Hill Industrial Estate, Shire Hill, Saffron Walden 69 - 80**

To consider application number utt/18/3515/FUL

- 9 UTT/19/0673/HHF 20 Mill Close, Elsenham 81 - 84**

To consider application number UTT/19/0673/HHF

- 10 Chief Officers Report UTT/19/0043/FUL 25 Loompits Way, Saffron Walden 85 - 88**

To consider the Chief Officer's Report UTT/19/0043/FUL

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# Agenda Item 2

**PLANNING COMMITTEE held at COUNCIL CHAMBER - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on WEDNESDAY, 10  
APRIL 2019 at 2.00 pm**

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

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

## 1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Chambers, Freeman and Lodge.

Councillor Lemon declared a non – pecuniary interest in item 5 as the District Councillor and Parish Councillor for Hatfield Heath.

Councillor Fairhurst declared a non – pecuniary interest as a member of the Saffron Walden Town Council.

Councillor Gerard declared a non – pecuniary interest in Item 9 as a member of Newport Parish Council.

In response to a query from Councillor Lemon the Chairman said that there was no prejudicial interest to be declared by Councillor Farthing in relation to item 5.

Councillor LeCount declared a non – pecuniary interest in item number 6 as a member of Henham Parish Council.

## 2 **MINUTES OF THE PREVIOUS MEETING**

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

## 3 **UTT/18/1256/OP LAND TO WEST OF STORTFORD ROAD, CLAVERING**

Councillor Fairhurst raised a point of order and stated that he objected to the tabling of the amended conditions for this application.

The Development Manager apologised and said that the report had incorrect conditions and that the matter needed resolving.

All were in agreement and the Chairman suggested a 24 hour deadline on additions for committee and advised he would take the matter up with the Development Manager outside of the meeting.

The application is an outline application for up to 31 dwellings with all matters except access reserved. Demolition of 'Poppies' and alterations to access onto Stortford Road to create access road. Provision of 38 parking spaces for visitors to adjacent school. Extension of school playing field and creation of sports pitch. Provision of open space and play areas, balancing pond and associated infrastructure.

The Development Management Team Leader delivered the report to the Committee.

Members agreed that the location of this development was unsuitable and that the benefits did not outweigh the harm on the countryside. They also discussed the increase in traffic and that the local amenities would be affected negatively. However it was deemed that whilst the design and intention was good the location was not appropriate.

Councillor Gerard proposed the motion to reject the application.

Councillor Fairhurst seconded the proposal.

RESOLVED to reject the application for the reasons laid out in the decision notice:

1. The proposal constitutes development outside of the defined development limits of Clavering. The site lies in open countryside which should be protected for its own sake, and developments should be confined to those that need to take place in the countryside. It has not been demonstrated that the proposed development needs to take place in the open countryside and protect against the harm which the scheme is likely to have on the countryside, such as light pollution. As such, the development is contrary to Policies GEN5, S3 and S7 of the adopted Uttlesford Local Plan 2005.
2. The design of the proposal taking into account the needs of other road users would create conflict to the detriment of pedestrian and highways safety contrary to Policy GEN1 of the adopted Uttlesford Local Plan 2005.
3. The development hereby permitted would increase the pressure on the local infrastructure within the district, not covering the issues as listed within the schedule of Heads of Terms of the report presented to the 10th April 2019 Planning Committee (page 28), including education contribution, Traffic Regulation Order, and Residential Travel Plan. In the absence of any legal agreement to address this, the application fails to fully mitigate the impacts of the development contrary to Policy GEN6 of the Uttlesford Local Plan 2005.

*J Woodhouse, F Woods, M Carter, Mr Swells, S Gill and B Bampton spoke on the application.*

4 **UTT/18/2600/FUL THE MOORS, MOORS LANE, LITTLE DUNMOW**

The planning officer presented the proposal for the demolition of 12 bungalows and their replacement with 16 dwellings.

Councillor Gerard said that in principal that this was a good plan, he had concerns about the grade 2 listed buildings which were adjacent and about the green at the front of the development and wished to keep this protected from parking.

In response to Councillor Gerard's concerns about the requirements for flats the Chairman said that the make-up of the dwellings was based on the survey of housing need of the district.

The Chairman asked for an increase in the bell mouth and an additional provision for car parking from the blocking of the second exit point on the plan.

The Development Manager said that the application could be conditioned to provide an amended plan taking in the aforementioned changes prior to starting any work.

Councillor Gerard also asked that a construction management plan be included.

Councillor Farthing proposed a motion for approval of the application.

Councillor Ryles seconded the motion for approval.

RESOLVED to approve the application with the conditions laid out in the decision notice.

*J Snares Spoke on the application.*

5 **UTT/19/0140/FUL LAND EAST OF OAKHANGER, FRIARS LANE, HATFIELD HEATH**

The Development Manager presented the report for the proposal of the erection of eight detached dwellings with associated access from Friars Lane and the introduction of a new community orchard.

Councillor Farthing said that he had called this in as it was not a cynical application, and he felt that it was a philanthropic application for development seeking to give back to the community.

Councillor Farthing proposed a motion to approve the application.

The Chairman advised he would return to the motion once the debate had ceased.

The Members spoke in agreement that the greenbelt needed to be retained and protected.

The Chairman asked for a seconder for the proposal put forward by Councillor Farthing and there was none.

Councillor Lemon proposed a motion for refusal of the proposal.

Councillor LeCount seconded the motion for refusal.

RESOLVED to refuse the application on the grounds laid out in the decision notice;

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

*C Martin, T Eldridge, P Brown, N Robley, M Wood and D Worrell spoke on the application*

6 **UTT/18/3370/OP LAND SOUTH OF THE FARMHOUSE, OLD MEAD ROAD, HENHAM**

The Planning Officer presented the proposal for the erection of up to nine dwellings and associated development involving the demolition of the aforementioned poultry buildings and stables together with new vehicular access from Old Mead Lane with all matters reserved except access.

In addition the proposal included the demolition of all of the other former poultry farm buildings prior to occupation. This would result in greater environmental gains and the applicant was in agreement of this condition.

The Chairman and Councillor Ryles asked that the dwellings be kept to one and a half storeys.

Councillor Wells proposed a motion to approve the application including the demolition of all remaining poultry farm buildings.

Councillor LeCount seconded the motion for approval of the application including the demolition of all remaining poultry farm buildings.

RESOLVED to approve the application with the conditions laid out in the decision notice.

*J Salmon spoke on the application*

**7 UTT/18/2268/FULTHE STABLES, HIGH LANE, STANSTED**

The Development Management Team Leader presented the proposal for the erection of one and half storey three 4/5 bed two detached dwellings with integral garage. A new vehicular access from High Lane is proposed with private amenity space around each of the proposed dwellings.

Councillor Fairhurst proposed a motion for refusal of the application in line with the recommendation.

Councillor Ryles seconded the motion for refusal.

RESOLVED to refuse the application for the grounds laid out in the decision notice.

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

*P James spoke on the application.*

**8 UTT/19/0025/FUL L/A MAUGHANS, FIELD GATE LANE, UGLEY GREEN, UGLEY**

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

Councillor Farthing said that the application before them could not be judged by applications in other areas and he proposed a motion for the approval of the application.

The Chairman advised he would allow the Committee to debate before seeking a seconder.

The members discussed the need for the development and that it was unnecessary development in the countryside.

The Chairman sought a seconder for Councillor Farthing's motion for approval, there was no seconder.

Councillor Wells proposed a motion for refusal .

Councillor Hicks seconded that motion.

RESOLVED to reject the application for the reasons laid out in the decision notice:

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

*S Moore spoke on the application*

9 **UTT/19/0004/FUL PARK VIEW & PLEASANT VIEW, BRICK KILN LANE, RICKLING GREEN (QUENDON & RICKLING)**

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

Councillor Ryles declared that the architect was known to him in a professional capacity having previously contracted his services.

Councillor Gerard said that this site was the first thing that was visible on entering the village. He proposed a motion to defer pending site visit.

The Chairman advised the Committee that the application is for the replacement of two dwellings in accordance with the National Planning Policy Framework and that there was a risk of losing at appeal should the Committee be minded to refuse.

Councillor Lemon seconded the motion to defer pending a site visit.

RESOLVED to defer the application pending a committee site visit.

*P Purkiss spoke on the application.*

10 **UTT/18/3395/FUL GREENHILL COTTAGE, BARDFIELD END GREEN, THAXTED**

The Development Manager presented the application which was requesting planning permission to construct a single storey detached dwelling (with a separate garage) to the south of Greenhill Cottage.

The Development Manager made clear that this application was called in due to the applicant being related to a member of staff not a District Councillor.

The Development Manager advised the Committee that this was classic in-fill development.

Councillor Gerard proposed a motion to approve the application.

The Chairman seconded the proposal.

RESOLVED to approve the application with the conditions laid out in the decision notice.

11 **UTT/19/0043/FUL 25 LOOMPITS WAY, SAFFRON WALDEN**

The Planning Officer presented the proposal for the erection of a single detached dwelling and access. The dwelling will be two storeys and will have a width of 10.5m and overall ridge height of 7m. The proposal amends the previously approved scheme UTT/16/1691/FUL incorporating a reduced roof height and revised design.

Councillor Fairhurst proposed the motion to approve the application.

The Chairman seconded the motion.

RESOLVED to approve the application in line with the conditions laid out in the decision notice.

12 **UTT/19/0154/HHF EASTER COTTAGE, CHICKNEY ROAD, HENHAM**

Referred to Committee due to applicant being related to a Councillor.

The Development Manager presented the proposal for the erection of a single storey rear extension and to replace a window with French doors. Rooflights are proposed to the existing extension and the proposed.

Councillor Gerard proposed a motion for approval.

The Chairman seconded the motion.

RESOLVED to approve the application with the conditions laid out in the decision notice.

13 **UTT/19/0155/LB EASTER COTTAGE, CHICKNEY ROAD, HENHAM**

Referred to Committee due to applicant being related to a Councillor.

The Development Manager advised that this was the listed building consent for the previously heard application;

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

Councillor Gerard proposed the motion for the approval of the application.

The Chairman seconded the motion.

RESOLVED to approve the application for listed building consent.

14 **UTT/19/0032/AV WAITROSE LTD, HILL STREET, SAFFRON WALDEN**

The Development Management Team Leader presented the application relating to proposed signage to be situated above the lift areas to advertise the Marketing Suite that is situated in Rose and Crown Walk. The sign would have dimensions of 4.4m x 0.55m.

Councillor Fairhurst proposed a motion for refusal of the application.

Councillor Gerard seconded the motion.

RESOLVED to refuse the application on the grounds laid out in the decision notice:

1. The proposed signage, by way of its scale, size, position, siting and design is unacceptable and unnecessary within the context of its location. The sign will result in the introduction of a bulky, visually intrusive and dominant feature which is harmful by definition to the character of the site, and surrounding area and will detract from the visually simplistic street scene. As such the application is contrary to The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Policy GEN2 of the Uttlesford Local Plan and the NPPF.

15 **UTT/19/0347/NMA BUILDING 60, CHESTERFORD PARK, LITTLE CHESTERFORD**

The Planning Officer presented the proposal for non-material amendments to planning application UTT/17/3111/FUL - Changes to hard standing area for parking spaces and road ways, relocation of cycle parking spaces, removal of chiller enclosure, re-grading of the landscaping and removal of the retaining wall and external seating, re-pitching of the roof profile and enlargement of turrets, enlargement/addition of doors and windows and changes to material of cladding of north elevation.

Councillor Fairhurst proposed a motion to approve the application.

Councillor Farthing seconded the motion.

RESOLEVD to approve the application.

16 **CHIEF OFFICER'S REPORT UTT/18/0386/FUL GREAT CHALKS, HIGH STREET, HATFIELD BROAD OAK**

The Development Manager presented the report which was a recommendation to amend the minutes of the Planning Committee on 26 September 2018 in relation to application UTT/18/0386/FUL to reflect the Heads of Terms of a S106 agreement that were discussed with greater emphasis and clarity than reflected.

The Committee confirmed that they were in agreement.

17 **CHIEF OFFICER'S REPORT UTT/19/0572/TCA WEARNS FOLLY, 9 CARMEN STREET, GREAT CHESTERFORD**

The Development Manager advised the Committee that the item was a notification of intent to carry out works to trees in a conservation area. The proposed works are deemed appropriate for the management of the trees.

The Chairman proposed motion for approval.

Councillor Fairhurst seconded the motion.

RESOLVED to approve the application.

18 **CHIEF OFFICER'S REPORT DEVELOPMENT MANAGEMENT LOCAL VALIDATION CHECKLISTS**

The Development Manager advised the Committee that Local Authorities have to review their local requirements every two years. There is a set procedure where the Council reviews the checklists to ensure compliance with legislation and policies. Following an internal review there was a six week consultation process. Consultation commenced on 6 December 2018 and finished on 31 January 2019.

The recommendation being that the amended Development Management Local Validation Checklists and association document be adopted for Development Management validation purposes.

The Chairman proposed approval.

Councillor Fairhurst seconded for approval.

RESOLVED to agree the recommendation for adoption.

The Development Manager thanked Councillor Hicks for his contribution which was noted and he wished him well in his retirement.

The Committee thanked the Chairman and the officers for their contribution in the last municipal year.

The Meeting ended at 5:30pm

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

(Referred to Committee by Cllr Gerard. Reason: Outside Development Limits;  
Scale/bulk of design. Deferred for a site visit at previous meeting)

<b>PROPOSAL:</b>	<b>Demolition of two bungalows and a garage. Construction of 2 replacement houses and garages.</b>
<b>LOCATION:</b>	<b>Park View and Pleasant View, Brick Kiln Lane, Rickling Green, Saffron Walden, CB11 3YH</b>
<b>APPLICANT:</b>	<b>Michael Payne and Simply Salmon Ltd</b>
<b>AGENT:</b>	<b>Donald Purkiss &amp; Associates LLP</b>
<b>EXPIRY DATE:</b>	<b>7 June 2019</b>
<b>CASE OFFICER:</b>	<b>Luke Mills</b>

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### **1. NOTATION**

1.1 Countryside.

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

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

### **3. PROPOSAL**

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

### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

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

### **5. APPLICANT'S CASE**

5.1 The application includes the following documents:

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

### **6. RELEVANT SITE HISTORY**

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

from the Inspector's decision letter is provided below:

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

## **7. POLICIES**

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

### **Uttlesford Local Plan (2005)**

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

### **Supplementary Planning Documents/Guidance**

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

### **National Policies**

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

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

### **Other Material Considerations**

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

## **8. PARISH COUNCIL COMMENTS**

### 8.1 Objection. Full response:

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

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

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

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

## **9. CONSULTATIONS**

### **Highway Authority (Essex County Council)**

9.1 No objections, subject to conditions.

### **Ecological Consultant (Place Services)**

9.2 No objections, subject to conditions. Extract:

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

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

### **Environmental Health Officer**

9.3 No objections.

### **London Stansted Airport**

9.4 No objections.

### **UK Power Networks**

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

### **Gigaclear**

9.6 General advice regarding the proximity of fibre broadband assets.

### **Cllr Hargreaves (Ward Councillor)**

9.7 Objection due to design concerns. Extract:

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

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

## **10. REPRESENTATIONS**

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

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

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

10.2 These points are covered in the below appraisal.

## **11. APPRAISAL**

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

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

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

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

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

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

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

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

**C Transport (GEN1, GEN8 & 102-111)**

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

**D Accessibility (GEN2, 127 & PPG)**

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

**E Amenity (GEN2 & 127)**

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

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

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

**G Infrastructure (GEN6)**

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

**H Biodiversity (GEN7, 175 & PPG)**

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

**I Affordable housing (H9 & 63)**

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

**J Housing mix (H10 & SHMA)**

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

**K Housing land supply (11 & 73)**

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

**L Effective use of land (118)**

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

**12. CONCLUSION**

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

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

**RECOMMENDATION – APPROVAL WITH CONDITIONS**

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Walls
- Roof
- Windows
- Doors

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

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

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

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

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

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

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

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

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

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

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

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

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled

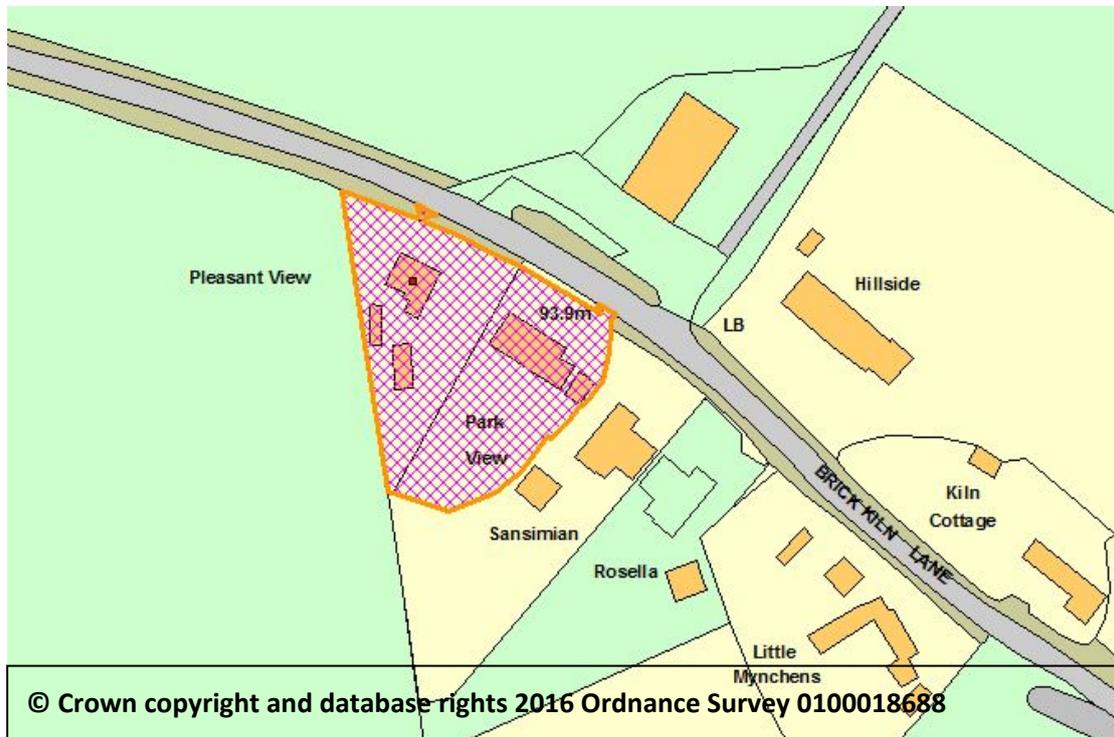
'Accessible Homes and Playspace' and the Planning Practice Guidance.

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

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

Application: UTT/19/0004/FUL

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



Organisation: Uttlesford District Council

Department: Planning

Date: 19/03/2019

## UTT/18/2959/DFO (SAFFRON WALDEN)

(Major)

<b>PROPOSAL:</b>	<b>Reserved matters following UTT/16/2210/OP for 85 residential dwellings including all necessary infrastructure and landscaping. Details of appearance, landscaping, layout and scale.</b>
<b>LOCATION:</b>	<b>Land East of Little Walden Road, Saffron Walden</b>
<b>APPLICANT:</b>	<b>Abbey Development Ltd</b>
<b>AGENT:</b>	<b>CMYK (Planning and Design) Ltd</b>
<b>EXPIRY DATE:</b>	<b>7 June 2019</b>
<b>CASE OFFICER:</b>	<b>Luke Mills</b>

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### **1. NOTATION**

- 1.1 Countryside; County Wildlife Site (part).

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

- 2.1 The site comprises 4.47 ha of undeveloped agricultural land to the east of Little Walden Road and to the north of St Mary's View, Saffron Walden.

### **3. PROPOSAL**

- 3.1 The application is for the approval of reserved matters following a grant of outline planning permission via an appeal on 21 August 2017 (UTT/16/2210/OP). The outline permission included the approval of access, with the current application seeking the approval of appearance, landscaping, layout and scale.
- 3.2 A full Accommodation Schedule is appended to this report.

### **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 was submitted with the following documents:
- Planning Statement
  - Design & Access Statement
  - Arboricultural Impact Assessment & Method Statement
  - Soft Landscape Specification
  - Drainage Statement

- Surface Water Drainage Maintenance Plan
- SuDS Checklist

5.2 The following documents have been submitted during the determination period:

- Revised Landscape and Ecological Management Plan
- Construction Environmental Management Plan (CEMP): Ecology
- Revised Drainage Statement
- Revised Arboricultural Impact Assessment & Method Statement
- Revised Surface Water Drainage Maintenance Plan

## 6. RELEVANT SITE HISTORY

6.1 Outline planning permission, with all matters reserved except access, was refused in December 2016 (UTT/16/2210/OP). The subsequent appeal was allowed.

6.2 An alternative scheme was submitted between the Council's decision and the appeal decision (UTT/17/0522/OP). Permission was refused and no appeal was submitted.

## 7. POLICIES

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

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

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

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

### **Uttlesford Local Plan (2005)**

7.4 S7 – The Countryside  
 GEN1 – Access  
 GEN2 – Design  
 GEN3 – Flood Protection  
 GEN4 – Good Neighbourliness  
 GEN5 – Light Pollution  
 GEN6 – Infrastructure Provision to Support Development  
 GEN7 – Nature Conservation  
 GEN8 – Vehicle Parking Standards

ENV3 – Open Spaces and Trees  
ENV4 – Ancient Monuments and Sites of Archaeological Importance  
ENV5 – Protection of Agricultural Land  
ENV7 – The Protection of the Natural Environment – Designated Sites  
ENV8 – Other Landscape Elements of Importance for Nature Conservation  
ENV13 – Exposure to Poor Air Quality  
ENV14 – Contaminated Land  
H1 – Housing Development  
H9 – Affordable Housing  
H10 – Housing Mix

### **Supplementary Planning Documents/Guidance**

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

### **National Policies**

- 7.6 National Planning Policy Framework (NPPF) (2019)  
- paragraphs 11, 63, 73, 78-79, 102-111, 127-130, 155-165, 170, 175, 178-179, 180, 181 & 189-199  
Planning Practice Guidance (PPG)  
- Air quality  
- Conserving and enhancing the historic environment  
- Design  
- Flood risk and coastal change  
- Housing: optional technical standards  
- Land affected by contamination  
- Light pollution  
- Natural environment  
- Rural housing

### **Other Material Considerations**

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)  
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)  
Air Quality Action Plan 2017 – 2022  
NPPF 2019 – Five Year Housing Land Supply update (March 2019)  
Landscape Character Assessment (LCA) (2006)  
Historic Settlement Character Assessment (2007)  
Emerging Local Plan  
- The Spatial Vision  
- SP 1 The Presumption in Favour of Sustainable Development  
- SP 2 The Spatial Strategy 2011-2033  
- SP 3 The Scale and Distribution of Housing Development  
- SP 9 Development Within Development Limits  
- SP 12 Sustainable Development Principles  
- H 1 Housing Density  
- H 2 Housing Mix  
- H 6 Affordable Housing  
- H 10 Accessible and Adaptable Homes  
- TA 1 Accessible Development

- TA 2 Sustainable Transport
- TA 2 The Provision of Electric Charging Points
- TA 3 Vehicle Parking Standards
- TA 4 New Transport Infrastructure or Measures
- INF 1 Infrastructure Delivery
- INF 2 Protection, Enhancement and Provision of Open Space, Sports Facilities and Playing Pitches
- INF 3 Health Impact Assessments
- INF 4 High Quality Communications and Super-Fast Broadband
- D 1 High Quality Design
- D 2 Car Parking Design
- D 8 Sustainable Design and Construction
- D 9 Minimising Carbon Dioxide Emissions
- EN 1 Protecting the Historic Environment
- EN 5 1 Scheduled Monuments and Sites of Archaeological Importance
- EN 7 Protecting and Enhancing the Natural Environment
- EN 10 Minimising Flood Risk
- EN 11 Surface Water Flooding
- EN 12 Protection of Water Resources
- EN 15 Air Quality
- EN 16 Contaminated Land
- EN 18 Light Pollution
- C 1 Protection of Landscape Character
- SAF 2 Land East of Little Walden Road

## **8. TOWN COUNCIL COMMENTS**

### **8.1 Objection, on the following grounds:**

“1) That the open market housing mix is heavily weighted towards larger houses, with 71% of the proposed open market housing development being 4- or 5-bedroom houses, and zero 1- or 2-bedroom houses. The Saffron Walden Neighbourhood Plan has identified a lack of and a need for, smaller homes in Saffron Walden;

2) That the design layout is inconsistent with the Essex Design Guide and therefore contrary to Policy D1 High Quality Design of the Regulation 19 Local Plan;

3) That the roads appear to be narrow and many do not have pavements, raising a concern about access for emergency and refuse vehicles;

4) That no detail is provided on the design of the SuDs and therefore that there is no clarity on the effect that a high level of rainfall on would have on Little Walden Road;

5) That the parking court is not over looked and may be considered to be unsafe by some users, which will encourage some residents to park on the streets (further complicating the problem of narrow streets and access for emergency services and rescue vehicles);

6) That the internal finished areas of the affordable housing 2-bedroom flats do not meet the nationally described space standards which is unacceptable, and which is contrary to Policy D1 of the Regulation 19 Local Plan High Quality Design which specifies that “*development should meet the nationally*

*described space standards.*” For clarity, the nationally described space standard for this size of dwelling being 70sqm, whereas the proposed dwellings are 66.31;

7) That no lighting plan has been submitted for the development;

8) That there is no clarity on the link between the development and St Mary’s View;

9) That there is no ecological consideration given to surface treatments for car parking; and

10) That there is no detail provided on facilities for charging plug-in vehicles, contrary to the Regulation 19 Local Plan Policy TA2 Sustainable Transport and Provision of electric charging Points, which specifies requirements per dwelling.”

## **9. CONSULTATIONS**

### **Highway Authority (Essex County Council)**

9.1 No objections, subject to conditions. Extract:

“From a highway and transportation perspective the impact of the layout and design of the proposal as shown in drawing number 1770/P10.2/B is acceptable to the Highway Authority subject to the following mitigation and conditions...”

### **Essex Police**

9.2 No objections to the proposed layout, although would wish to comment on the proposed lighting, boundary treatments and physical security measures.

### **Lead Local Flood Authority**

9.3 No objections, subject to conditions.

### **Ecological Consultant (Place Services)**

9.4 No objections, subject to the use of conditions to secure biodiversity mitigation and enhancement measures. Extract:

“We have reviewed the additional ecological information provided in relation to our comments on 15 March 2019 on impacts to protected species; Revised Landscape Proposals, Revised Landscape and Ecological Management Plan and Revised Construction Environmental Management Plan Rev A.

Details of reptile mitigation, enhancement and monitoring have now been provided in the Landscape and Ecological Management Plan Rev B (ACD Environmental, 16 April 2019).

The revised Landscape Proposals drawing ABBEY22054-11E 1 of 5 (Abbey New Homes, Oct. 2018) now shows the hop-over points for bats to deliver mitigation as required by the Appeal decision notice.

We are satisfied that there is sufficient ecological information available for determination of this Reserved Matters application.

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

### **Environmental Health**

- 9.5 No objections.

### **Housing Enabling Officer**

- 9.6 Generally supportive of the scheme but concerned regarding the suitability of the 3-bed, 5-person affordable homes. Extract:

“The delivery of affordable housing is one of the Councils’ corporate priorities. To meet the need in the District, the Council requires homes to 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. This is in line with the 1985 Housing Act and Welfare Reform Act 2012.

The applicant has submitted plans that show 3 bed properties housing 5 people over 3 stories, ie, a double bed room is in the roof of the property. This has raised concerns from housing association partners and Council colleague who have cited a lack of demand for this type of housing due to the layout, the size of rooms and the significant loss of revenue from empty properties.

... Recent 3 storey properties delivered in Uttlesford were empty for 6 weeks as all interested applicants declined them due to the layout, echoing the issues raised above.

Evidence from the Council’s Housing Register show there is a strong need for 3 bed properties in the District for families who have more than 2 children. The need is based on overcrowding, medical issues or homelessness due to no fault eviction from the private rented sector.

Previous 3 storey properties were empty for 6 weeks, causing a significant loss of rental income for the housing association. This is revenue that cannot be recouped and will show as a loss on the housing associations accounts. It also caused additional work for the Council’s and housing associations allocation teams.

The Housing Strategy Team is supportive of this scheme, however, as evidenced above, there is concern about the layout of the 3 bed homes. A more traditional house over 2 stories would meet the needs better of the residents of Uttlesford and prevent unnecessary loss of income for housing association partners.”

### **Anglian Water**

- 9.7 No objections, subject to the use of a condition to secure a foul water strategy.

### **Affinity Water**

- 9.8 Advises that the site is located in a Groundwater Source Protection Zone, and that groundwater pollution risk should be minimised.

### **UK Power Networks**

- 9.9 General advice on safe working near electrical lines/plant.

### **London Stansted Airport**

- 9.10 No objections.

### **NATS Safeguarding**

- 9.11 No objections.

## **10. REPRESENTATIONS**

- 10.1 Neighbours were notified of the application by letter, and notices were displayed near the site and in the local press. The following concerns have been raised among the submitted representations:

- 1) Harm to the character and appearance of the area
- 2) The proposed play area would adversely affect the amenity of existing residents
- 3) Dangerous cycle path layout
- 4) Potential adverse effects on biodiversity
- 5) Increased flood risk
- 6) The proposed layout is different to that presented in the previous application
- 7) Increased traffic congestion
- 8) Increased air pollution
- 9) Inadequate infrastructure to support the development e.g. education, healthcare, police
- 10) Dispute regarding land ownership and right of way adjacent St Mary's View

- 10.2 The following comments are made in relation to the above points:

- 1) – 4) Covered in the below appraisal.

5) Flood risk was mainly considered in the determination of the outline application, although the effect of the proposed layout on the achievement of a suitable sustainable drainage system (SuDS) is covered in the below appraisal.

6) The matter of layout was reserved at the outline application stage.

7) – 9) These issues were covered in the determination of the outline

application.

10) The proposed site area is the same as that shown in the outline application, with all appropriate ownership declarations having been made. It should be noted that land ownership and rights of way would not be affected by a decision to approve this application.

## **11. APPRAISAL**

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

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character and appearance (S7, GEN2, GEN5, ENV3, 127-130, 170 & PPG)
- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, 127 & PPG)
- E Crime (GEN2, 127 & PPG)
- F Amenity (GEN2, GEN4, GEN5, 127, 180 & PPG)
- G Flooding (GEN3, 155-165, PPG & SFRA)
- H Infrastructure (GEN6)
- I Biodiversity (GEN7, ENV7, ENV8, 175 & PPG)
- J Archaeology (ENV4, 189-199 & PPG)
- K Agricultural land (ENV5 & 170)
- L Air quality (ENV13, 181 & PPG)
- M Contamination (ENV14, 178-179 & PPG)
- N Affordable housing (H9 & 63)
- O Housing mix (H10 & SHMA)
- P Housing land supply (11 & 73)

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

11.1 Compliance with the above policies was addressed at the outline stage.

### **B Character and appearance (S7, GEN2, GEN5, ENV3, 127-130, 170 & PPG)**

11.2 The proposed development applies a traditional style to a variety of house types, arranged to form well-defined street scenes. Two public open spaces would be created, with that in the south-eastern corner also containing a play area. Taking into account the landscaping proposals for the site boundaries, it is considered that the development would assimilate well into its edge-of-town surroundings. It is therefore concluded that the proposal accords with the above policies insofar as they relate to character and appearance.

11.3 It is noted that conditions 14, 15 and 20 of the outline planning permission require the separate approval of lighting details, tree protection measures and site section drawings.

### **C Transport (GEN1, GEN8 & 102-111)**

11.4 Sustainable transport and highway capacity were addressed at the outline stage, with the Reserved Matters application confirming details of the layout, parking provision and pedestrian/cycle link to St Mary's View. Taking into account the comments of the highway authority, it is considered that there would be no adverse effects on road safety or efficiency. Furthermore, suitable off-street parking provision would be made in accordance with the

Council's minimum standards.

- 11.5 It is noted that conditions 5, 6 and 8-11 of the outline planning permission secure various transport-related details.

**D Accessibility (GEN2, 127 & PPG)**

- 11.6 Condition 19 of the outline planning permission secures compliance with the accessibility standards in Requirement M4(2) and M4(3) of the Building Regulations, in accordance with the above policies.

**E Crime (GEN2, 127 & PPG)**

- 11.7 Taking into account the comments of the Crime Prevention Officer at Essex Police, it is considered that the proposed design ensures that there would be no significant risks of crime. It is therefore concluded that the proposal accords with the above policies insofar as they relate to crime prevention.

**F Amenity (GEN2, GEN4, GEN5, 127, 180 & PPG)**

- 11.8 Taking into account The Essex Design Guide, which constitutes non-adopted but useful guidance, it is considered that the proposed private amenity spaces would be of a suitable size and layout. All private rear gardens would meet or exceed the suggested minimum standards, and the 5 sq m balconies/terraces for the flats are considered useable and sufficient for such small dwellings given the easy access to new public open spaces.

- 11.9 Taking into account the minimum standards in The Essex Design Guide, it is considered that there would be no significant adverse effects on the amenity of existing or future residents 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. It is noted that condition 14 of the outline planning permission secures full details of all external lighting.

**G Flooding (GEN3, 155-165, PPG & SFRA)**

- 11.10 Taking into account the comments of the lead local flood authority, it is considered that an appropriate sustainable drainage system (SuDS) could be secured through the approval of details reserved by conditions 16 and 17 of the outline planning permission.

**H Infrastructure (GEN6)**

- 11.11 Contributions towards off-site infrastructure were secured where appropriate through the outline planning permission. It is noted that Anglian Water has altered its position with the current application, requesting that a foul water strategy should be agreed. However, this is considered unnecessary for the Reserved Matters application, which does not relate to the principle of development.

**I Biodiversity (GEN7, ENV7, ENV8, 175 & PPG)**

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

concluded that the proposal accords with the above policies.

- 11.13 The suggested condition relating to lighting details effectively duplicates condition 14 of the outline planning permission and is therefore considered unnecessary. It is noted that conditions 12 and 13 of the outline permission require the approval of ecological details, which have also been submitted with the current application and found to be acceptable.

**J Archaeology (ENV4, 189-199 & PPG)**

- 11.14 Compliance with the above policies was addressed at the outline stage, with condition 18 of the permission securing appropriate archaeological investigation.

**K Agricultural land (ENV5 & 170)**

- 11.15 Compliance with the above policies was addressed at the outline stage.

**L Air quality (ENV13, 181 & PPG)**

- 11.16 Compliance with the above policies was addressed at the outline stage.

**M Contamination (ENV14, 178-179 & PPG)**

- 11.17 Compliance with the above policies was addressed at the outline stage.

**N Affordable housing (H9 & 63)**

- 11.18 The provision of 34 affordable homes was secured when outline planning permission was granted, with the Reserved Matters application adding details of their position and design. Taking into account the comments of the Housing Enabling Officer, it is considered that the development would generally provide suitable affordable housing. However, it has been noted that the seven three-bedroom units would have an inconvenient layout that could make them difficult to let.
- 11.19 It is concluded that the proposal accords with Policy H9 on the basis that it provides a suitable number of affordable homes in a broadly appropriate mix. In the absence of any detailed policy on the internal layout of affordable housing, it is considered that the above reservations regarding the three-bedroom units do not represent a conflict with policy. Nevertheless, it should be noted that any difficulties that the applicant may encounter when a Registered Provider is engaged would not lead to a reduction in affordable housing provision. Ultimately, amended designs would need to be authorised through a new planning application.

**O Housing mix (H10 & SHMA)**

- 11.20 Policy H10 requires that a significant proportion of market housing is provided in the form of small dwellings with two or three bedrooms. The most up-to-date housing needs are presented in the SHMA, which suggests that the requirement for small dwellings remains but is skewed towards three-bedroom rather than two-bedroom properties. The below table compares the SHMA requirements with the proposed housing mix:

<b>Market house type</b>	<b>SHMA</b>	<b>Proposal</b>
1 bed flat	140 (1.4%)	0
2+ bed flat	80 (0.8%)	0
2 bed house	690 (7.1%)	4 (8%)
3 bed house	4,290 (44.2%)	22 (43%)
4 bed house	3,110 (32%)	23 (45%)
5+ bed house	1,410 (14.5%)	2 (4%)
<b>Total</b>	<b>9,700 (100%)</b>	<b>51 (100%)</b>

11.21 It is concluded that the proposal aligns well with the housing mix requirements and complies with Policy H10.

**P Housing land supply (11 & 73)**

11.22 Compliance with the above policies was addressed at the outline stage.

**12. CONCLUSION**

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

**A** The submitted Reserved Matters would not cause conflict with the development plan or the NPPF, and no material considerations indicate that the application should be refused. It is therefore recommended that approval be granted.

**RECOMMENDATION – APPROVAL WITH CONDITIONS**

**Conditions**

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

- Walls
- Roof
- Windows
- Doors

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

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

2. Prior to occupation of any dwelling, full details of the following hard landscaping works (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Hard surfaces
- Boundary treatment

All hard landscape works must be carried out in accordance with the

approved details.

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

3. Prior to any works above slab level for the substation shown on Drawing No. 1770/P/10.02, full details of its elevations and external finishes must be submitted to and approved in writing by the local planning authority. The substation must be erected in accordance with the approved details.

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

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

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

5. The development must be carried out in accordance with the ecological mitigation and enhancement measures and/or works recommended in the submitted Construction Environment Management Plan : Ecology (ACD, April 2019) and Landscape and Ecological Management Plan Rev B (ACD, April 2019).

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

6. Throughout the period of construction of the development, on-site provision must be made 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

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

7. Prior to occupation of each dwelling, its associated garage or cycle store must be completed in accordance with the approved drawings.

REASON: To ensure appropriate cycle parking provision is made, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

8. The proposed turning heads must include the entire area required for the turning movements as shown on Drawing No. E3843/796/B, and must be constructed to adoptable standards and maintained free from permanent obstruction within the site at all times for that sole purpose.

REASON: To ensure that large vehicles including refuse vehicles can safely navigate the site, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

**Appendix:  
Accommodation Schedule**

<b>Plot</b>	<b>Tenure</b>	<b>Bedrooms (No.)</b>	<b>Garden (sq m)</b>	<b>Parking (No.)</b>
1	Market	4	139	3
2	Market	3	118	2
3	Market	4	163	4
4	Market	4	119	4
5	Market	3	136	2
6	Market	3	111	2
7	Market	2	58	2
8	Market	3	111	2
9	Affordable	4	152	3
10	Affordable	2	66	2
11	Affordable	2	63	2
12	Affordable	2	58	2
13	Affordable	2	58	2
14	Affordable	2	58	2
15	Affordable	2	65	2
16	Market	4	108	3
17	Market	3	100	2
18	Market	3	104	2
19	Market	2	80	2
20	Market	2	54	2
21	Market	3	107	2
22	Affordable	2	5	2
23	Affordable	1	5	1
24	Affordable	1	5	1
25	Affordable	2	5	2
26	Affordable	2	5	2
27	Affordable	2	5	2
28	Affordable	2	5	2
29	Affordable	2	5	2
30	Affordable	2	5	2
31	Market	3	103	2
32	Market	4	112	3*
33	Market	3	104	2
34	Market	4	101	3*
35	Market	3	118	2
36	Market	4	153	3*
37	Market	5	186	3
38	Market	4	120	3
39	Market	3	102	2
40	Market	3	130	2
41	Market	4	103	4
42	Market	4	101	3*
43	Market	3	106	2
44	Market	3	100	2
45	Market	3	101	2
46	Market	3	100	2
47	Affordable	3	100	2
48	Affordable	3	106	2

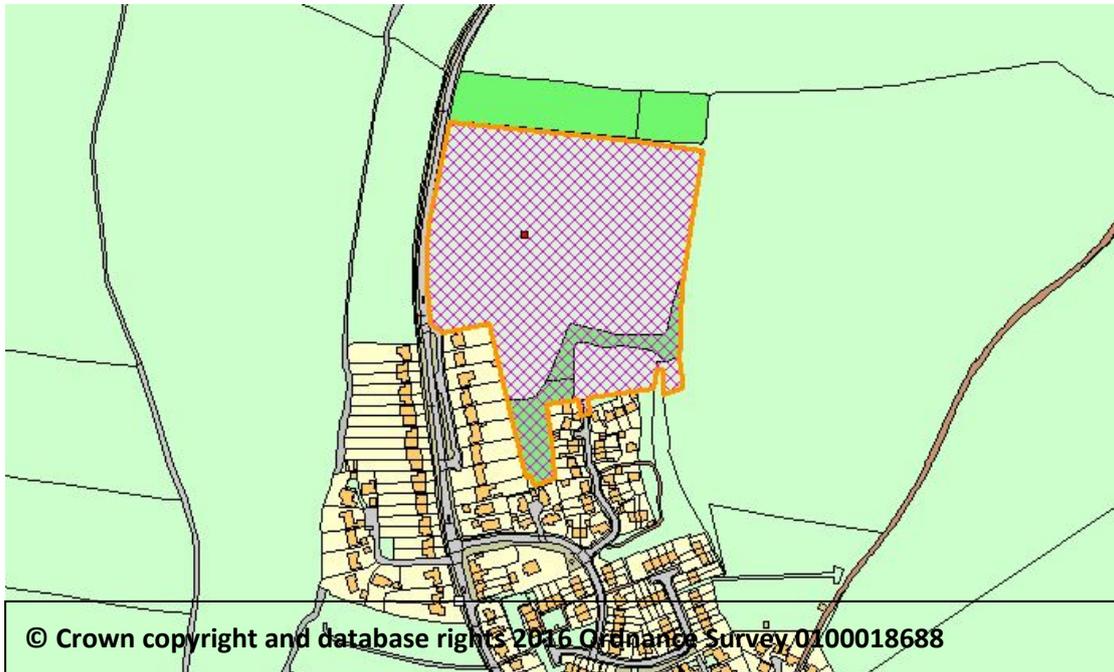
49	Affordable	3	116	2
50	Affordable	3	117	2
51	Affordable	2	116	2
52	Affordable	2	138	2
53	Market	4	224	3
54	Market	4	107	3
55	Market	3	103	2
56	Market	3	103	2
57	Market	3	107	2
58	Market	2	65	2
59	Affordable	2	5	2
60	Affordable	2	5	2
61	Affordable	2	5	2
62	Affordable	2	5	2
63	Affordable	2	5	2
64	Affordable	2	5	2
65	Affordable	2	5	2
66	Affordable	2	5	2
67	Affordable	2	5	2
68	Affordable	2	118	2
69	Affordable	2	107	2
70	Affordable	2	105	2
71	Market	4	105	3
72	Market	3	125	2
73	Market	3	124	2
74	Market	4	108	3
75	Market	4	100	3*
76	Market	4	103	3
77	Market	3	122	2
78	Market	3	113	2
79	Market	4	143	3*
80	Market	4	180	3*
81	Market	4	113	3
82	Market	4	122	3
83	Market	4	304	3*
84	Market	4	228	3*
85	Market	5	248	3
Visitors	-	-	-	22

\* One space comprises an unallocated space adjacent the property.

NB: Where three spaces are arranged end-to-end, the provision is calculated as two spaces only.

Application: UTT/18/2959/DFO

Address: Land East of Little Walden Road, Saffron Walden



Organisation: Uttlesford District Council

Department: Planning

Date: 17/05/2019

UTT/19/0484/OP (Farnham)

(Called in by CLLR Loughlin if recommended for refusal)

**PROPOSAL:** Outline application with all matters reserved for the demolition of existing garage and erection of 1 no. detached dwelling with shared access

**LOCATION:** Friarton, Chatter End Road, Farnham

**APPLICANT:** Mr and Mrs King

**AGENT:** Lucy Carpenter

**EXPIRY DATE:** 7<sup>th</sup> June 2019

**CASE OFFICER:** Chris Tyler

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## 1. NOTATION

1.1 Outside Development Limits,

## 2. DESCRIPTION OF SITE

2.1 The application site is located to the south of Chatter End Road in the parish of Farnham. The site is within the existing garden area serving Friarton. Friarton is a two storey detached property set towards the front of the site with a large garden and outbuildings. The site is mainly bound by hedgerow and fencing

## 3. PROPOSAL

3.1 This this outline planning application is for all matters reserved for the demolition of the existing garage and erection of a single detached dwelling with shared access. The access, appearance, landscaping, layout and scale will be assessed in a subsequent reserved application.

## 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.

Also submitted is an ecological appraisal

## **6. RELEVANT SITE HISTORY**

- 6.1 UTT/15/0525/OP- Outline application with all matters reserved for the demolition of outbuildings and the erection on 1 no. dwelling.

REFUSED 1/5/2015

Refused due to the unsustainable location of the site and impact the character of the area.

UTT/1435/09/OP – Outline planning permission for a single two storey dwelling.

REFUSED 2/3/2010

Refused due to the unsustainable location of the site and impact to the character of the area, highway safety impact.

## **7. POLICIES**

- 7.1 National Policies

- 7.2 National Planning Policy Framework (2019)

### **7.3 Uttlesford Local Plan (2005)**

Policy S7 –The Countryside

Policy GEN2 – Design

Policy H4- Backland Development

Policy GEN7 - Nature Conservation

Policy ENV2- Development affecting Listed Buildings

### **7.4 Supplementary Planning Documents/Guidance**

Uttlesford Local Residential Parking Standards (2013)

Supplementary Planning Document- Accessible homes and play space homes

Essex Design Guide

## **8. PARISH COUNCIL COMMENTS**

- 8.1 No comments received – expiry date 5/4/2019

## **9.0 CONSULTATIONS**

### **The Highways Authority**

- 9.1 From a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:

The applicant has failed to demonstrate that safe and suitable access to the site can be achieved in accordance with current safety standards and the impact on the highway network caused by this proposal will not have unacceptable consequences in terms of highway safety.

Therefore this proposal is contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and Uttlesford Local Plan Policy GEN1.

#### Informative

The applicant should demonstrate that visibility splays can be achieved for the ambient speed of the traffic, across either land within the control of the applicant or highway land. Furthermore, the geometric layout and construction of the access must be adequate for the proposal.

#### **ECC Ecology**

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

#### Recommended conditions

#### **ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

All ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Survey and Assessment (Essex Mammal Surveys, Feb 2019 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

*This includes hedgehog permeable boundaries, installing two bird nest boxes and one hedgehog box.*

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

## **10 REPRESENTATIONS**

- 10.1 Neighbouring properties consultation- expiry 1/4/2019  
Site notice and advertisement expiry- 19/4/2019  
9 Letters of support received

## **11 APPRAISAL**

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

- A The principle of development of the site (NPPF, ULP Policies S7, GEN2, H4 and the NPPF)
- B Impact on residential amenity (ULP Policy GEN2 and the NPPF);
- C Nature Conservation (ULP Policy GEN7)
- D Impact to the setting of the listed building (ENV2)
- E Any other material considerations

- A The principle of development of the site (NPPF, ULP Policies S7, GEN2, H4, and the NPPF)**

- 11.1 The proposal is located outside of any development limits, within the countryside. As a result, Local Plan Policy S7 applies. This states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there or is appropriate to the rural area, with development only being 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.
- 11.2 The introduction of the dwelling will by virtue result in a conflict with ULP Policy S7, whilst it is considered that the proposed development would fail to comply with Local Plan Policy S7, it is also recognised that the NPPF sets out applicable national planning policy in relation to sustainable development and housing in rural area. It has been found that Local Plan Policy S7 is only partly consistent with the NPPF, due to its protective approach. The following paragraph sets out the assessment of the principle of the development in regards to the NPPF and sustainable development.
- 11.3 Paragraph 170 of the NPPF, along recognising the intrinsic character and beauty of the countryside, protecting and enhancing valued landscapes. Paragraph 78 of the NPPF sets out that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby.
- 11.4 It is noted that Uttlesford District Council cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that when it has a shortfall that it should consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need. It is important for the Council to continue to consider, and where appropriate, approve development which is sustainable, to ensure delivery in the future and to ensure that the level of housing supply is robust and sustained over time in the years to come.
- 11.5 As identified in the most recent housing trajectory document (March 2019), the Council's housing land supply is of 3.29 years for the present time, the Council is therefore unable to demonstrate a deliverable 5 year supply of housing land.. Paragraph 11 of the NPPF considers the presumption of sustainable development , 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.

- 11.6 Economic:  
The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. The development will deliver a small economic role by the creation of a small amount of employment during the construction phase and the occupiers of the house would contribute to the local economy in the long term, as such there would

be some, but limited, positive economic benefit.

11.7 Social:

The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The nearest social facilities will be located in the village of Farnham. There are no footpaths from the application site to village the nearest bus stop and the most frequent bus service takes local children to secondary schools, this would likely prevent a resident attending full time in larger main settlements unless travel is undertaken by private car, as such the development would not support sustainable transport.

Although the application site outside of the main village area it is in close proximity to other neighbouring properties, taking in consideration recent case law Braintree DC v SSCLG [2018] EWCA Civ. 610 it is considered the site is not an isolated location, however the site is clearly separated from a village settlement, the site includes a scattering of dwellings however is mainly isolated from social facilities.

Although the development will support nearby village this would not outweigh the harm cause due to then unacceptable level of social sustainability.

11.8 Environmental

The landscape performs the function of clearly defining and containing the extent of built form. Whilst the layout, design, landscaping and access of the proposed development will form part of a subsequent reserved matters application the proposal will include the introduction of a single dwelling on this site.

An indicative plan has been included with the application demonstrated a proposed layout, although the layout of the development is a reserved matter it will result in the introduction of dwelling to the rear of the site and to the rear of the dwelling of Friarton, this significant built form to the rear of the site will result in a harmful impact to the character of the open rural site. This back land positioning of the development will result in the introduction of significant built form that will be visible while approaching the site along Chatter End Road, this will not protect the intrinsic character and beauty of the countryside, as such conflicting with the aim of paragraph 170 of the NPPF.

Although the introduction of the dwelling would contribute to the housing numbers this would not be outweighed by the by the limited environmental sustainability.

11.9 ULP Policy GEN2 advises that development will be permitted if it is considered compatible with its surroundings. The proposed dwelling will be to the rear of the existing dwelling, the positioning of the development would be of a backland position, this is out of character with the general form of development within this area. It is appreciated that some neighbouring dwellings are set back from the road, but these buildings have a historical context with the landscape, the application site and its initial surrounding mainly consist of linear form of development along the highway. As such the proposed development to the rear of Friarton would be out of character with the rural setting of the site and therefore not in accordance with ULP Policies S7, GEN2 and the NPPF.

11.10 ULP Policy H4 considers back land development, in the context of the principle of the development this policy advises development of a parcel of land does not have a road frontage will be permitted if:

- There is significant under use of the land and the development would make more effective use of it
- There would be no material overlooking or overshadowing of nearby properties
- Development would not have an overbearing impact on neighbouring properties
- Access would not cause a disturbance to nearby properties.

11.11 In regards to ULP Policy H4:  
The large site could accommodate a new dwelling on this site and would make better use of the large unused area.

Material overlooking or overshadowing and overbearing impacts of nearby properties cannot be considered in this outline planning application and will be assessed in the subsequent reserved matters application.

The access to the site is a reserved matter.

As such it is considered the proposed outline proposal is in accordance with ULP Policy H4

## **B Impact on residential amenity (ULP Policy and the NPPF)**

11.12 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.

11.13 The application is for outline planning permission with all matters reserved, the impact to neighbouring properties will be assessed in the subsequent reserved matters application. However it is considered the introduction of a single dwelling is unlikely to result in an intensification of noise and disturbance that will have a significant harmful impact to neighbouring properties.

## **C Nature Conservation (ULP Policy GEN7)**

11.14 The applicants submitted an ecology assessment with the application, Essex County Council ecology officers have been consulted and have not made any objections subject to the imposition of a condition regarding mitigation measures.

As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

## **D Impact to the setting of the listed building (ULP Policy ENV2 and the NPPF)**

11.15 ULP ENV2 Policy affirms that development affecting a listed building should be in keeping with the scale, character and surroundings. The NPPF advises that development should be refused if it would lead to substantial harm or total loss of the significance of a heritage asset.

11.16 The neighbouring property to the west of the site (Kettlewell Cottage) is a listed

building, whilst the conservation officer has not objected to this outline planning application it is noted that the dwelling in this site will be a significant departure from the existing development pattern in this location, particularly as an overly domestic appearance in its form. Subject to reserve matters details the proposal accords with ULP Policy ENV2 and the NPPF.

## **E Any other material considerations**

- 11.17 Any other material considerations:  
The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.

SP10- Protection of the countryside  
D1- High quality design  
EN8- Protecting the natural environment.  
EN4- Development affecting listed buildings

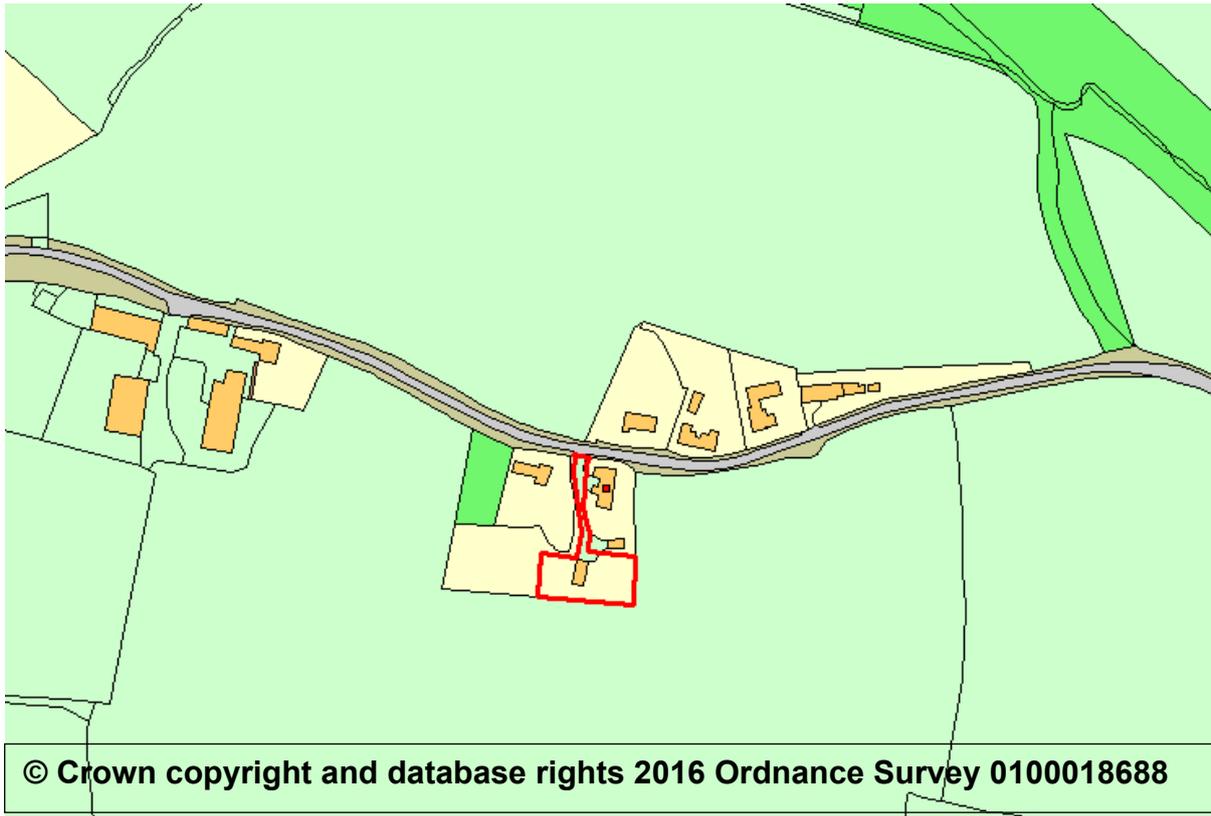
## **12. CONCLUSION**

- 12.1 In conclusion, the proposal does not accord with the development plan or the NPPF. No material considerations indicate that planning permission should be granted. It is therefore recommended that planning permission be refused.

## **RECOMMENDATION – REFUSAL**

### **Refusal Reasons:**

1. The proposed dwelling will represent the introduction of built form to this back land position; this is out of character with the general form of development within this area. The application site and its surrounding mainly consist of linear forms of development along the highway. As such the introduction of the proposed development would be out of character with the surrounding rural setting of the site and will have a harmful impact. The development is not in accordance with ULP Policies S7, GEN2 and the NPPF.
2. The proposed application site is as an isolated site and void of amenities, services and not within close proximity of and other nearby villages. The proposal does not represent a sustainable form of residential development at this rural location and would not in the circumstances be consistent with the social strand of sustainable development within the NPPF.



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Organisation: Uttlesford District Council

Department: Planning

Date: 16 May 2019

## UTT/18/3293/FUL (NEWPORT)

(Referred to Committee by Cllr Hargreaves. Reason: Traffic and access issues)

<b>PROPOSAL:</b>	<b>Demolition of existing dwelling and annex and erection of 1 no. replacement dwelling and 1 no. new dwelling.</b>
<b>LOCATION:</b>	<b>Branksome, Whiteditch Lane, Newport, CB11 3UD</b>
<b>APPLICANT:</b>	<b>Mr Peter Frost</b>
<b>AGENT:</b>	<b>Pelham Structures Ltd</b>
<b>EXPIRY DATE:</b>	<b>7 June 2019</b>
<b>CASE OFFICER:</b>	<b>Luke Mills</b>

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### **1. NOTATION**

1.1 Countryside.

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

2.1 The site is located off Whiteditch Lane, Newport. It contains a detached bungalow, including an annex, and its grounds.

### **3. PROPOSAL**

3.1 The application is for planning permission to demolish the existing bungalow and erect two dwellings and associated garages. The two existing access points off Whiteditch Lane would be utilised.

3.2 The proposal is a revised scheme to that approved in May 2016, which included the re-use of the existing bungalow rather than its demolition and replacement (UTT/16/0280/FUL).

### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

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

### **5. APPLICANT'S CASE**

5.1 The following documents were submitted with the application:

- Covering letter
- Planning Statement
- Accessibility Statement
- Biodiversity Validation Checklist
- Ecology report
- Contamination Statement
- Site Waste Management Plan

- Structural Assessment
- Sustainability Statement
- Sustainable Construction statement
- Sustainable Construction Pre-Application Checklist for Dwellings

5.2 A Bat Survey was submitted during the determination period.

## 6. RELEVANT SITE HISTORY

6.1 The following planning approvals are considered relevant to the subject application:

- UTT/16/0280/FUL Part demolition and extension of existing dwelling and erection of 1 no. new dwelling together with cartlodes and access (Approved: 2016)
- UTT/16/3663/FUL Application for removal of conditions 7 & 8 (Condition Surveys) following the grant of planning permission, reference UTT/16/0280/FUL (Approved: 2017)

6.2 It is noted that planning permission has also been granted for the erection of two dwellings on the paddock to the rear of Branksome (UTT/18/1305/FUL).

## 7. POLICIES

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

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

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

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

### **Uttlesford Local Plan (2005)**

7.4 S7 – The Countryside  
 GEN1 – Access  
 GEN2 – Design  
 GEN3 – Flood Protection  
 GEN6 – Infrastructure Provision to Support Development  
 GEN7 – Nature Conservation  
 GEN8 – Vehicle Parking Standards

ENV4 – Ancient Monuments and Sites of Archaeological Importance  
H1 – Housing Development  
H9 – Affordable Housing

### **Supplementary Planning Documents/Guidance**

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

### **National Policies**

- 7.6 National Planning Policy Framework (NPPF) (2019)  
- paragraphs 11, 63, 73, 78-79, 102-111, 127-131, 155-165, 170, 175 & 189-199  
Planning Practice Guidance (PPG)  
- Conserving and enhancing the historic environment  
- Design  
- Flood risk and coastal change  
- Housing: optional technical standards  
- Natural environment  
- Planning obligations  
- Rural housing

### **Other Material Considerations**

- 7.7 West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) (2015)  
Uttlesford Strategic Flood Risk Assessment (SFRA) (2016)  
NPPF 2019 – Five Year Housing Land Supply update (March 2019)  
Emerging Local Plan  
- The Spatial Vision  
- SP 1 The Presumption in Favour of Sustainable Development  
- SP 2 The Spatial Strategy 2011-2033  
- SP 3 The Scale and Distribution of Housing Development  
- SP 10 Protection of the Countryside  
- SP 11 London Stansted Airport  
- SP 12 Sustainable Development Principles  
- H 1 Housing Density  
- H 2 Housing Mix  
- H 6 Affordable Housing  
- H 10 Accessible and Adaptable Homes  
- TA 1 Accessible Development  
- TA 2 Sustainable Transport  
- TA 2 The Provision of Electric Charging Points  
- TA 3 Vehicle Parking Standards  
- TA 4 New Transport Infrastructure or Measures  
- INF 1 Infrastructure Delivery  
- INF 2 Protection, Enhancement and Provision of Open Space, Sports Facilities and Playing Pitches  
- INF 3 Health Impact Assessments  
- INF 4 High Quality Communications and Super-Fast Broadband  
- D 1 High Quality Design  
- D 2 Car Parking Design

- D 3 Small Scale Development / Householder Extensions
  - D 8 Sustainable Design and Construction
  - D 9 Minimising Carbon Dioxide Emissions
  - EN 5 1 Scheduled Monuments and Sites of Archaeological Importance
  - EN 7 Protecting and Enhancing the Natural Environment
  - EN 10 Minimising Flood Risk
  - EN 11 Surface Water Flooding
  - C 1 Protection of Landscape Character
- Emerging Newport, Quendon & Rickling Neighbourhood Plan

## **8. PARISH COUNCIL COMMENTS**

8.1 Objection. Concerns include the following, with emphasis on the cumulative impacts with other developments:

- Increased risk to highway safety
- Reduced air quality
- Increased risk of flooding
- Inadequate surface water drainage
- Damage to the byway
- Inadequate infrastructure e.g. sewerage, water

## **9. CONSULTATIONS**

### **Highway Authority (Essex County Council)**

9.1 No objections, subject to conditions and a payment of £7,600 towards a scheme to mitigate the effect of construction traffic on the highway. Extract:

“In highways terms the application is a replica of UTT/16/0208 which was approved with conditions in May 2016. Two of those conditions (7 & 8) were highway conditions requiring a before and after survey of Whiteditch Lane and the requirement to repair any damage caused in construction. An application to remove these conditions was made by the applicant and approved in February 2017 by the planning authority, as the conditions were found not to meet the tests outlined in planning law.

Current construction of dwelling has caused damage to the lane and it is reasonable to conclude that future construction will also cause damage. Therefore the Highway Authority has put together a costed schedule for a scheme to mitigate the impact of construction traffic from the planned developments. As part of the application a contribution towards the scheme of £7600 is required to mitigate the impact of the construction on the highway - this is the total cost divided by the number of planned dwellings. The other conditions remain, including the requirement for a passing bay, which has been enhanced by ensuring the full width of carriageway is surfaced along the site frontage again to mitigate impact of construction traffic.”

### **Ecological Consultant (Place Services)**

9.2 No objections, subject to conditions. Extract:

“We have reviewed the Ecology Report (Arbon, October 2015) and the more recently submitted Bat Survey (Essex Mammal Surveys April 2019) supplied

by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species.

We are 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/ habitats and, with appropriate compensation mitigation measures secured, the development can be made acceptable. We have also proposed some reasonable biodiversity enhancements and recommend that they should also be secured by a condition on any consent.

The mitigation measures identified in the Ecology Report for nesting birds and tree/hedgerow protection should be secured and implemented in full. This is necessary to conserve and enhance Protected species and habitat.”

### **Historic Environment Advisor (Place Services)**

- 9.3 No objections, subject to the use of a condition to secure appropriate archaeological investigation. Extract:

“The Historic Environment Record has indicated that the proposed development area lies within a potentially sensitive area of heritage assets. The area lies north of the suggested limits of the medieval town and recent trial trenching to the south/west of the site identified prehistoric occupation from the Late Bronze Age and Early Iron Age (EHER 49066 and 48597). The site also lies in close proximity to a sequence of cropmarks indicative of a large enclosure (EHER 19837).”

## **10. REPRESENTATIONS**

- 10.1 Neighbours were notified of the application by letter and a notice was displayed near the site. One representation has been received, which suggests that the front boundary should be sensitively delineated using mature native hedging.

## **11. APPRAISAL**

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

- A Location of housing (S7, H1, 78-79 & PPG)
- B Character and appearance (S7, GEN2, 127-131, 170 & PPG)
- C Transport (GEN1, GEN8 & 102-111)
- D Accessibility (GEN2, 127 & PPG)
- E Amenity (GEN2, 127 & PPG)
- F Flooding (GEN3, 155-165, PPG & SFRA)
- G Infrastructure (GEN6)
- H Biodiversity (GEN7, 175 & PPG)
- I Archaeology (ENV4, 189-199 & PPG)
- J Affordable housing (H9 & 63)
- K Housing land supply (11 & 73)

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

- 11.1 The site’s location beyond the Development Limits for Newport ensures that

residential development would not accord with Local Plan policies on the location of housing. However, its position adjacent the built-up area of the village ensures compliance with the more up-to-date policy at paragraphs 78-79 of the NPPF.

**B Character and appearance (S7, GEN2, 127-131, 170 & PPG)**

- 11.2 The scale of surrounding dwellings is predominantly two storeys, and varied architectural styles include traditional designs similar to those proposed. It is considered that the proposed houses would appear compatible with this setting, and their layout would not lead to a harmful encroachment of buildings into the surrounding countryside. It is therefore concluded that the proposal accords with the above policies insofar as they relate to character and appearance.

**C Transport (GEN1, GEN8 & 102-111)**

- 11.3 The site's location within a relatively large village ensures that the occupants of the proposed dwelling would have access to a small range of services and facilities, and to a train station with regular services to Cambridge and London. It is therefore considered that the proposal meets the sustainable transport objectives of Policy GEN1 and paragraph 103 of the NPPF.
- 11.4 Taking into account the comments of the highway authority, it is considered that there would be no adverse effects on highway safety or efficiency provided that conditions would be used to secure certain access details. Furthermore, a S106 agreement would secure a proportionate financial contribution towards a scheme for the mitigation of construction traffic impacts on Whiteditch Lane.
- 11.5 The proposed driveways and cart lodges would provide ample space for off-street parking, in excess of the Council's minimum residential parking standards. It is therefore concluded that the proposal accords with the above transport policies.

**D Accessibility (GEN2, 127 & PPG)**

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

**E Amenity (GEN2, 127 & PPG)**

- 11.7 Taking into account The Essex Design Guide, which constitutes non-adopted but useful guidance, it is considered that the proposed rear gardens would be of a suitable size, and that there would be no significant adverse effects on the amenity of neighbouring premises with respect to daylight, privacy or overbearing impacts.
- 11.8 Subject to the use of a condition to secure obscure glazing in the bathroom and secondary bedroom windows in the southern elevation of the replacement dwelling, it is concluded that the proposal accords with the above policies insofar as they relate to amenity.

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

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

**G Infrastructure (GEN6)**

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

**H Biodiversity (GEN7, 175 & PPG)**

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

**I Archaeology (ENV4, 189-199 & PPG)**

- 11.12 Taking into account the comments of the Historic Environment Advisor, it is considered that the development could affect important archaeological remains but that a planning condition could be used to secure appropriate investigation. It is therefore concluded that the proposal accords with the above policies insofar as they relate to archaeology.

**J Affordable housing (H9 & 63)**

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

**K Housing land supply (11 & 73)**

- 11.14 Paragraphs 11 and 73 of the NPPF describe the importance of maintaining a five-year supply of deliverable housing sites. As identified in the most recent housing trajectory document, 'NPPF 2019 – Five Year Housing Land Supply update (March 2019)', the Council's housing land supply is currently 3.29 years. Therefore, contributions towards housing land supply must be regarded as a positive effect.
- 11.15 Notwithstanding the above, it is noted that the Council's delivery of housing was greater than the housing requirement over the previous three years, as represented by a Housing Delivery Test calculation of 147%.

## 12. CONCLUSION

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

- A** The proposal does not accord with the development plan due to conflicts with policies on the location of housing.
- B** Notwithstanding the above, it is concluded that the proposal represents 'sustainable development' in the context of the NPPF. The tilted balance at paragraph 11 is engaged because important policies, including housing policies and their associated site allocations and Development Limits, are out of date. In this case, no adverse effects would significantly and demonstrably outweigh the benefits from the proposal's contribution towards housing land supply.
- C** Taking into account the more up-to-date nature of the NPPF with respect to the determining issues, it is considered that the lack of accordance with the development plan is overridden in this instance. Regard has been had to all other material considerations, and it is concluded that planning permission should be granted.
- D** The applicant has been consulted on all 'pre-commencement' conditions, in accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

### **RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 LEGAL OBLIGATION:**

- (I) The applicant be informed that the Planning Committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude such an obligation to secure the following:**
  - (i) Payment of a financial contribution to mitigate the effect of the development on the condition of Whiteditch Lane**
  - (ii) Payment of the Council's reasonable legal costs**
  - (iii) Payment of monitoring fee**
- (II) In the event of such an obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below**
- (III) If the freehold owner shall fail to enter into such an obligation by 3 July 2019, the Assistant Director Planning shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:**
  - (i) Lack of mitigation for the effect of the development on the condition of Whiteditch Lane**

## Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of the development or preliminary groundworks, a written scheme of investigation including a programme of archaeological trial trenching must be submitted to and approved in writing by the local planning authority. The archaeological work must be carried out in accordance with the approved details prior to commencement of the development.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to allow investigation prior to the loss of archaeological remains.

3. Prior to commencement of the development, details of the areas within the curtilage of the site to be used for loading, unloading, reception and storage of building materials, and manoeuvring of all vehicles including construction traffic, must be submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved details.

REASON: To ensure that the highway is not obstructed during the construction period, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

4. Prior to commencement of the development, a Biodiversity Method Statement for the protection of trees, hedgerows and nesting birds must be submitted to and approved in writing by the local planning authority. This includes due diligence regarding nesting birds and protecting the retained hedgerow from development impacts.

The content of the method statement must include the following:

- a) Purpose and objectives for the proposed works
- b) Detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used)
- c) Extent and location of proposed works shown on appropriate scale maps and plans
- d) Persons responsible for implementing the works
- e) Initial aftercare and long-term maintenance (where relevant)
- f) Disposal of any wastes arising from works

The development must be carried out in accordance with the approved Biodiversity Method Statement.

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

5. Prior to occupation of any dwelling, a Biodiversity Enhancement Strategy for Protected and Priority species must be submitted to and approved in writing by the local planning authority. This includes details of the new hedgerow, incorporation of bat and bird boxes into the development and ensuring that any new fencing is hedgehog friendly.

The content of the Biodiversity Enhancement Strategy must 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 development must be carried out in accordance with the approved Biodiversity Enhancement Strategy.

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

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

- Walls
- Roof
- Windows
- Doors

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

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

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

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

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

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

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

8. The first floor windows on the southern elevation of the new dwelling labelled 'Branksome' on Drawing No. 457.02b must be glazed with obscure glass prior to occupation of the dwelling and thereafter retained. Each window must be non-opening unless the parts which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

REASON: To prevent a harmful lack of privacy for the occupants of the neighbouring property, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

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

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

10. The passing place on Whiteditch Lane must be hard surfaced and laid out in accordance with Drawing No. 457.02b prior to occupation of any dwelling, and the vehicle parking area(s) must be formed prior to occupation of each respective dwelling.

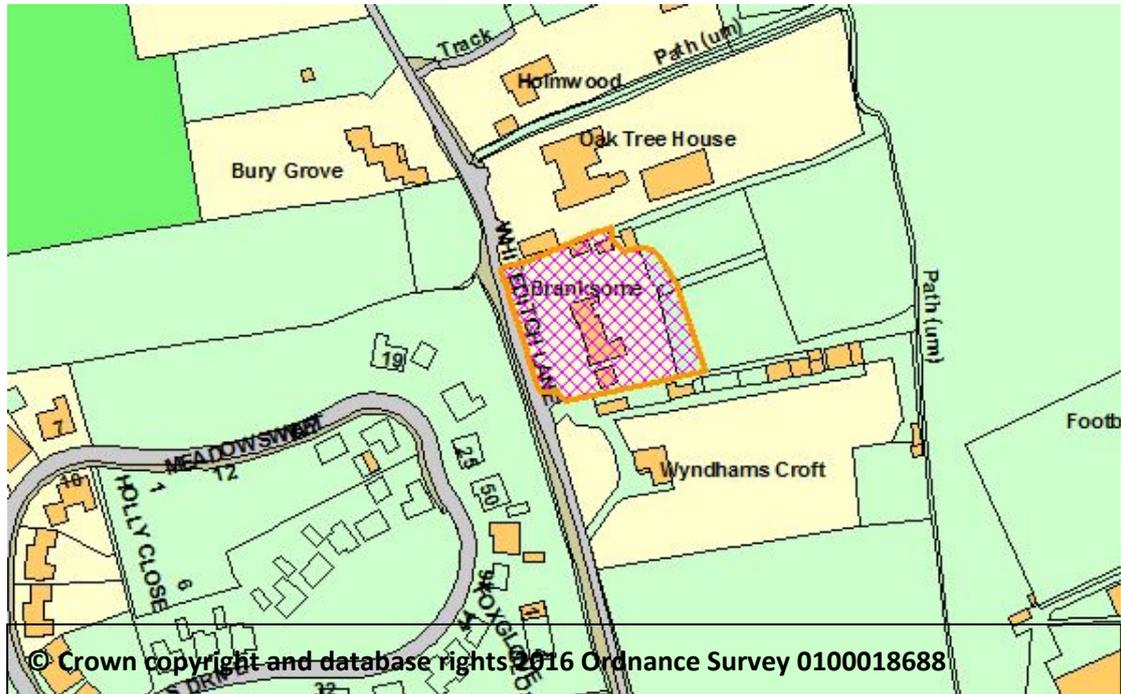
REASON: To prevent hazardous on-street parking and conflict with other road users, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

11. The development must be carried out in accordance with the ecological measures and/or works recommended in the submitted 'Ecology report' (Arbon, October 2015).

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

Application: UTT/18/3293/FUL

Address: Branksome, Whiteditch Lane, Newport, CB11 3UD



Organisation: Uttlesford District Council

Department: Planning

Date: 17/05/2019

## UTT/17/2100/FUL – TAKELEY

**PROPOSAL:** Application to remove condition 8 from UTT/16/1881/FUL to allow parking provisions to be constructed 'locally' to each phase/building construction group

**LOCATION:** Bullocks Farm, Bullocks Lane, Takeley, CM22 6TA

**APPLICANT:** Mrs Jenny Jewell

**AGENT:** Mark Homer

**EXPIRY DATE:** 17 October 2017

**CASE OFFICER:** Karen Denmark

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### **1. NOTATION**

1.1 Outside Development Limits

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

2.1 The application site is located off Bullocks Lane, in the hamlet of Hope End Green. It accommodates part of a small farm complex containing redundant agricultural buildings.

### **3. PROPOSAL**

3.1 Application seeks the removal of condition 8 under approved planning application UTT/16/1881/FUL to allow parking provisions to be constructed 'locally' to each phase/building construction group.

3.2 UTT/16/1881/FUL granted planning permission for the demolition of redundant farm buildings and the construction of new holiday lets, café/shop, and cookery school/offices. Condition 8 read as follows:

*"Prior to occupation of the development, the vehicle parking area must be laid out and surfaced in accordance with Drawing No. PSBF 16/LAND/01 Rev D."*

3.3 The applicant now seeks to construct the parking on a phased basis, still in accordance with the previously approved layout.

### **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 None submitted.

## **6. RELEVANT SITE HISTORY**

- 6.1 UTT/16/1881/FUL: Demolition of redundant farm buildings and the construction of new holiday lets, café/shop and cookery school/offices. Approved 21 November 2016.

## **7. POLICIES**

### **Uttlesford Local Plan (2005)**

S7 - The Countryside

GEN1 - Access

GEN2 - Design

GEN4 - Good Neighbours

GEN6 - Infrastructure Provision to Support Development

GEN7 - Nature Conservation

GEN8 - Vehicle Parking Standards

E3 - Access to Workplaces

E4 - Farm diversification alternative use of farmland

E5 - Re-Use of Rural Buildings

ENV5 - Protection of agricultural land

ENV8 - Other landscape elements of importance for nature

ENV10 - Noise sensitive development and disturbance from aircraft

ENV11 - Noise generators

ENV14 - Contaminated land

LC2 - Access to Leisure and Cultural Facilities

LC5 - Hotels and Bed and Breakfast accommodation

### **Supplementary Planning Documents/Guidance**

ECP - ECC Parking Standards (Design & Good Practice) September 2009

### **National Policies**

NPPF - National Planning Policy Framework

### **Other Material Considerations**

## **8. PARISH COUNCIL COMMENTS**

- 8.1 No comments received.

## **9. CONSULTATIONS**

### **ECC Highways**

- 9.1 From a highway and transportation perspective the Highway Authority has no objections to make on this proposal.

Informative:

Parking should be provided in accordance with each phase and the EPOA parking standards.

## 10. REPRESENTATIONS

- 10.1 This application has been advertised and no letters of representation have been received. Notification period expired 29 August 2017.

## 11. APPRAISAL

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

- A** Character and appearance (S7, GEN2, E4, E5, LC5, 17 & 58)
- B** The principle of development (S7, GEN1, GEN2, GEN4, GEN6, GEN7, GEN8, E3, E4, E5, ENV5, ENV8, ENV10, ENV11, ENV14, LC2, LC5)
- C** Road safety and Parking (GEN1, 32, GEN8, 39, HCWS488)

### **A Character and appearance (S7, GEN2, E4, E5, LC5, 17 & 58)**

- 11.1 The application site is located beyond Development Limits, where Policy S7 restricts development to that which is necessary or appropriate for a rural area. Taking into account policies E4, E5 and LC5, it is considered that the proposed range of uses could be supported. However, the proposal does not fit perfectly into either category represented by Policy E4, which relates to farm diversification and does not prohibit the erection of new buildings, or the combination of policies E5 and LC5, which relate to the re-use of rural buildings.
- 11.2 Policy E5 is supportive of the proposed uses, beyond Development Limits, provided that existing buildings would be re-used. While the proposal does not include such reuse, it is recognised that the buildings to be demolished are of permanent and substantial construction. It is considered that the aim of the policy is to limit the visual impact of new development, thereby protecting the character and appearance of the countryside. It therefore follows that a sensitive redevelopment of a site that currently has a significant visual impact could achieve an equivalent result.
- 11.3 The proposed buildings in the eastern part of the site would appear more solid than the existing open-fronted structures, although the layout and scale would be similar. The two holiday let buildings in the south-west corner would be of a similar scale to the barns they would replace, but they would be reoriented 90 degrees. It is considered that the proposed layout would successfully maintain the character of a farmyard surrounded by a cluster of utilitarian, rural buildings. The designs would reflect the rural character of the area, using simple forms and a palette of appropriate materials including vertical timber boarding and metal and slate roofs.
- 11.4 The capture of a small portion of the adjacent field would have little impact on the operation of the farm, but could provide an opportunity for landscape enhancement through appropriate planting. The existing trees identified for removal are Category B or below and none are the subject of a Tree Preservation Order, such that their removal is not considered harmful to the character of the area.
- 11.5 Taking into account the above assessment, it is considered that the new buildings would protect the rural character of the area by virtue of their scale, layout and design as compared to the existing buildings on the site. Therefore, the proposal is consistent with the aim of Policy E5 and, consequently, Policy LC5, such that it would be appropriate to its surroundings in accordance with policies S7 and GEN2.

**B The principle of development (S7, GEN1, GEN2, GEN4, GEN6, GEN7, GEN8, E3, E4, E5, ENV5, ENV8, ENV10, ENV11, ENV14, LC2, LC5)**

- 11.6 The principle of the proposed works have previously been assessed and determined as acceptable under application reference UTT/17/2100/FUL .The current application seeks the removal of Condition 8 attached to the approved scheme under planning permission reference UTT/17/2100/FUL.
- 11.7 Condition 8 of application UTT/17/2100/FUL states as follows:-  
Prior to occupation of the development, the vehicle parking area must be laid out and surfaced in accordance with Drawing No. PSBF 16/LAND/01 Rev D.  
REASON: To prevent on-street parking of vehicles, in the interests of highway safety and in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.
- 11.8 The condition was imposed on the approved scheme in order to ensure that adequate parking provision is provided on-site so that on-street parking of vehicles is prevented as a result of the approved scheme so that safe and suitable access to the site can be achieved for all users; and any significant impacts from the development on the transport network (in terms of capacity and congestion), and on highway safety, can be effectively mitigated to an acceptable degree.

**C Road safety and Parking (GEN1, 32, GEN8, 39, HCWS488)**

- 11.9 The applicant has proposed to allow parking provisions to be constructed 'locally' to each phase/building construction group. The plan submitted has indicated the provision of six parking spaces for phase 1 development (Holiday Let).
- 11.10 In this case, highways authority has been consulted regarding the removal of the condition. The application is therefore considered acceptable by highways as it would ensure provision of parking space in accordance with phase of development of the site.
- 11.11 Therefore, given the phase development of the site with provisions of parking spaces in accordance to each phase as approved, it is considered that the removal of the condition 8 would be acceptable subject to a condition that ensures parking spaces are provided along with phase development of the site.

**12. CONCLUSION**

- 12.1 The proposal to remove Condition 8 attached to application UTT/16/1881/FUL – Demolition of redundant farm buildings. Construction of new holiday lets, cafe/shop, and cookery school/offices. is appropriate and in accordance with the NPPF, ULP Policy GEN8. It is therefore recommended that the application be approved with same conditions imposed as on planning permission UTT/16/1881/FUL with the exception of Condition 8 and the addition of an informative requiring Parking should be provided in accordance with each phase and the EPOA parking standards during the development hereby approved.

**RECOMMENDATION – APPROVAL WITH CONDITIONS**

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years

from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

- Walls: Vertical board; Bricks
- Roof: Metal; Slates

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

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

- Hard surfaces
- Boundary treatment

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy S7 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

4. Prior to commencement of the development, an assessment of the nature and extent of contamination must be submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a competent person, and must assess any contamination on the site, whether or not it originates on the site. It must include:

- (i) a survey of the extent, scale and nature of contamination
  - (ii) an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archaeological sites and ancient monuments
  - (iii) an appraisal of remedial options, and proposal of the preferred option(s).
- The assessment must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR11".

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

5. Prior to commencement of the development, a detailed remediation scheme 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, and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005). This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

6. Remediation must be carried out in accordance with the details approved pursuant to Condition 5 prior to commencement of the development (other than that required to carry out the remediation) unless otherwise agreed by the local planning authority. Within three months of the completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the local planning authority.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported immediately to the local planning authority and work halted on the part of the site affected by the unexpected contamination. Prior to re-commencement of development, an assessment conforming to the requirements of Condition 4 must be submitted to and approved in writing by the local planning authority. If the assessment identifies that remediation is necessary, a remediation scheme conforming to the requirements of Condition 5 must be submitted to and approved in writing by the local planning authority prior to re-commencement of the development. Remediation must be carried out in accordance with the approved remediation scheme prior to re-commencement of the development, and a validation report conforming to the requirements of Condition 6 must be submitted to and approved in writing by the local planning authority within 2 months of the completion of measures identified in the approved remediation scheme.

REASON: In the interests of safety, residential amenity and proper planning of the area, in accordance with Policies GEN2, GEN4 and ENV14 of the Uttlesford Local Plan (adopted 2005).

8. Prior to occupation of the development, details of all external lighting and consequent light pollution must be submitted to and approved in writing by the local planning authority. The lighting must be installed in accordance with the approved details prior to occupation of the development.

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

9. The development must be carried out in accordance with the tree protection

measures in the following documents:

- Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP), prepared by O.R. Booth (Writtle Forest Consultancy Ltd) and dated 23/09/2016
- Drawing No. 001 Rev. 1 (Tree Protection Plan)

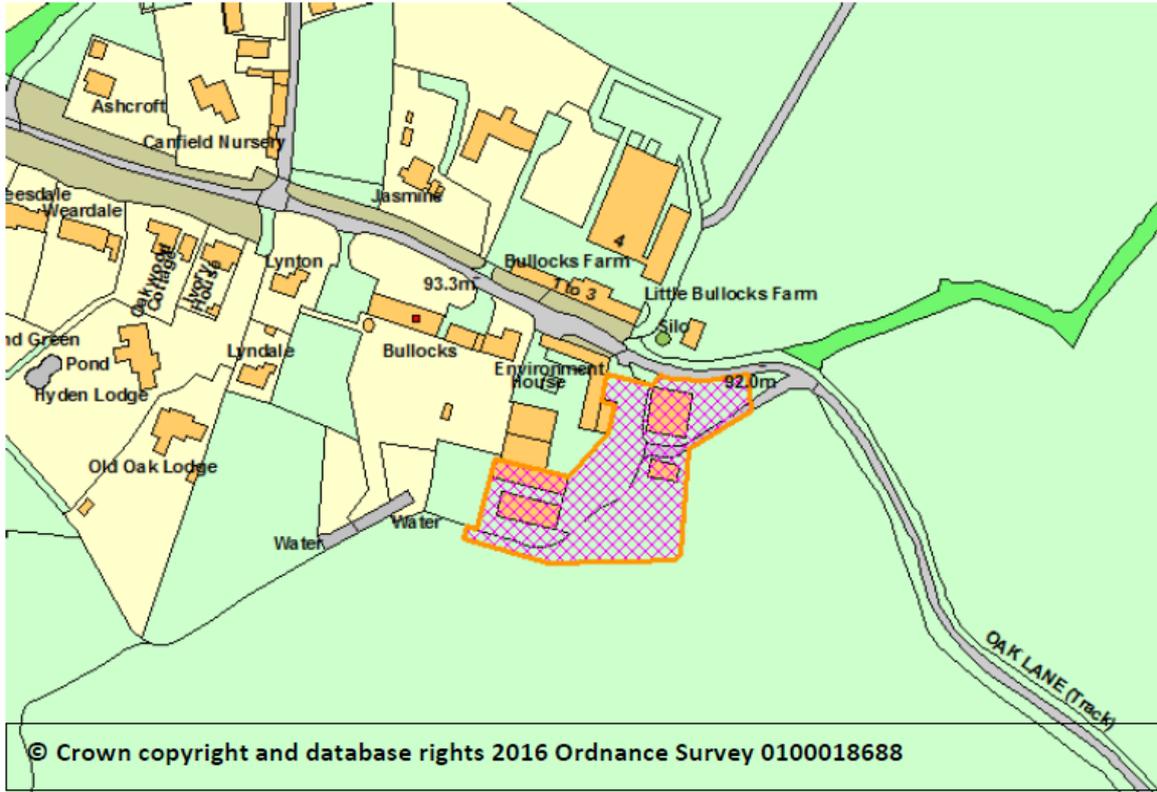
REASON: To prevent the unnecessary loss of trees which contribute to the character of the area, in accordance with Policy S7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

10. The deli/café hereby permitted must not be open to the public other than between the hours of 08:00 until 18:30 Monday to Saturday, and 08:00 until 16:30 Sunday.

REASON: In accordance with the proposed opening hours and to prevent harm to the living conditions of nearby residents from noise disturbance, in accordance with Policy GEN4 and ENV11 of the Uttlesford Local Plan (2005) and the National Planning Policy Framework.

**Informatives:**

1. Parking should be provided in accordance with each phase and the EPOA parking standards.



Organisation: Uttlesford District Council

Department: Planning

Date: 24 May 2019

## UTT/18/3518/FUL (SAFFRON WALDEN)

(Major development)

**PROPOSAL:** Proposed demolition of existing two storey factory and offices. Proposed extension to existing industrial accommodation providing two floors with accommodation and basement. Associated landscaping and engineering works.

**LOCATION:** Holroyd Components Ltd, Shire Hill Industrial Estate, Shire Hill, Saffron Walden, CB11 3AQ

**APPLICANT:** Holroyd Components Ltd

**AGENT:** Andrew Stevenson Associates

**EXPIRY DATE:** 7 June 2019

**CASE OFFICER:** Luke Mills

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### 1. NOTATION

1.1 Within Development Limits; Safeguarded Employment Land.

### 2. DESCRIPTION OF SITE

2.1 The site is located on the Shire Hill Industrial Estate, Saffron Walden. The majority is occupied by a Holroyd Components industrial building, while a smaller building that previously accommodated a factory and offices for a separate components business is located in the eastern corner of the site.

### 3. PROPOSAL

3.1 The application is for planning permission to demolish the smaller building (480 sq m) and extend the larger building into the vacated area (1,318 sq m).

### 4. ENVIRONMENTAL IMPACT ASSESSMENT

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

### 5. APPLICANT'S CASE

5.1 The following documents were submitted with the application:

- Covering letter
- Design and Access Statement
- Biodiversity Validation Checklist

5.2 During the determination period, the following additional documents have been submitted:

- Geo-Environmental Phase I Desk Study and Phase II Site Investigation Report
- Geotechnical Site Investigation Report
- Surface Water Strategy Report

## **6. RELEVANT SITE HISTORY**

- 6.1 There is no recent, relevant planning history for the site. A list of historic applications is provided below:
- SWB/0040/68 Extension to existing factory (Approved: 1968)
  - SWB/0110/69 Extension to factory (Approved: 1970)
  - SWB/0014/70 Two storey extension to factory (Approved: 1970)
  - SWB/0044/70 Erection of Factory Offices (Approved: 1970)
  - SWB/0113/70 Erection of an addition to factory (Approved: 1971)
  - SWB/0008/71 Erection of entrance area staircase and lift shaft (Approved: 1971)
  - SWB/0095/71 Proposed two storey addition to a factory including car parking and turning area (Approved: 1971)
  - SWB/0182/72 Extension to factory at Plot 12 (Refused: 1973)
  - SWB/0183/73 Housing for generator coolers chillers etc (Approved: 1974)
  - UTT/0946/76 Proposed erection of a warehouse adjoining an existing factory (Approved: 1976)
  - UTT/0792/77 Proposed addition to an existing factory and warehouse complex. The addition to be used either as a canteen or tool room ancillary to the factory use (Approved: 1977)
  - UTT/0389/82 Change of use from warehouse to factory (Approved: 1982)
  - UTT/0520/82 Small building to house compressor machinery ancillary to the adj. factory use (Approved: 1982)
  - UTT/0719/84 Proposed small addition to existing factory (Refused: 1984)
  - UTT/1439/95/FUL Erection of 3 extraction flues, 2 water tanks, reconstruction of store, canopy over entrance to (Approved: 1996)
  - UTT/0839/03/FUL Insertion of windows and extension for generator store (Approved: 2003)
  - UTT/0898/08/FUL Erection of two storey front extension (Approved: 2008)

## **7. POLICIES**

- 7.1 S70(2) of The Town and Country Planning Act 1990 requires the local

planning authority, in dealing with a planning application, to have regard to:

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

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

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

#### **Uttlesford Local Plan (2005)**

- 7.4 S1 – Development Limits for the Main Urban Areas  
GEN1 – Access  
GEN2 – Design  
GEN4 – Good Neighbourliness  
GEN6 – Infrastructure Provision to Support Development  
GEN7 – Nature Conservation  
GEN8 – Vehicle Parking Standards  
E2 – Safeguarding Employment Land  
E3 – Access to Workplaces  
ENV11 – Noise Generators  
ENV13 – Exposure to Poor Air Quality  
ENV14 – Contaminated Land  
SW6 – Safeguarding of Existing Employment Areas

#### **Supplementary Planning Documents/Guidance**

7.5 Parking Standards: Design and Good Practice (2009)

#### **National Policies**

- 7.6 National Planning Policy Framework (NPPF) (2018)  
- paragraphs 11, 80, 102-111, 127-131, 165, 175, 178-179, 180 & 181  
Planning Practice Guidance (PPG)  
- Air quality  
- Design  
- Flood risk and coastal change  
- Land affected by contamination  
- Natural environment  
- Planning obligations

#### **Other Material Considerations**

- 7.7 Air Quality Action Plan 2017 – 2022  
Emerging Local Plan  
- The Spatial Vision

- SP 1 The Presumption in Favour of Sustainable Development
- SP 2 The Spatial Strategy 2011-2033
- SP 4 Provision of Jobs
- SP 9 Development Within Development Limits
- SP 12 Sustainable Development Principles
- EMP 1 Employment Strategy
- EMP 2 Existing and Proposed Employment Areas
- TA 1 Accessible Development
- TA 2 Sustainable Transport
- TA 2 The Provision of Electric Charging Points
- TA 3 Vehicle Parking Standards
- TA 4 New Transport Infrastructure or Measures
- INF 1 Infrastructure Delivery
- D 1 High Quality Design
- D 2 Car Parking Design
- D 3 Small Scale Development / Householder Extensions
- D 8 Sustainable Design and Construction
- D 9 Minimising Carbon Dioxide Emissions
- EN 7 Protecting and Enhancing the Natural Environment
- EN 11 Surface Water Flooding
- EN 15 Air Quality
- EN 16 Contaminated Land
- EN 17 Noise Sensitive Development

## **8. TOWN COUNCIL COMMENTS**

- 8.1 No comments received.

## **9. CONSULTATIONS**

### **Highway Authority (Essex County Council)**

- 9.1 No objections. Extract:

“The Highway Authority acknowledges there are local issues regarding on-street parking pressure around Shire Hill Industrial Estate; however, these issues are not dissimilar to problems experienced within Industrial Estates across the county. The proposal would enable the expansion of an established company, and the number of employees is proposed to only increase by 6. The previous use of the building would have had a number of vehicles associated with its employees, and the proposed 6 additional employees are expected to have a minimal impact on on-street parking. Furthermore, the Parking Standards: Design and Good Practice (September 2009) advises of maximum vehicle parking allocation. The applicant/Holroyd Components is encouraged to promote sustainable modes of travel to and from the workplace, including car share, and the provision of secure and covered on-site cycle parking, and the site lends itself well to this as it is in the centre of Saffron Walden.

In conclusion, the Highway Authority has no objection to the proposal.”

### **Environmental Health**

- 9.2 No objections, subject to conditions. Extracts:

#### “Contamination

The proposal includes demolition and redevelopment of an existing industrial unit on a site which will have accommodated potentially contaminative activities. Further to my comments dated 30th January 2019, an intrusive investigation and risk assessment of the land occupied by the unit has been carried out, and a report “ Geo-environmental Phase I&II site investigation” dated March 2019 prepared by Brown2Green submitted. The findings of the report are accepted and the holding objection removed.

The investigation included sampling of soil beneath the footprint of the structure to be demolished and surrounding land. An area of made ground between the structure and the main building was found to contain asbestos fibres. The proposed redevelopment includes the provision of a basement to the extended main building and the ground containing the fibres will be removed as part of the proposal, so reducing to an acceptable level any risk to future users. The risk to construction workers and existing users of the site and beyond can be controlled through Health and Safety legislative controls specific to handling of asbestos containing material.”

#### “Air Quality

The proposal includes provision of kiln oven driers, the outlets from which are shown as being close to the eastern boundary, beyond which are commercial premises, an electrical substation and residential premises further afield. It is stated that the installation will be in accordance with best practice, however further details are needed to be satisfied that the emissions will be dispersed without undue loss of amenity to surrounding premises. The following condition is recommended...

The proposed increase in production area will provide for an additional 6 employees, bringing the workforce to 124 employees. Vehicle movements generated by the proposal will impact on Saffron Walden Air Quality Management Area, and opportunities to facilitate sustainable modes of transport should be sought in accordance with National Planning Policy and Guidance in the form of secure covered storage for motorised and non motorised cycles and an electric vehicle charge point.”

#### **Lead Local Flood Authority (Essex County Council)**

- 9.3 No objections, subject to conditions.

#### **Anglian Water**

- 9.4 No objections, subject to the use of a condition to secure an appropriate surface water drainage strategy.

#### **Education Authority (Essex County Council)**

- 9.5 No objections. Extract:

“As the employment generated by the proposed development does not reach our specified thresholds, an education contribution will not be requested.”

#### **London Stansted Airport**

9.6 No objections.

### **NATS**

9.7 No objections.

## **10. REPRESENTATIONS**

10.1 Neighbours were notified of the application by letter, and notices were displayed near the site and in the local press. The following concerns have been raised among the submitted representations:

- 1) Increased on-street parking
- 2) Risk of contamination from historic use of the site
- 3) Reduced air quality at nearby commercial premises and residential properties due to the proposed kilns
- 4) Risk of fire from relocated kilns

10.2 Support for economic growth has been expressed among the representations.

10.3 The following comments are made in relation to the above concerns:

- 1) – 3) Covered in the below appraisal.
- 4) Not a material consideration. Suitable fire protection measures would be required through the separate Building Regulations approval process.

## **11. APPRAISAL**

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

- A Character and appearance (S1, GEN2, 127-131 & PPG)
- B Transport (GEN1, GEN8 & 102-111)
- C Accessibility (GEN2, E3 & 127)
- D Amenity (GEN2, GEN4, ENV11, 127 & 180)
- E Infrastructure (GEN6 & PPG)
- F Biodiversity (GEN7, 175 & PPG)
- G Employment safeguarding (E2 & SW6)
- H Air quality (ENV13, 181 & PPG)
- I Contamination (ENV14, 178-179 & PPG)
- J Economic growth (80)
- K Sustainable drainage (165 & PPG)

### **A Character and appearance (S1, GEN2, 127-131 & PPG)**

11.1 The proposed extension would follow the established design principles on the site, combining a functional industrial form with external finishes of metal cladding and render. It is therefore considered that the development would be compatible with the existing building and its industrial estate setting, in accordance with the above policies.

### **B Transport (GEN1, GEN8 & 102-111)**

- 11.2 Taking into account the comments of the highway authority, it is considered that the proposal would not have an adverse effect on highway safety or efficiency. In particular, the level of parking provision has been assessed and found to be sufficient, in combination with relatively good sustainable transport options, to prevent unacceptable impacts on highway safety from on-street parking. It is therefore concluded that the proposal accords with the above transport policies.

**C Accessibility (GEN2, E3 & 127)**

- 11.3 Policies GEN2 and E3 seek to ensure a high level of accessibility. However, the Council has not adopted any technical standards against which the proposal can be assessed. It is therefore considered that compliance with the most up-to-date standards in the Building Regulations would ensure an appropriate level of accessibility.

**D Amenity (GEN2, GEN4, ENV11, 127 & 180)**

- 11.4 Taking into account the comments of the Environmental Health Officer and the location of the site within an existing industrial estate, it is considered that there would be no significant impacts on the amenity of neighbouring residents. It is therefore concluded that the proposal accords with the above policies insofar as they relate to amenity.

**E Infrastructure (GEN6 & PPG)**

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

**F Biodiversity (GEN7, 175 & PPG)**

- 11.6 Taking into account the submitted Biodiversity Validation Checklist and observations made during the officer's site visits, it is considered unlikely that the development would have significant adverse effects on any protected species or valuable habitats. It is therefore concluded that the proposal accords with the above policies.

**G Employment safeguarding (E2 & SW6)**

- 11.7 The site is identified in the Local Plan as a key employment area, which is safeguarded by policies E2 and SW6. As the proposal involves only an extension and no change of use, it is concluded that there is no conflict with these policies.

**H Air quality (ENV13, 181 & PPG)**

- 11.8 Taking into account the comments of the Environmental Health Officer, it is considered that there would be no significant reduction in air quality around the site or in the nearby Air Quality Management Area (AQMA) provided that appropriate conditions would be used. Therefore, subject to conditions to secure details of extraction equipment and measures to encourage low-emission transport, it is concluded that the proposal accords with the above

policies.

**I Contamination (ENV14, 178-179 & PPG)**

- 11.9 Taking into account the comments of the Environmental Health Officer, it is considered that the submitted contamination reports demonstrate that the development could proceed without adverse effects with respect to contaminated land. Therefore, subject to the use of appropriate conditions, it is concluded that the proposal accords with the above policies insofar as they relate to contamination.

**J Economic growth (80)**

- 11.10 In accordance with paragraph 80 of the NPPF, significant weight is given to the positive effect of the proposed extension on the expansion of an existing business and the promotion of economic growth.

**K Sustainable drainage (165 & PPG)**

- 11.11 As the proposal is a 'major development', paragraph 165 of the NPPF requires the use of a sustainable drainage system (SuDS) to handle surface water. Taking into account the comments of the lead local flood authority, it is considered that the submitted Surface Water Strategy Report demonstrates that a suitable SuDS could be installed. Therefore, subject to the use of conditions to secure full details, it is concluded that the proposal accords with the above policy.

**12. CONCLUSION**

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

- A** The proposal accords with the development plan and the NPPF, and no material considerations indicate that planning permission should be refused. It is therefore recommended that permission be granted.
- B** The applicant has been consulted on all 'pre-commencement' conditions, in accordance with The Town and Country Planning (Pre-commencement Conditions) Regulations 2018.

**RECOMMENDATION – APPROVAL WITH CONDITIONS**

**Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to commencement of the development, 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, must be submitted to and approved in writing by the local planning authority. The scheme must be implemented in accordance with the

approved details prior to occupation of the development, and should include but not be limited to:

- Measures to minimise the risk of off-site flooding during construction, from surface runoff and groundwater.
- 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.
- 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.
- Final modelling and calculations for all areas of the drainage system.
- Half drain times- Storage devices should half empty within 24 wherever possible following a 1 in 30 year event
- 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.

REASON: To prevent surface water flooding both on- and off-site, in accordance with the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

3. Prior to commencement of the development, a detailed Maintenance Plan for the surface water drainage scheme must be submitted to and approved in writing by the local planning authority. The surface water drainage scheme must thereafter be maintained in accordance with the approved Plan.

REASON: To ensure the long-term effectiveness of the surface water drainage scheme, in accordance with the National Planning Policy Framework. This condition must be 'pre-commencement' to ensure that the development is only carried out in accordance with the above details.

4. Prior to commencement of the development, a detailed Construction Environmental Management Plan must be submitted to and approved in writing by the local planning authority. The development must be carried out in accordance with the approved Plan, which must include:

- Health and safety measures, specific to the area of land containing asbestos fibres shown in Figure 4 of the submitted Geo-Environmental Phase I Desk Study and Phase II Site Investigation Report (Brown 2 Green Associates Ltd, Ref: 2199/Rpt 1v1, March 2019)

- Provision for the disposal of contaminated material

REASON: To minimise contamination risks, in accordance with Policy

ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

5. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported immediately to the local planning authority and work halted on the part of the site affected by the unexpected contamination.

Prior to re-commencement of the development, an assessment of the nature and extent of contamination must be submitted to and approved in writing by the local planning authority.

If the assessment identifies that remediation is necessary, a detailed remediation scheme must be submitted to and approved in writing by the local planning authority prior to re-commencement of the development.

Remediation must be carried out in accordance with the approved remediation scheme prior to re-commencement of the development.

REASON: To minimise contamination risks, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

6. Prior to occupation of the development, full details of extraction equipment from the kiln ovens including nature of emissions, flue height, hours of operation and maintenance schedule must be submitted to and approved in writing by the local planning authority. The equipment must be installed in accordance with the approved details prior to occupation of the development.

REASON: To minimise any adverse effects on air quality, in accordance with Policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

7. Prior to occupation of the development, details of measures to maximise the use of low-emission transport modes (e.g. secure covered storage for motorised and non motorised cycles, an electric vehicle charge point) must be submitted to and approved in writing by the local planning authority. The measures must be installed in accordance with the approved details prior to occupation.

REASON: To minimise any adverse effects on air quality, in accordance with Policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

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

- Hard surfaces
- Boundary treatment

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

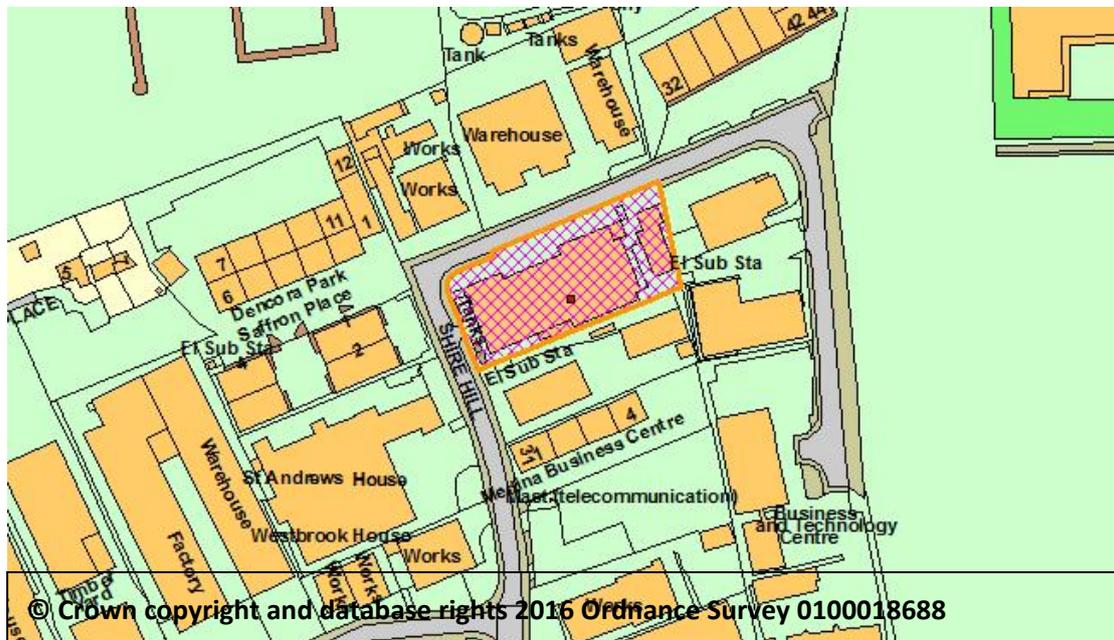
REASON: To ensure compatibility with the character of the area, in accordance with Policy S1 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

- The development must be carried out in accordance with the schedule of proposed materials on the submitted application form, unless otherwise approved in writing by the local planning authority prior to commencement of the development. The development must thereafter be carried out in accordance with the approved details.

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

Application: UTT/18/3518/FUL

Address: Holroyd Components Ltd, Shire Hill Industrial Estate, Shire Hill, Saffron Walden, CB11 3AQ



Organisation: Uttlesford District Council

Department: Planning

Date: 14/05/2019

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## UTT/19/0673/HHF (ELSENHAM)

(Referred to Committee. Reason: Applicant related to UDC Staff Member)

<b>PROPOSAL:</b>	<b>Single storey extension to rear to incorporate existing out building, and internal alterations.</b>
<b>LOCATION:</b>	<b>20 Mill Close Elsenham Bishops Stortford Hertfordshire CM22 6EG</b>
<b>APPLICANT:</b>	<b>Ms Claire Baeza</b>
<b>AGENT:</b>	<b>Mr George Wadhams</b>
<b>EXPIRY DATE:</b>	<b>17.5.19 Extension of time 10.6.19</b>
<b>CASE OFFICER:</b>	<b>Mark Sawyers</b>

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### **1. NOTATION**

- 1.1 Within Development Limits. Within 6km of Stansted Airport. Mineral Safeguarding Area - Sand/Gravel.

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

- 2.1 The application site comprises a two storey semi-detached dwelling located on Mill Close, to the south west of Elsenham. The property is finished in cream painted render and with a red brick plinth under a pan tiled roof with uPVC throughout. To the rear is a garden area bound by vegetation and chain-link fencing. To the front there is a small garden that is bound by hedgerow.

### **3. PROPOSAL**

- 3.1 The application is for a single storey extension to rear to incorporate existing out building and internal alterations. The dimensions would be 9m wide, 5.2m deep, 2.3m to the eaves and 3.95m high. The walls would be timber weatherboarding with a red brick plinth and the roof would be a hipped slate roof with a lead flat roof.

### **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 See Design and Access Statement submitted with application – main points

The proposals look to enhance the existing property which is in need of refurbishment with a modern rear and side single storey extension and internal alterations

## **6. RELEVANT SITE HISTORY**

- 6.1 The dwelling was erected following a grant of planning permission in 1952 (SWR/0006/51).

## **7. POLICIES**

### **Uttlesford Local Plan (2005)**

- 7.1 S3 – Other Development Limits  
GEN2 – Design  
H8 – Home Extensions

### **Supplementary Planning Documents/Guidance**

- 7.2 Home Extensions

### **National Policies**

- 7.3 National Planning Policy Framework – (9 February 2019)

### **Other Material Considerations**

- 7.4 Uttlesford Emerging Local Plan –  
The following policies are relevant regarding this proposal, however until the plan adopted little weight can be given to them -  
SP9 – Development within Development Limits  
D1 – High Quality Design

## **8. PARISH COUNCIL COMMENTS**

- 8.1 None received

## **9. CONSULTATIONS**

- 9.1 N/A

## **10. REPRESENTATIONS**

- 10.1 7 Neighbours consulted – expired 15.04.19 – No representations received.

## **11. APPRAISAL**

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

- A Whether the proposal would respect the size, scale and form of the original dwelling (ULP Polices S3, GEN2 and H8)

- B Whether the proposal would adversely impact neighbouring residential amenity (ULP Polices GEN2 and H8)
- A Whether the proposal would respect the size, scale and form of the original dwelling (ULP Polices S3, GEN2 and H8)**
- 11.1 The property is situated within the development limits of Elsenham, therefore the principle of modest extensions and alterations are acceptable in accordance with ULP Policy S3.
- 11.2 It is considered that the extension would be of a subservient scale and appropriate design and would not have an adverse effect to the character of the dwelling and street scene.
- 11.3 The proposal would be constructed of materials that will complement the existing building and as such would respect the appearance and character of the existing building.
- B Whether the proposal would adversely impact neighbouring residential amenity (ULP Polices GEN2 and H8)**
- 11.4 Due to the location and nature of the rear/side extension there are no concerns regarding neighbouring residential amenity. It is not considered that the proposal would result in any undue loss of light to the neighbouring properties or be unduly overbearing as such would not cause any loss in privacy to neighbouring properties.

## **12. CONCLUSION**

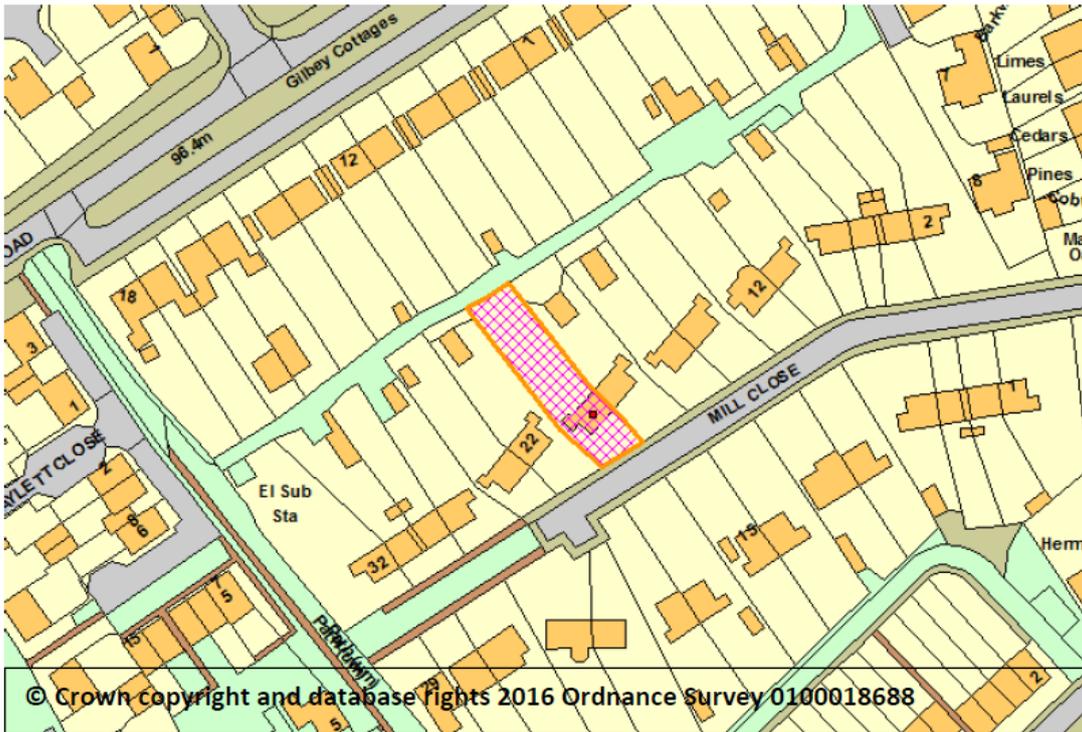
- 12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme within the development limits and in terms of design and amenity. The proposal would comply with national and relevant local plan policy and is acceptable.

## **RECOMMENDATION – APPROVAL WITH CONDITIONS**

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.



Organisation:	Uttlesford District Council
Department:	Planning
Date:	14 May 2019

**Committee:** Planning

**Agenda Item**

**Date:** 5 June 2019

**[?]**

**Title:** UTT/19/0043/FUL; 1 Dwelling and New Access (alternative to previously approved application UTT/16/1691/FUL)

**Author:** Nigel Brown  
Development Manager

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## Summary

1. The above planning application was reported to Planning Committee on 10 April 2019. The Committee resolved to approve planning permission and a decision notice has been issued.
2. It has transpired that due to an administrative error the neighbouring properties to the site were not notified.
3. This matter has now been rectified by a bespoke notification of neighbours. This notification included clarification of the situation, an apology as well as the standard information regarding the application.
4. The expiry date for this consultation is 28 May 2019; at the time of writing no representations have been received. Any representations received since the writing of this report will be reported verbally to the meeting.

## Recommendations

**That Planning Committee confirm the resolution from Committee of 10 April 2019 to approve planning application reference UTT/19/0043/FUL subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

REASON: To ensure that on street parking of vehicles in the adjoining streets doesnot occur in the interests of highway safety and that appropriate parking is provided. In accordance with ULP Policy GEN1

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

- Walls
- Roof
- Windows
- Doors

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

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

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

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

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

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

REASON: To ensure compatibility with the character of the area in accordance with Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005),

## **Financial Implications**

1. None. There are no costs associated with the recommendation.

## **Background Papers**

Planning Application Reference UTT/19/0043/FUL; Planning Committee Report 10  
April 2019

## Impact

1.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

## Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
1	1	1	None

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.