

## UTT/19/1064/DFO - NEWPORT

### (Major Application)

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

**LOCATION:** Land At Holmwood, Whiteditch Lane, Newport

**APPLICANT:** Mr & Mrs Stringer

**AGENT:** GF Planning Limited

**EXPIRY DATE:** 18<sup>th</sup> January 2020

**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 at the northern end of Whiteditch Lane, it is rectangular in shape and occupied by a bungalow, its garden, stables, a manege and a series of paddocks. The site is bound by hedgerow and some close board fencing. To the north and west of the site include detached residential buildings facing Whiteditch Lane; whilst the eastern side comprised of playing fields of Newport Grammar School.

### 3. PROPOSAL

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

3.2 The proposal will include the following housing details:

3.3

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

11	Detached, Two Storey	4	100sqm+	3
12	Detached, Two Storey	4	100sqm+	3

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

##### **4.1 Town and Country Planning (Environmental Assessment):**

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

And

Human Rights Act considerations:

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

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

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

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

6.1 UTT/15/0879/OP.

Outline application for the erection of 12 no. dwellings with all matters reserved except access.

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

#### **7. POLICIES**

##### **7.1 National Policies**

National Planning Policy Framework (2019)

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

Policy S7 – The countryside

Policy GEN1- Access

Policy GEN2 – Design

Policy GEN3 -Flood Protection

Policy GEN4- Good Neighbourliness

Policy GEN7 - Nature Conservation

Policy GEN8- Vehicle Parking Standards

Policy H10- Housing Mix

ENV3- Open Space and Trees

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

Uttlesford Local Residential Parking Standards (2013)

Essex County Council parking Standards (2006)

Supplementary Planning Document- Accessible homes and play space homes

Essex Design Guide

## **7.4 Emerging Plans**

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

## **8. PARISH COUNCIL COMMENTS**

- 8.1 Concerns raised that this application has been submitted for review as significant information is missing. There is no indication of the plans for surface water or foul drainage, there does not appear to be any detail on road widths or swept path analysis and judging by the trees indicated in the site plan the sight lines at the entrance to the site appear to be inadequate from a safety perspective. The number of parking spaces per dwelling is not shown. Therefore we concur with ECC SUDS team and wish to submit a holding objection until such time as sufficient information is made available to fully assess the application fully.
- 8.2 A review of the comments from the Parish Council and other neighbour representations can be found at paragraph 10.2 of this report

## **9.0 CONSULTATIONS**

### **The Highways Authority**

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

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

1. No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking and turning heads shall be retained in this form at all times. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided.
2. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

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

### **Anglian Water**

- 9.2 No comments/ objections

## **Ecology**

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

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

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

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

## **Aerodrome Safeguarding**

- 9.4 No Objections

## **Crime Prevention Officer**

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

We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and to assist with compliance of Approved Document "Q" at the same time as achieving a Secured by Design award. From experience pre-planning consultation is always preferable in order that security, landscaping and lighting considerations for the benefit of the intended

residents and those neighbouring the development are agreed prior to a planning application.

## SUDs

9.6 Dated 23/8/2019

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of reserve matter planning permission ref UTT/19/1064/DFO. It is in line with the outline planning application and as such should be subject to the same condition as applied to outline application (UTT/15/0879/OP). The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the Drainage strategies and the documents submitted with this application are implemented as approved.

## County Archaeology Officer

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

No development or preliminary groundworks can commence until a programme of archaeological trial trenching and excavation has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.

### Reason for Archaeological recommendation

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

## 10 REPRESENTATIONS

10.1 1 letter of objection and further letters of comments has been received, these are summarised in the following table, and this includes comments from the case officer.

Comments Received	Case Officers Comments
The application has insufficient details in regards to drainage	Appropriate drainage details were submitted with the outline application and appropriate conditions imposed.
Insufficient parking	The proposed development includes off street parking for all the dwellings and additional visitor parking within the site.
No turning areas for large vehicles	A large vehicle turning area is included within the site, no objections raised by the Highway Authority.
Appropriate landscaping should be in place	Landscaping is considered in this application
The footpath to the side of the site should not be obstructed	The development will not result in any encroachment to the public right of way to the south of the site.
The byway will require further	A condition is imposed on the outline

upgrading	planning permission for Whiteditch Lane to be surveyed prior and post construction of the development. Any repair works will have to be completed within 3 months.
A further ecology survey should be undertaken and conditions imposed.	An ecology survey was submitted with the outline planning application and appropriate conditions imposed, no further objections or recommendation have been received from The ECC Ecologist.
The proposal includes two access to the site.	One access is demonstrated on the submitted plans, furthermore a condition has been imposed on the outline planning permission that the existing is block off following the implemented use of the new access.
The site does not include sufficient visibility splays	The Highways Authority have assessed the proposed access, not objections have been made.

- 10.3 All material planning merits will be considered in the following report.
- 10.4 The following paragraphs addresses the comments received.
- 10.5 Drainage and flooding is not a consideration in the reserved matters application, condition imposed on the outline planning permission UTT/15/0879/OP. The local leads flood authority (SUDs) have not made any objections.
- 10.6 Details of the access to the site and surveys of Whiteditch Lane prior and post development of the site are not a consideration in this reserved matters application. have been set out as conditions to the outline planning permission - UTT/15/0879/OP.
- 10.7 Parking provisions for the dwellings are set out on the site plan, this is considered in this report.
- 10.8 Conditions recommended by the ecology officer are imposed on the outline planning permission UTT/15/0879/OP.
- 10.9 Conditions recommended by the archaeology officer are imposed on the outline planning permission UTT/15/0879/OP.

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

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

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

- 11.1      The development will include a layout that will provide an appropriate siting of the dwellings, garages within the site. The layout of the development provides sufficient distance and space between the properties and ensure the site is not overdeveloped or have a cramped appearance. The layout of the scheme ensures the properties will have sufficient private amenity space in accordance with the Essex Design Guide; this is contributed by the distance between properties and landscaping features.
- 11.2      In terms of layout and number of the parking spaces, the adopted Uttlesford Local Residential Parking Standards require two or three bedroom dwellings should include two off street parking spaces and four bedrooms and above should include three off street parking spaces. It is considered sufficient parking spaces have been proposed and in accordance with these adopted standards. Furthermore, three visitor parking spaces will be provided within the development, this is in accordance with the guidance provided in the Essex County Council Parking Standards, also the layout of the site is not restrictive and a number of the dwellings have additional space for off street parking. Policy TA2 of the emerging Uttlesford Local Plan considers the requirement of electric charging points. It is stated within this policy that “houses require one charging point per house with a drive or garage, this will help mitigate the impact of increasing car fumes and pollution. As such the provision of the one charging point per dwelling is not unreasonable and therefore a condition for this provision should be imposed. This is also compliant with the aims of ULP Policy ENV13 and paragraph 105 (e) of the NPPF.
- 11.3      The proposal would need to comply with accessible and adaptable dwellings M4(2) of the Building Regulations 2010. Approved Document M, Volume 1 2015 edition and 2016 amendments. Also in respect to Part M4 (2) paragraph 2.12 relating to car parking, in order to comply with the building regulations, as such this should be conditioned if approved.
- 11.4      Refuse collection is proposed from within the site, with refuse vehicles travel in forward gear, with room within the site for refuse vehicles to turn and exit the site in forward gear. Each dwelling is within the maximum collection and drag distances prescribed.
- 11.5      The separation distances between the proposed dwellings and the existing neighbouring dwellings ensure the development will not result in any loss of light, overshadowing that will have a harmful impact to neighbouring occupiers.
- 11.6      ULP Policy GEN2 also considers the impact to neighbouring properties in regards to loss of light, over shadowing, overlooking and loss of privacy. The site plan submitted shows that the proposed dwellings as sited are unlikely to give rise to a significant loss of residential amenity to adjacent dwellings. Sufficient distance between the dwellings and the existing dwelling outside the application site to not result in any harmful impact to neighbours private amenity.
- 11.7      The housing enabling officer has made no objections to the layout of affordable housing. Therefore the development is considered the proposal accords with ULP Policies H10.

- 11.8 The introduction of the dwellings will result in an increase of noise and disturbance, mainly due to the increase of vehicular movement within the site, that being said this would be consistent to the other residential development along Whiteditch Lane. As such I do not consider the disturbance would be of a significant level that will result in a material harmful impact to the amenity of the existing neighbouring occupiers. As such the proposal is in accordance with ULP Policy GEN4
- 11.9 Taking into regards the details set out in the above paragraphs it is considered layout of the development is appropriate and in accordance with ULP Policies S7, GEN2, GEN4, GEN8, H10, ENV13, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF, Emerging Newport, Quendon and Rickling Neighbourhood Plan)

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

- 11.10 Policy GEN2 considers the design of the development to ensure the development is compatible with its surroundings, while one of the main objectives of the emerging NQRNP is to ensure housing is of a high quality design and that outside of the conservation area more variety of designs should be used. The scale of the dwellings are considered appropriate and will include a mixture of larger detached dwellings, smaller terrace dwelling and bungalows. The scale of the dwellings are not dominant or intrusive in the setting of the site or its surroundings. Whiteditch Lane includes a number of new residential developments, it is considered the scale of the development including the scale of the dwellings within the site are compatible with the neighbouring residential development and therefore would not be out of place or harmful to the character of the site.
- 11.11 As shown on the submitted plans the proposed dwellings are a mixture two storeys properties and bungalows and will include the use of external materials that will be are considered acceptable in this location, that being said a condition should be imposed for the submission of further details of the materials. The scale and appearance of the dwellings are not considered to be adversely intrusive or dominant in the street scene or surrounding area. As stated in paragraph 11.2 appropriate parking has been include in relation to the scale of the development.
- 11.12 The housing enabling officer has made no objections to the scale of affordable housing. Therefore the development is considered the proposal accords with ULP Polices H10.
- 11.13 As such taking due consideration of the above it is considered the proposed development includes an acceptable scale and appearance and in accordance with ULP Policies GEN2 and GEN8, Essex Design Guide, UDC Local Residential Parking Standards and the NPPF.

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

- 11.14 Landscaping details have been submitted with the application, this includes post and rail fencing to the north, east and south boundary and some close board fencing to the west boundary to provide privacy for the neighbouring properties. Planting, soft landscaping details and the provision of small play area have been provided. The Council's Landscape Officer has been consulted, no objections of further recommendations have been made. As such it is considered the proposed



landscape details are appropriate in the context of the site and surrounding area.

- 11.15 Between the north and south of the site of the application site there is significant vegetation and trees which provide further mitigation and privacy between the two sites. A landscaping condition should be included to ensure further enhancement is made. As such taking into consideration the details above it is considered the landscaping details are appropriate in the context of the character of the site and accords with Policies S7, GEN2, ENV3 and the NPPF

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

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

#### **E Any other material considerations**

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

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

## **12 CONCLUSION**

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

## **RECOMMENDATION – APPROVAL WITH CONDITIONS**

## Conditions

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

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

- 2 No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking and turning heads shall be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided and in accordance with ULP Policy GEN1.

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

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity ULP Policy GEN1.

- 4 A minimum of a single electric vehicle charging point shall be installed at each of the houses. These shall be provided, fully wired and connected, ready to use before first occupation.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within and in accordance with ULP ENV13, TA2 of the emerging local plan and the NPPF

- 5 The dwellings hereby approved shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

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

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

- Walls
- Roof
- Windows
- Doors

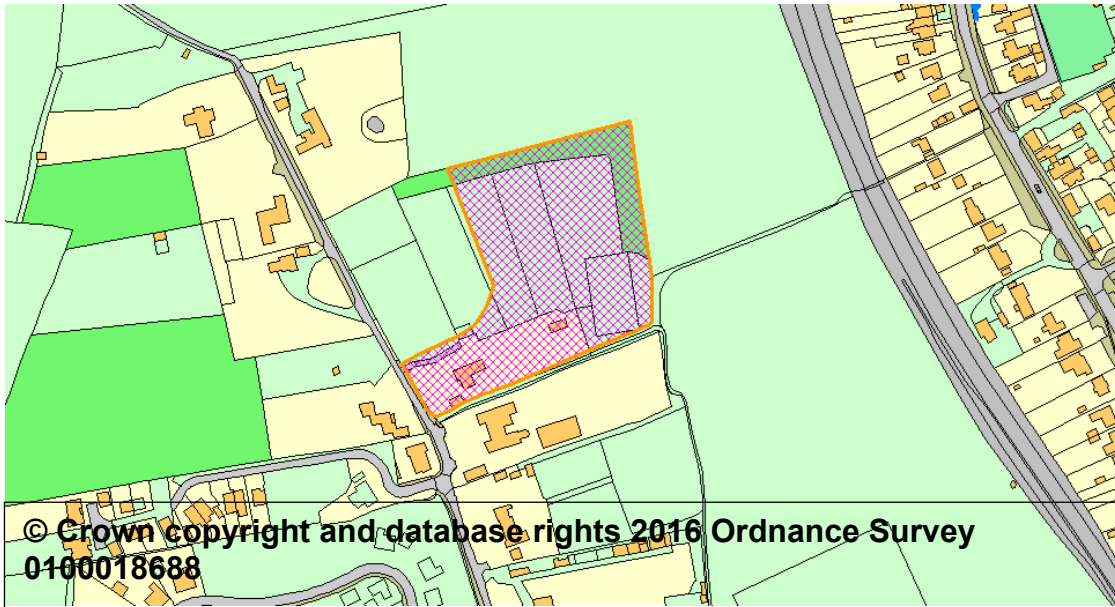
The development must be carried out in accordance with the approved details.

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

- 7 The landscaping shall be carried out strictly in accordance with the details shown on

drawing nos. 2556 01, 2556 02, and 2556 03, unless otherwise agreed in writing by the local planning authority.

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



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Organisation: Uttlesford District Council

Department: Planning

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