

## UTT/19/1508/FUL – GREAT DUNMOW

(MAJOR)

**PROPOSAL:** Construction of 22 no. custom / self-build dwellings (revised scheme to UTT/17/3623/DFO)

**LOCATION:** Land East of St Edmunds Lane, Great Dunmow

**APPLICANT:** Mr R Kirby

**AGENT:** Mr S Bampton

**EXPIRY DATE:** 23 September 2019 (Extension of time agreed to 22 April 2020)

**CASE OFFICER:** Clive Theobald

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### **1. NOTATION**

1.1 Outside Development Limits (ULP) / Outside Town Development Area (GDNP).

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

2.1 The application site is located on the east side of St Edmunds Lane and comprises an irregular shaped sloping area of undeveloped land (agriculture) currently set to long grass consisting of 1.8 ha (stated) which lies to the south of a small gated courtyard residential development known as Tower View and the residential property known as Hill View. A water course partly forms the eastern boundary of the site beyond which lies rising arable land extending across to Braintree Road. A row of residential properties fronts onto St Edmunds Lane opposite the site on its west side with further housing lying behind this row (Windmill Close) and further to the south on this side also (Riverside). Great Dunmow Bowls Club stands at lower ground to the immediate south of the site, whilst a short row of residential properties lie to the south of the bowls club extending down to the junction with Braintree Road.

### **3. PROPOSAL**

3.1 This full application proposal relates to the erection of 22 no. custom / self-build dwellings with associated parking provision, new service roads to include new access formed off St Edmunds Lane, and associated drainage works. The proposal as submitted represents a revised design scheme to the extant 22 no. self-build dwelling scheme previously approved by the Council on 11 May 2018 under reserved matters application ref; UTT/17/3623/DFO pursuant to the grant of outline planning permission with all matters reserved allowed at appeal on 15 May 2015 for the development of land at St Edmunds Lane for self-build housing for the same quantum of dwellings (different applicant).

3.2 The detailed scheme as submitted has been laid out to contain what is described as four main “character areas” (Areas 1, 2, 3 and 4) with more affordable “cottage style” dwellings shown for Area 1 to the front of the site nearest to St Edmunds Lane and larger dwellings within larger ground plots shown within the centre and the east side of the site (Areas 2, 3 and 4). Area 2 is described as a “traditional village street scene”, whilst Area 3 is described as a spur road which could provide more modern

dwellings subject to purchaser demand with the intention that this area would provide more flexibility of house design, whilst Area 4 has been designed in the form of a “historic farmstead with farm building style properties proposed around a principal farmhouse”.

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

- 4.1 The proposal amounts to “Schedule 2” development (*10. Infrastructure Projects - (b) Urban development projects...*) for the purposes of the Town and Country Planning (Environmental Impact Regulations) 2017. However, as the development proposal by reason of its nature, size or location (i) does not exceed 1 hectare of urban development which is not dwelling-house development; (ii) does not exceed 150 dwellings and (iii) the overall area of the development does not exceed 5 hectares, the proposal is not EIA development and an environmental assessment is not required to assess the environmental impacts of the development. This position was confirmed by the Secretary of State in its letter of notification for the 2014 outline dwelling application for this site under UTT/14/0472/OP.

#### **5. APPLICANT’S CASE**

- 5.1 The application is accompanied by a detailed Design and Access Statement (Pelham Structures Ltd) which sets out the legislative background relating to custom and self-build housing and goes on to describe the proposed housing scheme the subject of the current application. The statement makes reference to the planning history of the site and how design principles have informed the current revised scheme in terms of revised layout, scale, palette of materials and the various optional house types which have been selected for the site scheme.
- 5.2 To inform Members both of the nature of custom / self-build housing generally and more specifically as to how this building concept relates to the current revised application proposal, the following section of the statement is extracted:

*“The planning application defines the plots and where feasible a choice of house types is provided. These interchangeable house types allow choice for purchasers of self-build plots. This application sets out detailed houses types for each plot, a material schedule and a design code. Self-builders will then be able to choose which approved house type they wish to build with a further choice of materials from the material schedule.*

*A fully bespoke design option will also be offered in line with the design code submitted with this document. This sets out the parameters within which self-builders will be permitted to vary the design. This is to ensure a high quality of design throughout the development, it sets out the maximum footprint, ridge and eaves heights that will be allowed on each plot.*

*As envisaged with UTT/17/3623/DFO, a condition discharge will need to be submitted prior to construction of each plot confirming the house type to be constructed and what materials will be used. Pelham Structures Ltd (PSL) will be responsible for all communal works and will provide tailored packages of support to plot purchasers dependent on their requirements and preferences.*

*The range of support provided in each case has been tailored to the needs of the client and has ranged from supply of a timber frame kit to complete build; including on occasion more specialist elements, such as basement swimming pools and internal lifts.*

*Subject to the approval of this application it is the intention that PSL will construct all the infrastructure and roads required to service the individual plots, as well as constructing the foundations to oversite / 'Golden Brick', with the intention that plots will be sold at this point to self-builders.*

*Once sold purchasers will be able to undertake their own build. However, PSL appreciate that self-builders may need a degree of support to enable them to complete the build and will also be offering purchasers the following options:*

- Timber Frame Kit: PSL will supply and erect the timber frame.*
- Watertight Shell: PSL will build the body of the structure and the purchaser will then complete the internal fit out themselves.*
- Complete Build: PSL will build the property completely to the design requirements of the purchaser.*

*With each option, PSL's in-house architects will work with the purchasers to ensure that the design of their home suits their individual need. It is therefore expected as plots are sold that further amendments may be submitted to cater for the specific requirements of individual self-builders".*

5.3 The Design and Access Statement concludes as follows:

*"The application proposes amendments to the approved reserved matters application in order to allow the delivery of bespoke self-build properties. The approval decision acknowledges the need for custom build housing. Although, this process, as a method of procurement, is relatively new as a planning policy, PSL have since their inception been delivering bespoke design and building services to individuals looking to build their own home and are therefore well placed to deliver a development of this kind.*

*The proposed delivery strategy will enable individuals to build/customise as much or as little of the house that they want and will provide homes to meet their specific requirements. It is envisaged that purchasers will want varying levels of involvement, with a number likely to choose to build one of the house types from these applications and others wishing to influence the design to a point that requires a subsequent planning application.*

*Furthermore, the proposal will result in a high-quality development that will assimilate well into the landscape, with the properties designed to be attractive and of varied appearance with a scale, massing and materials but in keeping with the local vernacular.*

*Delivering homes this way, is an exciting and innovative solution to delivering the homes people need and it is considered that it could be a model for delivery going forward. It is therefore supported by policy at all levels".*

## **6. RELEVANT SITE HISTORY**

6.1 In May 2014, outline planning permission was refused by the Council for the erection of 22 no. custom / self-build dwellings with associated access, parking provision and amenity space at St Edmunds Lane, Great Dunmow under ref; UTT/14/0472/OP. The indicative "Masterplan site layout for that proposal showed a courtyard style housing development positioned around a communal green incorporating informal play / open space areas with vehicular access off St

Edmunds Lane between Windmill Close and Riverside. The application was refused for the following reasons:

- 1 The NPPF sets out that sustainable development has three dimensions comprising economic, social and environmental roles. The application site forms an important gap between the low-key dwellings to the north west and the Bowls Club to the south east and is highly visible from St Edmunds Lane and the local public rights of way network.

The proposal would result in the urbanisation of this gap which would have a detrimental impact on the open and rural character of the surrounding countryside and the openness of the river valley. This harm to the natural environment is contrary to Policies S7 and ENV3 of the Uttlesford Local Plan (adopted 2005) and the NPPF. The benefits of the development including its contribution to the housing supply and the provision of affordable housing would not outweigh the harm caused.

- 2 There are insufficient primary and secondary school places in Great Dunmow to accommodate this level of development and the application provides no mechanism for addressing or mitigating the shortfall in the provision in the locality. It therefore fails to comply with Policy GEN6 of the Uttlesford Local Plan and the Essex Developers' Guide to Infrastructure Contributions (Adopted as County Supplementary Guidance).
- 3 The development would generate the need for the provision of 40% affordable housing. The application provides no mechanism for addressing the need for affordable housing provision. It therefore fails to comply with Policy H10 and with the adopted Developer Contributions Guidance Document adopted March 2014 (update from June 2013 and February 2014).

6.2 A subsequent appeal made against the Council's decision to refuse permission for the proposed development was allowed by the Secretary of State on 15 May 2015 following a public inquiry when the Inspector noted in her decision letter that the main issues for the appeal were a) whether or not a 5 year supply of deliverable housing land could be demonstrated; b) the effect of the proposed development on the character and appearance of the local area; c) whether or not the proposed development would represent a sustainable form of development; and d) the effect of the proposed development on community infrastructure, including schools and affordable housing.

6.3 The Inspector concluded in respect of issue a) that the Council could not demonstrate a 5 year supply of deliverable housing land and, as such, having regard to relevant NPPF guidance, the Council's relevant policies relating to the supply of housing should not be considered up to date and afforded substantial weight in this matter relating to the appeal. The Inspector concluded in respect of issue b) that the proposed development would cause some harm to the character and appearance of the area in terms of localised impacts, in particular in views from the public footpath network, St Edmunds Lane and neighbouring residential properties, having regard to the applicant's submitted Landscape Visual Appraisal and the Great Dunmow Town Design Statement, but, given the nature of these impacts, that only some weight should be afforded to the landscape changes that would result from the proposed development. The Inspector concluded in respect of issue c) that the proposal would represent a sustainable form of development having regard to local and national policy, taking into account the stated significant demand for custom and self-build dwellings within the district which "*would go some*

*way towards meeting the needs for such housing in this area and would widen the choice of high quality homes in the district”* whereby the scheme as submitted would deliver 40% of the plots as affordable custom / self-build dwellings, and also in view of the site’s close proximity to the town centre, local services and availability of public transport, notwithstanding that the proposal would involve the loss of an area of open countryside. The Inspector concluded in respect of issue d), that the proposed development would not harm community infrastructure, including school places and affordable housing.

- 6.4 Under “*Other Matters*” in her appeal decision letter, the Inspector considered the general theme of custom / self-build housing and particularly the attempts by the Council to promote this sector of housing through the keeping of its custom / self-build housing register and the stated rate of build-out since 2012. The Inspector remarked that it was evident that there had been little opportunity for self-builders in recent years to build in Uttlesford District and that whilst some windfall sites may come forward within the next five years that such provision alone would be sufficient to satisfy identified latent demand given the current local policy vacuum in the Council’s adopted local plan (2005) relating to this form of housing which is silent on this issue, contrary to NPPF guidance. The Inspector added that the 22 no. custom / self-build dwellings proposed for St Edmunds Lane would go some way towards meeting the needs of this sector within the local area and therefore afforded the provision of this type of housing significant weight. The Inspector further added that the obligations included within the applicant’s submitted unilateral undertaking which set out the commitment to such developments would pass the statutory tests.
- 6.5 In summing up, the Inspector remarked with regard to the planning balance and overall conclusions that “*Given that the proposal would represent a sustainable form of development, along with the need to boost significantly the supply of housing in Uttlesford and the provision of custom / self-build housing in particular, I do not consider that the loss of this open countryside and the limited harm identified to the character and appearance of the area and the other matters raised would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole*”.
- 6.6 Details of access, scale, layout, appearance and landscaping (reserved matters) were subsequently approved by the Council on 11 May 2018 (UTT/17/3623/DFO refers).

## **7. POLICIES**

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

ULP Policy S7 – The Countryside  
ULP Policy H1 – Housing Development  
ULP Policy H9 – Affordable Housing  
ULP Policy H10 – Housing Mix  
ULP Policy GEN1 – Access  
ULP Policy GEN2 – Design  
ULP Policy GEN3 – Flood Protection  
ULP Policy GEN6 – Infrastructure provision to Support Development  
ULP Policy GEN7 – Nature Conservation  
ULP Policy GEN8 – Vehicle Parking Standards  
ULP Policy ENV5 – Protection of agricultural land

## **Great Dunmow Neighbourhood Plan**

Policy DS1: TDA: Town development Limits  
Policy DS8: Building for Life  
Policy DS9: Hedgerows  
Policy DS10: Eaves Height  
Policy DS11: Rendering, Pargeting and Roofing  
Policy DS12: Integration of Affordable Housing  
Policy DS13: Local Housing Needs  
Policy LSC1: Landscape, Setting and Character  
Policy LSC3: The Chelmer Valley  
Policy GA-A: Public Transport  
Policy GA3: Public Transport  
Position: HEI-A: Infrastructure Delivery  
Policy NE4: Screening

## **National Policies**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance

## **Supplementary Planning Documents/Guidance**

SPD – “Accessible Homes and Playspace” (adopted November 2005)

## **Other Material Considerations**

Self-Build and Custom Housebuilding Act 2016 (as amended by the Housing and Planning Act 2016).

Essex Design Guide  
ECC Parking Standards – Design and Good Practice (September 2009)  
Uttlesford Parking Standards (February 2013)

## **8. TOWN COUNCIL COMMENTS**

8.1 The Town Council supports this application.

*Additional comments received 1 November 2019 as follows:*

- Sustainability in terms of transport is assisted by proximity to the 313 bus service. However, this service is under threat of withdrawal.
- Should the Planning Authority be minded to approve this housing development, Gt Dunmow Town Council requests a financial contribution towards the local bus service, in accordance with the town’s Neighbourhood Plan (GDNP) objective:

‘Great Dunmow will be serviced by a comprehensive and usable public transport network, with routes operating regularly and frequently to a wide range of valued destinations.’

- The GDNP Position GA-A states: ‘Great Dunmow Town Council will continue to work with bus operators and other stakeholders to improve public transport services to and from Great Dunmow.’.

- Please refer to Essex Highways to ensure that an appropriate financial contribution is established, so that the housing development complies with GDNP Policy GA3: Public Transport – ‘New developments should be integrated into the local bus network and appropriate public transport infrastructure and support for services will be sought where appropriate from developers to ensure this’.

## **9. CONSULTATIONS**

### **ECC Highways**

- 9.1 The Highway Authority has developed an outline public transport strategy for Great Dunmow and therefore it is recommending that a proportionate contribution be made towards the strategy. The strategy intends to provide a regular service to the site / along St Edmunds Lane, which currently only benefits from infrequent off-peak services, and provide support for the service for 5 years.

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 highway measures and conditions.

### **ECC SUDS** (*Revised comments received 27 November 2019*)

- 9.2 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to conditions.

### **Anglian Water**

- 9.3 **ASSETS**  
Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

“Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence”.

## WASTEWATER SERVICES

### Section 2 - Wastewater Treatment

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

### Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

### Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

### **Affinity Water**

- 9.4 You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Dunmow Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

### **MAG London Stansted Airport**

- 9.5 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. Due to the bird-strike risk presented by the water bodies, we request the following condition:

- All water attenuation or swale features included in the design that hold water on a permanent or semi-permanent basis, should be planted with reed-bed, consisting primarily of Common Reed, *Phragmites australis*.

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

### **Essex Police**

- 9.6 We would welcome the opportunity to consult on this development, Secured by Design produce a guide for "Self-Builds" and we would encourage the developers to seek to obtain a Secured by Design award. Achieving such an award will give occupiers the confidence that the design has taken into consideration the use of tried and tested security design and products.

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.

### **UDC Landscaping Officer**

- 9.7 I have studied the Landscape Strategy and landscaping drawing 0055 submitted for this proposed housing development and consider that the landscaping measures specified, including selection of plant species shown for boundary treatments, including external boundaries, and hard landscaping features specified, including surface treatments, are acceptable for this location. I therefore have no objections to the landscaping scheme as submitted.

### **UDC Affordable Housing Officer**

- 9.8 The unilateral undertaking for this custom / self-build development has been negotiated between the Housing Strategy Team and the developer (Pelham Structures) to ensure that the 30% discount which is eligible for such housing schemes is not abused or lost. Several clauses within it have been agreed. The "Custom Build Model" adopted by the applicant sets a precedent and therefore needs to be thought through carefully to ensure future schemes benefit the Council and prospective eligible buyers.
- 9.9 Pelham Structures model.
- The model is still one of discounted low-cost home ownership. Purchaser 1, who meets the eligibility criteria and local connection is allowed to purchase a custom build plot from the developer at 30% less the full open market value. When the property is built out and transferred to the applicant, they are expected to live in the home as their main residence. At a time in the future when they wish to sell, they will give the Council a sum of monies to the value of 30% of the full open market value. This is a method of sharing the discount with the Council to help build future affordable homes.
- 9.10 The protections in place that have been negotiated and agreed with Pelham

Structures includes:

- (a) Eligibility criteria of income (no more than joint income of £80,000). This is in line with current government policy for affordable home ownership products.
- (b) Local connection to Uttlesford.
- (c) Will not use the custom build property to generate a quick profit by selling the home immediately after it is completed and ready for occupation (unless extenuating circumstances exist).

The 30% discount given to the eligible person is shared with the Council when the property is sold on the open market.

Given the nature of the application, and the additional financial contributions which fall liable, it is considered that the best way of securing protections and the contributions would be via a S106 agreement, notwithstanding that a unilateral undertaking was agreed on appeal for the outline application.

## **10. REPRESENTATIONS**

10.1 8 representations received. Neighbour notification period expires 26 July 2019, Advertisement expires 1 August 2019, Site notice expires 5 August 2019.

10.2 Summary of representations received as follows:

### Support:

- Support the principle of self-build development at this location which should be encouraged by the Council.
- The proposal would have high quality-built homes which would be contrast with many major developer housing schemes.
- Good density of dwellings across the presented scheme.
- The building heights shown for the dwellings would be at a lower level than the three storey dwellings which line St Edmunds Lane further up which are a blot on the landscape.
- Unlike the existing housing with multiple access drives onto St Edmunds Lane, the parking at the rear of the new homes facing St Edmunds Lane would discourage any additional parking on St Edmunds Lane and would eliminate any additional access drives or the need to reverse from driveways onto St Edmunds Lane.

### Object:

- The front part of the site ("Area 1") is on the edge of the town centre where such tight-knit development would be out of keeping with its surroundings compared to the rest of the development ("Areas 2, 3 and 4").
- The revised housing layout now proposed shows that the dwellings for Plots 1-4 and the side elevation for Plot 5 would be hard up against the back of the footpath in St Edmunds Lane with little space for planting.
- No justifiable reasons have been put forward by the applicant to justify the fundamental change from the layout approved for this site under UTT/17/3623/DFO.
- The five dwellings on Plots 1-5 would present the appearance of being terraced as the gaps between them would be so small as to not be readily visible.
- It appears that more attention has been paid by the applicant to the layout of

the northern part of the site alongside Tower View Drive at the expense of the public realm when viewed from St Edmunds Lane.

- The existing row of trees along this side of St Edmunds Lane create a most attractive screen to the site. It is now proposed to remove them all so that the five dwellings for Plots 1-5 can be located close to the highway. The need for a footpath in front of these dwellings would only restrict the space for planting even further. If, however, revisions were made to the dwelling positioning for Plots 1-5 then this would help to maintain the present characteristics of properties on this side of the lane.
- Potential for on-street parking.

## 11. APPRAISAL

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

- A Principle of development – provision of custom / self-build housing, sustainability principles, countryside protection, protection of agricultural land, flood risk, infrastructure provision (NPPF, ULP Policies S7, H1, GEN3 and GEN6, GDNP Policies DS1: TDA, LSC1, LSC3, GA-A, HEI-A).
- B Whether means of access would be satisfactory / sustainable transport measures (ULP Policy GEN1, GDNP Policy GA3).
- C Layout and Scale (ULP Policies GEN2, GEN8, GDNP Policies DS8, DS10, DS12).
- D Appearance) (ULP Policy GEN2, GDNP Policies DS10, DS11).
- E Landscaping (ULP Policy GEN2, GDNP Policies DS9, NE4).
- F Other matters

**A Principle of development – provision of custom / self-build housing, sustainability principles, countryside protection, protection of agricultural land, flood risk, infrastructure provision (NPPF, ULP Policies S7, H1, GEN3 and GEN6, GDNP Policies DS1: TDA, LSC1, LSC3, GA-A, HEI-A).**

11.1 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.

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.

11.2 The National Planning Policy Framework is a material consideration and paragraph 11 sets out a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i) The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

It is therefore necessary to establish if the 'tilted balance' is engaged in the decision making in this instance.

- 11.3 As mentioned previously in this report, the principle of custom / self-build housing at this edge of town location lying outside development limits and outside the GDNP Town Development Area has already been established by reason of the granting of outline planning permission on appeal under ref; UTT/14/0472/OP for 22 no. custom / self-build dwellings at St Edmunds Lane, whereupon a DFO application has been subsequently granted pursuant to this approval in principle for the same quantum of dwellings under UTT/17/3623/DFO.
- 11.4 This situation remains the case for the current revised application for an alternative custom / self-build housing scheme for 22 no. dwellings at the site where paragraphs 61 and 64 of the NPPF places an obligation on LPA's to keep a register of interest and to provide opportunities for such housing and where the applicant has stated to the Council for the current application that a continuing local demand exists for custom and self-builders where expressions of interest have already been placed for site plots. Furthermore, since the 2015 appeal decision, the Council's general housing supply figure has dropped to 2.68 years, whilst the Council's adopted local plan is silent in terms of policies relating to this specific housing sector need. This carries substantial weight.
- 11.5 The site is not currently in agricultural production and the impacts upon countryside character for the current revised application would be essentially the same as that for approved reserved matters application UTT/17/3623/DFO where this harm has moderate weight, As identified by the Inspector for the 2015 appeal decision, the site lies within a sustainable location relative to the town centre whereby new housing has been recently built within its vicinity as evidenced by Tower Drive and the construction of a nearby larger housing development along St Edmunds Lane. The site is currently served by a local bus service which runs along St Edmunds Lane (service 313), although the Council understands that this route is likely to be axed in favour of an enhanced radial bus service or similar for the town (see discussion on Access below).
- 11.6 ECC SUDS team have reviewed the submitted Flood Risk Assessment and the associated documents which accompany the current application and have now removed their original holding objection to this revised scheme made due to a lack of drainage information submitted on various issues, including discharge rates/drain times, modelling of pipework and SUDS maintenance plan queries where this information has now been supplied and is considered satisfactory. No objections are therefore raised under ULP Policies GEN2 and GEN3.
- 11.7 The principle of residential development in the form of custom / self-build housing at this site therefore remains acceptable in principle, whilst a sustainable drainage scheme submitted by the applicant for this proposal incorporating a swale and a reed bed has been agreed by the ECC Development and Flood Risk team where the agreed scheme would be subject to a s106 SuDS maintenance agreement

should planning permission be granted. As such, the proposal as submitted would comply in principle with the NPPF, ULP Policies S7, H1, GEN3 and GEN6 and GDNP Policies DS1: TDA, LSC1, LSC3, GA-A and HEI-A.

**B Whether means of access would be satisfactory / sustainable transport measures (ULP Policy GEN1, GDNP Position GA-A: Public Transport, Policy GA3: Public Transport).**

- 11.8 The approved custom / self-build scheme for approved DFO application UTT/17/3623/DFO showed a new vehicular access leading off St Edmunds Lane between Windmill Close and Riverside with 2m wide footpaths to either side of the carriageway. The revised application as submitted proposes a new vehicular access in the same position as approved with no change with 2m wide footpaths to either side of the main carriageway
- 11.9 An issue has arisen with the current application in that the visibility splays indicated on the originally submitted proposed site plan were shown cutting through part of a line of trees which have been planted in recent years along the east side of St Edmunds Lane for the length of the site. Officers considered that this tree line forms a valued contribution to the existing street scene whereby their removal would have been regrettable. A revised site layout drawing has subsequently been submitted (drawing number 0053B) which now shows that the majority of the hedge would be retained and cut back to 600mm within the line of visibility by moving the row of frontage dwellings for Area 1 further into the site. This revision has been seen by ECC Highways who have agreed to the change from a visibility perspective and no technical objections are raised under ULP Policy GEN1 in this respect.
- 11.10 The applicant has agreed to make a commuted sum of £81,000 (index linked) prior to first occupation of the development to be paid to the local planning authority to contribute to a bus strategy for Great Dunmow whereby this sum has been requested by ECC Highways in their consultation response of 6 September 2019 which would provide a regular service to the proposed development / along St. Edmunds Lane in the interests of reducing the need to travel by car and promoting sustainable development and transport. This local bus strategy is promoted under Position (Statement) GA-A: Public Transport within the Great Dunmow Neighbourhood Plan (GDNP) which states that "Great Dunmow Town Council will continue to work with bus operators and other stakeholders to improve public transport services to and from Great Dunmow", whilst Policy: GA3: Public Transport states that "New developments should be integrated into the local bus network and appropriate public transport infrastructure and support for services will be sought where appropriate from developers to ensure this". Great Dunmow Town Council in their additional consultation response to the current application have requested that this commuted sum be made in line with their own made plan policies.
- 11.11 This financial commitment by the applicant is welcomed, particularly in view of the current uncertainty surrounding the continuation of the 313/313A bus service which currently runs down St Edmunds Lane from Tesco and Saffron Walden where bus stops currently exist within the immediate vicinity of the proposal site and where the Council understands that this potential axing of the service would be as part of this overall enhanced public transport strategy for the town. The agreed commuted sum would form part of a S106 agreement should planning permission be granted for the scheme together with the upgrade of existing bus stops in St Edmunds Lane. In the circumstances, the proposal would comply

with ULP Policy GEN1 and GDNP Position (Statement) GA-A: Public Transport and Policy GA3: Public Transport.

**C Layout and Scale (ULP Policies GEN2, GEN8, GDNP Policies DS8, DS10, DS12).**

- 11.12 Unlike a conventional detailed application, the finalised layout and scale of the proposed development cannot be considered at this stage. This is due to the various extension and garage options that are available for the proposed plots. These will be determined by the purchaser and, like external materials, it is proposed that these be controlled by condition for final details to be agreed prior to the commencement of work on each plot.
- 11.13 In terms of design selection for the house types, the submitted Design Code and Plot Parameter Plan set the maximum dwelling width, depth, eaves height and ridge height as well as the materials pallet. This is intended to allow flexibility for the self-builder whilst providing the Council with certainty of what would be delivered. The Design Code sets out, for example, the line of house frontages, depth of build zone, plot co-ordinates and maximum ridge and eaves heights. In terms of construction, the developer would promote the “Golden Brick” principle where the plot buyer would have the option of self-building the dwelling from slab level upwards or request that the dwelling is variously constructed to roof level or the third option being a “Turn-key” dwelling where the buyer simply chooses internal layout etc. The scheme adopts a modular approach to the various house types.
- 11.14 The applicant is proposing a range of different house types for each plot, which are categorised as Schemes A, B and C across the site, although certain size parameters for the different house types are fixed for each plot and therefore establish the basic layout of the development as shown on the Proposed Site Plan. The variants come with the “bolt on” packages of extensions and/or garages.

Area 1: The dwellings for Area 1, to include the discounted market properties (Plots 1-7 and Plots 21/22, would front onto St Edmunds Lane which would have a cottage feel and would have hardstanding parking provided behind the plots to ensure that the parking of cars does not detract from the street scene. For this area, the Design Code would state that the footprint of Plots 1-7 would be restricted to that shown on the site plan with the exception of those additions that would otherwise be allowed by permitted development rights. It is stated that the discounted market properties would be designed to be in keeping with the rest of the market value properties. It should be emphasised that the moving back of the dwellings for the frontage plots as requested by officers so as to preserve the frontage hedgerow and to reduce the intensity of this frontage part of the development along this section of St Edmunds Lane has resulted in a better relationship with those properties situated opposite in terms of its visual impact on the street scene whereby this set-back is considered acceptable.

Area 2: The dwellings for Area 2 would face onto the main thoroughfare through the development and would have a traditional style (“village street scene”) and would have garages.

Area 3: The dwellings for Area 3 would lead off a spur road and have more of a modern vernacular style subject to purchaser demand whereby the Design Code would allow more flexibility of design in this area and would not seek to limit the style of design beyond materials, scale and footprint. The dwellings would have garages.

**Area 4:** The dwellings for Area 4 would be designed as an historic farmstead whereby the Design Code would stipulate that a farm building style would need to be maintained for Plots 14 and 15 (i.e. granary and barn style dwellings) and that the boundary treatment for Plot 14 should respect the main road. Garages would be provided.

- 11.15 The scale of the house types, however, would be fixed by various building parameters from the Design Code (note: the bedroom specifications would vary from 2/3 bedroom units for Area 1 up to 4/5/6 bedroom units for Areas 2, 3 and 4 depending on purchaser requirements. In terms of housing mix, it is stated that more 4 bedroomed dwellings are proposed for the revised scheme and that the number of 3 and 5+ dwellings have subsequently reduced compared with the previously approved scheme for this site to cater for updated market demand where it is further stated that the UDC self-build register indicates that the majority of people who have registered interest are looking for a 4 bedroomed property.

Plot no.	Eaves height (m)	Ridge height (m)	Building width (m)	Building depth (m)
Plot 1	4.6	7.1	9.9	6
Plot 2	4.1	6.7	9.9	6
Plot 3	4.9	7.9	9.9	6
Plot 4	4.9	7.9	9.9	6
Plot 5	4.6	9.0	9.9	6
Plot 6	4.6	9.0	9.9	6
Plot 7	4.3	8.6	9.9	6
Plot 8	5.7	9.6	13	9
Plot 9	4.9	9.2	9.4	13.2
Plot 10	4.9	9.2	9.4	13.2
Plot 11	4.4	7.2	14.3	11.7
Plot 12	5.2	7.9	11.4	15.5
Plot 13	4.1	7.3	22.5	14.5
Plot 14	5.4	8.4	17.7	11.9
Plot 15	4.5	7.9	14.1	9.1
Plot 16	5.2	7.9	11.5	15.6
Plot 17	5.2	7.9	15.5	11.4
Plot 18	5.1	8.1	8.9	14.3
Plot 19	5.6	9.0	9.8	14.4
Plot 20	4.4	7.2	11.7	11.9
Plot 21	4.9	8.9	14.3	6.4
Plot 22	4.9	8.9	14.3	6.4

- 11.16 The dwellings would comprise generally a mix of 1½ and 2 storey dwellings across the development, although there would be a few 2½ storey dwellings within the variable house types within the centre of the site. Cross section drawings have been submitted which show that the visual impact of the development would not be significantly greater at the site than the previously approved scheme for this site under UTT/17/3623/DFO, particularly taking into account the slope in the site.
- 11.17 Each plot has sufficient garden amenity space to serve the maximum size property which could be achieved for that plot given the extension/garage options. There would be sufficient separation distances between the proposed dwellings, whilst no overlooking or overshadowing issues would arise as a result of the development

which would warrant refusal of the application

- 11.18 Each plot would have sufficient parking provision for the maximum sized property which could be constructed for each plot. Some third party concerns have been raised regarding the possibility of on-street parking. However, the on-plot provision parking provided for several plots within the development would exceed the minimum parking standards for the bedroom specification of dwelling involved meaning that sufficient visitor parking would be provided across the development.

**D Appearance (ULP Policy GEN2, GDNP Policies DS10, DS11).**

- 11.19 The application relates to a custom / self-build housing scheme which by its very nature as emphasised by the applicant in the submitted supporting statement requires a degree of flexibility in design approach. Therefore, the issue of appearance, like layout, scale and landscaping can only be assessed in terms of their broad approach. If these are considered to be acceptable then the parameters would be agreed subject to a condition requiring the final details in respect of these matters to be submitted for approval prior to works commencing on that plot.

- 11.20 In terms of appearance, the proposed properties would incorporate traditional building methods and materials would be used. A palette of materials would be used through the use of brickwork plinths, painted render, flint, timber windows and doors, exposed rafter feet, hand-made clay tiles and natural slate whereby this would provide modern housing in a traditional vernacular that would respect the character and appearance of the local area.

- 11.21 The range of materials presented is considered to be acceptable and would be in accordance with ULP Policy GEN2 of the Uttlesford Local Plan and Policy DS11 of the Great Dunmow Neighbourhood Plan.

**E Landscaping (ULP Policy GEN2, GDNP Policies DS9, NE4).**

- 11.22 A landscaping scheme and strategy have been submitted with the application. These indicate that both the internal road and external boundaries of the site would have new native hedge and tree planting and that the any gaps which presently exist to the northern boundary with Tower Drive would be infilled with native planting also to provide a firm natural barrier on this boundary. It is stated that the SUDS swale proposed for the middle of the site would be planted and maintained as naturalistic grassland meadow with water tolerant species (subject to the MAG requirement for reduced berry species in the interest of aircraft safety), whilst the southern edge SUDS basin at the lowest end of the site would comprise a wetland area with appropriate species. The proposed mix of planting is considered by the Council's Landscape officer to be appropriate for this edge of settlement site and no objections are therefore raised under ULP Policy GEN2 and GDNP Policies DS9 and NE4.

**F Other matters**

- 11.23 On 10 January 2020 the Inspectors issued their findings on the Stage 1 examinations of the emerging Local Plan. This has raised significant concerns with regard to the proposed plan. In Paragraph 114, the Inspectors state that they consider that the Council would need to allocate more small and medium sized sites that could deliver homes in the short to medium term and help to bolster the 5 year housing land supply until the Garden Communities begin to deliver housing. At the time of preparing this report the Council is considering its options with regard

to the emerging Local Plan. In any event, the Inspector's letter relates to 'plan making' and not to the fact that all emerging small and medium sized sites should be granted planning permission. Decisions still need to be made on the planning balance.

- 11.24 The outline planning permission granted on appeal for application ref; UTT/14/0472/OP included an "affordable housing" option secured by way of a unilateral undertaking given that nine of the plots were subject to a "discounted value" of 30% of market value to represent the affordable housing element for that development. The current application represents a revised design and layout scheme to the subsequently approved reserved matters application UTT/17/3623/DFO for that outline approval and, as such, the applicant is required to submit a new legal obligation to cover those matters relating to financial contributions, SuDS maintenance and the discount market self-build plots arising from this revised scheme.
- 11.25 Issues have arisen during the life of this application on the definition of "eligible persons" for this revised scheme and as to how the Council would be able to have control on the resale of those "affordable" discounted plots on the site once built and first occupied so that a proportionate amount of the monies from any profits generated can be recouped by the Council so that the discount applicable to these affordable plots is returned to the Council for general affordable housing monies within the district depending on how long the discounted plots would take to sell from the date of any grant of planning permission. This requirement was originally intended by the applicant to be covered by an updated unilateral undertaking "carried across" from approved outline application UTT/14/0472/OP for the original self-build scheme. However, the applicant has since agreed that this requirement, together with any commuted sums that separately fall due relating to other identified matters for the current application should now form the basis of a s106 agreement after the Council has recently requested this so that a bi-partite situation exists for any obligation.
- 11.26 The S106 agreement which would accompany any planning permission granted would cover heads of terms for the occupancy and restrictions on re-sale for the discounted market custom / self-build plots ("affordable" housing units), early years, primary and secondary school financial contributions, sustainable transport contributions, a SUDS maintenance agreement and the upgrade of the existing bus stops along this section of St Edmunds Lane.

## 12. PLANNING BALANCE

- 12.1 The planning merits of the submitted proposal are to be considered in the context of the extent of compliance of relevant adopted/made plan policies with the National Planning Policy Framework and the weight to be applied to each policy as set out in the table below:

Policy	Proposal in accordance with policy?	Policy compliant with the NPPF	Weight
S7	Proposal fails to comply with Policy S7, but previous housing scheme allowed at appeal for this	Partially compliant	Moderate

	site		
H1	Policy H1 is one of a suite of housing policies that establishes the spatial strategy for the district	Non-compliant	No weight
GEN1	Proposal would comply with Policy GEN1	Generally consistent	Moderate
GEN2	Proposal complies with Policy GEN2	Generally consistent	Moderate
GEN3	Proposal complies with GEN3 with appropriate mitigation subject to completion of a S106 Agreement	Partly consistent	Limited
GEN6	Proposal complies with Policy GEN6 with appropriate mitigation subject to completion of a satisfactory S106 Agreement	Generally consistent	Full
GEN8	Proposal complies with Policy GEN2	Generally consistent	Moderate

### Great Dunmow Neighbourhood Plan

DS1:TDA	Proposal fails to comply with DS1:TDA, but previous housing scheme allowed at appeal for this site	Consistent	Significant
LSC1	Proposal fails to comply with LSC1, but previous housing scheme allowed at appeal for this site	Consistent	Significant
LSC3	Proposal fails to comply with LSC3, but previous housing scheme allowed at appeal for this site	Consistent	Significant
DS8	Proposal complies with DS8	Consistent	Significant
DS9	Proposal complies with DS9	Consistent	Significant
DS10	Proposal complies with DS10	Consistent	Significant
DS11	Proposal complies with DS11	Consistent	Significant
DS12	Proposal complies with DS12 subject to completion of a satisfactory S106 Agreement	Consistent	Significant
NE4	Proposal complies with NE4		
GA-A	Proposal complies with GA-A subject to completion of a satisfactory S106 Agreement	Consistent	Significant
GA3	Proposal complies with GA3 subject to completion of a satisfactory S106 Agreement	Consistent	Significant
HE1-A	Proposal complies with HE1-A subject to completion of a satisfactory S106 Agreement	Consistent	Significant

11.23 From the above, it is considered when taking the Framework as a whole that the benefits of the proposal, where mitigation has been offered in order to make the development acceptable, are considered not to outweigh the harm which would be caused to the character of the rural area where the principle of self-build has already

been agreed for this site under a previous scheme. The tilted balance in favour of the proposal, including a presumption in favour of sustainable development, is therefore engaged.

### 13. **CONCLUSION**

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

- A** The principle of custom / self-build housing development at this greenfield site has already been established at appeal under ref; UTT/14/0472/OP and remains acceptable for the current detailed application for a revised scheme.
- B** Vehicular access arrangements are considered acceptable. The applicant has agreed to make a commuted sum of £81,000 (index linked) prior to first occupation of the development to be paid to the local planning authority to contribute to a proposed bus strategy for Great Dunmow in the interests of promoting sustainable development and transport and also to provide upgraded bus stops along St Edmunds Lane.
- C** The plans indicate the maximum scale and layout of the proposed development. The final layout and scale of the dwellings will need to be secured by way of condition.
- D** The proposed palette of materials and appearance of the proposed development are considered to be appropriate. The final selection of materials for each plot will need to be secured by condition.
- E** The submitted landscape details for this proposal are considered to be acceptable.
- F** Affordable housing provision is made for the site through discounted market plots for the development which will be subject to a S106 agreement to define and require specific obligations.

### **RECOMMENDATION – APPROVAL WITH CONDITIONS WITH s106**

- (1) The applicant be informed that the committee be minded to refuse planning permission for the reasons set out in paragraph (3) below unless by 18 April 2020 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:**
  - (i) (a) affordable custom / self-build dwellings to be sold at 30% discount re-sale value, (b) if plots sold within 3 years then the discounted rate plus indexation to be paid to Uttlesford District Council, (c) if plots are not sold within 12 months of dwelling completion, a commuted sum equivalent to the value of the discounted value of affordable housing plots to be paid to Uttlesford District Council**
  - (ii) Payment of early years, primary and secondary education contributions**
  - (iii) Payment of sustainable transport commuted sum contribution towards a public transport strategy for Great Dunmow**
  - (iv) Existing bus stop upgrade in St Edmunds Lane**
  - (v) SUDS Maintenance scheme**
  - (vi) Pay the Council's reasonable legal costs**
  - (vii) Pay the monitoring fee**
- (2) In the event of such an agreement being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out**

below.

- (3) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning shall be authorised to refuse permission at his discretion at any time thereafter for the following reasons:
- (i) Failure for legal mechanism to exist for a) affordable custom / self-build dwellings to be sold at 30% discount resale value, (b) if plots sold within 3 years then the discounted rate plus indexation to be paid to Uttlesford District Council, (c) if plots are not sold within 12 months of dwelling completion, a commuted sum equivalent to the value of the discounted value of affordable housing plots to be paid to Uttlesford District Council
  - (ii) Non-payment of early years, primary and secondary education contributions
  - (iii) Non-payment of sustainable transport commuted sum contribution towards a public transport strategy for Great Dunmow
  - (iv) Non-delivery of the existing bus stop upgrade in St Edmunds Lane
  - (v) Non-agreement of SUDS Maintenance scheme
  - (vi) Non-payment of the Council's reasonable legal costs
  - (vii) Non-payment of the monitoring fee

#### 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. All hard and soft landscape works shall be carried out in accordance with the approved details as shown on landscape drawing 0055 and the Landscape Strategy prepared by Pelham Structures. The works shall be carried out before any part of the development is occupied or in accordance with a programme agreed with the local planning authority in accordance with ULP Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).  
REASON: In the interests of the appearance of the site and the area in accordance with ULP Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).
3. Prior to the commencement of the construction of the dwelling on each plot, full details of the house type, extension and/or garage options and layout within the plot and the materials to be used in the construction for that plot shall be submitted to and approved in writing by the local planning authority. Subsequently, the dwelling for that plot shall be constructed strictly in accordance with the approved details.  
REASON: In the interests of the appearance of the site and because the final details for each plot have not been established to allow for flexibility in this custom/self-build scheme in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).
4. Prior to occupation of any dwelling, the provision of an access formed at right angles to St Edmunds Lane, to include but not limited to: minimum 5.5 metre carriageway width with appropriate radii (minimum of 6 metres), two 2 metre wide footways and clear to ground visibility splays with dimensions of 2.4 metres by 90 metres, in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

5. Prior to first occupation of any dwelling of the development, a 2 metre footway extending from the proposed site access to the development along St Edmunds Lane to the south to approximately the southern boundary of Theobalds House, to include two pedestrian dropped kerb crossing points across St Edmunds Lane (with appropriate tactile paving if necessary) shall be provided.

REASON: In the interest of highway safety and accessibility in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005)

6. 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 in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. 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 in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

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

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- If infiltration is to be found unviable then discharge rates should be limited to 4.3l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1:100 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with the NPPF and ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

Note: Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

9. No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved. REASON: Paragraphs 163 and paragraph 170 of the National Planning Policy Framework state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

Note: Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

10. Prior to occupation a maintenance plan detailing maintenance arrangements, including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed in writing by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided. REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk in accordance with the NPPF and ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

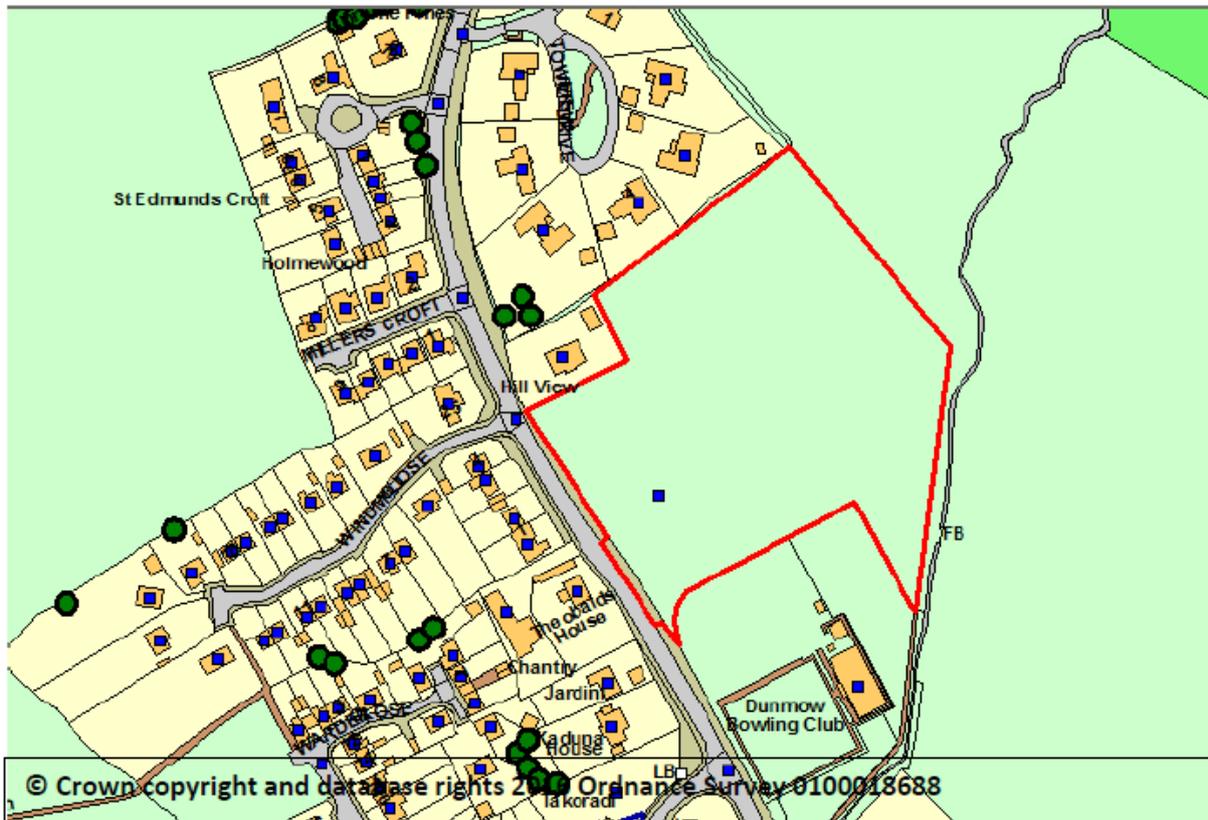
Note; Failure to provide the above required information may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

11. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority. REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk in accordance with the NPPF and ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

12. All water attenuation or swale features included in the design that hold water on a permanent or semi-permanent basis, should be planted with reed-bed consisting primarily of Common Reed, *Phragmites australis*. REASON: Due to the possibility of bird-strike risk to aircraft presented by water

bodies in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

13. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.  
REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace.



Organisation: Uttlesford District Council

Department: Planning

Date: 03 MARCH 2020