

UTT/17/2542/DFO – (ELSENHAM)

(MAJOR)

PROPOSAL: Details of layout, scale, appearance and landscaping following outline application UTT/15/3090/OP for the provision of 20 dwellings with associated works, including garages, open space and services

LOCATION: Land north of Leigh Drive, Stansted Road, Elsenham

APPLICANT: David Wilson Homes

AGENT: Savills

EXPIRY DATE: 27 December 2017

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits.

2. DESCRIPTION OF SITE

2.1 The site is located to the north-west of Leigh Drive on the western side of the main built up area of Elsenham within part of the residential development area now known as Kingswood Park (David Wilson Homes). The site itself is irregular in shape, extends to some 0.7 ha in area and is level. The site is devoid of any built form as open grassland, although the eastern end of the site is currently being used as a temporary storage compound for plant, equipment and materials in connection with ongoing building works in association with an adjacent approved housing development.

2.2 Extensive vegetation in the form of a mature hedgerow lines the southern boundary of the site along with a scattering of medium trees along the site's eastern boundary. The site is bounded to the north and south-west by land which was granted reserved matters approval in May 2015 for the erection of 155 dwellings with associated roads and services and which now contains dwellings either under construction or which have been recently completed and occupied. A spine road (Isabel Drive) which was approved as part of the reserved matters application now runs alongside the western boundary of the site and into the housing development to the immediate north comprising Phase 1, David Wilson Homes. Open land (Elsenham Recreation Ground) lies on the east side of the site, whilst Elsenham Village Hall is situated beyond this.

2.3 Alsa Wood lies to the north-west of the site, which is a designated woodland and County Wildlife Site. An unmade public footpath runs along the length of the site's southern boundary behind the boundary hedgerow from Leigh Drive to the site's western corner to the spine road before heading north into Alsa Wood and beyond. Established residential housing exists to the south of the site (Leigh Drive) which consists of a mixture of housing types and styles.

3. PROPOSAL

3.1 This reserved matters application seeks approval for the details of layout, scale, appearance and landscaping for the erection of 20 dwellings with associated works, garages, open space and services following the grant of outline permission on appeal under application ref; UTT/15/3090/OP.

3.2 The proposed scheme would comprise a mix of two storey dwellings and bungalows consisting of detached dwelling units, a pair of semi-detached bungalows, a FOG unit and a corner house. The dwellings would be externally clad in a mix of building materials consistent with those materials used on Phase 1 of the David Wilson Homes development to the immediate north. The scheme would have a calculated density of 28.5 dph. The housing mix of the submitted scheme is as follows:

Plot No.	Tenure	Storey	Bed. No.	Parking	Amenity
156	Market	2	4	3	137sqm
157	Market	2	4	6	164sqm
158	Market	2	4	3	111sqm
159	Market	2	4	3	127sqm
160	Market	2	4	3	134sqm
161	Market	2	4	3	187sqm
162	Market	2	4	4	104sqm
163	Affordable (afford rent)	1	1	1	34sqm
164	Affordable (afford rent)	1	1	1	34sqm
165	Affordable (afford rent)	2	2	2	50sqm
166	Affordable (afford rent)	2	3	2	100sqm
167	Affordable (sh ownership)	1(FOG)	2	2	29sqm
168	Affordable (sh ownership)	2	3	2	103sqm
169	Affordable (afford rent)	1(bungalow)	2	2	67sqm
170	Affordable (afford rent)	1(bungalow)	2	2	84sqm
171	Market	2	3	2	100sqm
172	Market	2	4	3	100sqm
173	Market	2	3	3	132sqm
174	Market	2	4	3	181sqm
175	Market	2	4	3	169sqm

3.3 A rectangular area of land shown on the proposed site layout drawing lying along the eastern side of the access road into the proposed development but falling outside the site area and scope of the current application is to be transferred to either Uttlesford District Council or Elsenham Parish Council for the provision of a multi-purpose community building which forms part of the S106 Agreement for

planning permission UTT/0142/12/OP.

4 ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The site is deemed to fall within the definition of an “Urban development project” under Section 10 of “Schedule 2” of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. However, the development does not include more than 1 hectare of urban development which is not dwellinghouse development, the development does not include more than 150 dwellings and the overall site area of the development does not exceed 5 hectares. However, a screening assessment made for the outline application showed that the proposed development would unlikely to have significant effects on the environment with regard to the characteristics of the development, location of the development or the types and characteristics of the potential impact.

5. APPLICANT’S CASE

- 5.1 The accompanying updated planning statement (updated November 2017 - v2) describes the site context in terms of its physical characteristics, relevant site history, the site proposal, national and local policy context and a detailed analysis of the relevant planning issues under consideration for this reserved matters application. The planning statement concludes as follows:

- The current application seeks approval of the outstanding reserved matters for outline planning application UTT/15/3090/OP, namely layout, scale, appearance and landscaping.
- The proposed scheme indicates how the delivery of the 20 no. dwellings approved at outline stage will be achieved resulting in a high quality environment with a varied street scene, whilst also ensuring the future delivery of the community building to the east of the site is not prejudiced.
- The layout of the scheme seeks to avoid car dominance, whilst also retaining key landscape features such as the established tree belt on the southern boundary.
- The proposed scheme has taken care to accord with the relevant design based policies and guidance where appropriate, most notably the Essex Design Guide and adopted parking standards.
- The submitted details result in a high quality scheme that will suitably integrate with the surrounding environment and complies with the relevant policies and guidance. Approval of the outstanding reserved matters details should consequently be issued promptly to enable the delivery of these much needed homes without delay.

6. RELEVANT SITE HISTORY

- 6.1 UTT/1368/86/OP: Outline application for residential development on 14 ha of land, construction of new access and alteration of an existing access – Refused 1986.
- 6.2 UTT/0142/12/OP: Residential development comprising 155 no. dwellings, 55 no. extra care units, land for the provision of a multi-purpose community building, and associated infrastructure provision following demolition and clearance of Essex Auto Spray and associated residential property (applicant: The Crown Estate) – Approved May 2013 subject to S106 Agreement.
- 6.3 UTT/14/3279/DFO: Details following outline application UTT/0142/12/OP (erection of 155 dwellings with associated infrastructure works – applicant: David Wilson

Homes) – details of access, appearance, landscaping, layout and scale – Approved May 2015.

6.4 UTT/15/3090/OP: Outline application for up to 20 dwellings and open space with all matters reserved except access (The Crown Estate) – Land north of Leigh Drive.

An illustrative masterplan was submitted as part of this application to show how housing on the site could be accommodated with new access road. The application was refused by Members in April 2016 contrary to an officer recommendation for approval for the following reason:

1. The proposal would not collectively comply with the positive stance towards sustainable development as set out in the National Planning Policy Framework. In particular, the proposal fails to take into account supporting strong, vibrant and healthy communities, by providing the supply of housing to meet the needs of present and future generations and as such it fails to fulfil the three strands of sustainable development jointly and simultaneously. Therefore the proposal would not collectively comply with the positive stance towards sustainable development contrary to paragraphs 7 and 14 of the National Planning Policy Framework.

6.5 A subsequent appeal by The Crown Estate against the Council's reason for refusal for UTT/15/3090/OP was allowed 14 November 2016. The Inspector for the appeal stated in his appeal letter that the main issue under consideration was the effect of the proposed development on housing choice where he noted that the indicative housing mix submitted with the application was not a matter before him as scale and design were reserved matters for future consideration. The Inspector commented that a previous grant of permission to include an extra care unit at the site prior to the occupation of the 75th open market house had not brought forward any interested parties to develop such a care scheme as a result of the commissioning of a marketing exercise when he concluded that *“Consequently, without substantive evidence that there is both a high need for extra care housing and a market demand from developers to build it, it is unnecessary to prevent alternative development options at the appeal site from being considered”*. The Inspector also commented that the outline housing scheme before him would not prejudice the delivery of the adjacent previously approved community building zone located outside of the appeal site, nor that he had seen substantive evidence that existing local infrastructure could not support the future occupants of the proposed homes.

6.6 The Inspector remarked at paragraph 10 of his letter that the appellant was proposing a residential development likely to comprise a broad mix of housing, including affordable housing, bungalows and smaller properties. In this respect, the Inspector specifically stated that *“Whilst the final mix would be addressed at the reserved matters stage, the submission to date has shown an intention to provide a broad mix that would address local housing needs. As such, I am satisfied the development has the potential to positively support housing choice in the area alongside the other developments being constructed nearby”*. Noting comments expressed by the Council and others in this respect to a preference to bungalows for the over 65's within the submitted indicative scheme to meet what was considered to be local needs, the Inspector made it clear that this was a matter to be discussed and negotiated at reserved matters stage. In stating this, the Inspector added that *“In my view, this does not affect the principle of developing the site for more general housing given the site's planning history, its accessible location and the apparent lack of demand from developers in respect to delivering extra care housing”*, adding that the proposal would amount to a presumption in favour of sustainable

development when assessed against the three strands of the NPPF.

- 6.7 As such, the grant of planning permission at appeal for application UTT/15/3090/OP accepted the principle of housing for this greenfield site situated outside development limits. The indicated access arrangements for the submitted housing scheme for outline application UTT/15/3090/OP were considered to be acceptable to ECC Highways based upon the likely traffic flow differences between the previously consented approval to include an extra care unit and solely housing and did not therefore fall to be considered as an issue for the resultant appeal whereupon the Inspector imposed the recommended highway condition relating to the construction of the vehicular access into the site from the previously approved and now constructed spine road (Condition 6). As such, access does not fall to be considered for the current reserved matters application. Whilst the main spine road is at 5.5m, it has been previously agreed with ECC Highways that the spur road into the development can be at a reduced width of 4.8m to reflect the minor nature of the road into the proposed development.

7. POLICIES

Uttlesford Local Plan (2005)

- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Drainage
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Parking Standards
- ULP Policy H9 – Affordable Housing
- ULP Policy H10 – Housing Mix
- ULP Policy ENV3 – Open Spaces and Trees
- ULP Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation)

Supplementary Planning Documents/Guidance

- SPD “Accessible Homes and Playspace

National Policies

- National Planning Policy Framework (NPPF)

Other Material Considerations

- National Planning Policy Guidance (NPPF)
- Essex Design Guide
- ECC Highways Parking Standards – Design and Good Practice
- Uttlesford District Council Parking Standards

8. PARISH COUNCIL COMMENTS

- 8.1 Elsenham Parish Council has considered the above application and wishes to make objections as follows:

Summary:

- 8.2 The best use for the site under consideration would be as an extension to the playing field. It is accepted, however, that outline planning permission has been

granted. The appeal decision against rejection of the outline planning application UTT/15/3090/OP gave approval for 'up to 20' dwellings (The Planning Inspectorate, Appeal Decision, Appeal Ref APP/C1570/W/16/3155971, Section 1). The number was thus indeterminate, with an upper limit stated. As shown in detail below in the Sections entitled Housing mix, Parking and Site layout, the Parish Council holds that the proposed site layout needs adjustment. The present detailed application should be withdrawn and a revised application which addresses the issues outlined should be submitted for a reduced number of dwellings.

Community Building:

- 8.3 Part of the site is reserved for a new community building. There are multiple confirmations in the Design and Access Statement that access will be available from within the site for 20 dwellings. For example, in Section 3., under sub-heading Concept and built form, it is stated: "The estate road runs along the long edge of the site for the Community Building, allowing a new entrance to be created at a point that best suits the forthcoming scheme". However, the development layout shows that the boundary between the 'Future Community Facility' and the new development will comprise, from the north: a pavement alongside the new access road; a grass verge; three visitor parking spaces; another grass verge. There is no marked means of access from the development to the Community Building area. The Parish Council attaches great importance to this issue, and requests that it should be resolved before the application is considered further.

Housing Mix:

- 8.4 The site was originally intended for a care home under outline planning agreement UTT/0142/12/OP. Subsequently, Uttlesford District Council Planning Department accepted that there was a lack of interest amongst potential care home providers. At a meeting of Uttlesford District Council Planning Committee on 9 March 2016, an outline planning application for up to 20 dwellings on the site under reference UTT/15/3090/OP was rejected following submissions from the Parish Council to the effect that the site should be regarded as already dedicated to housing for the elderly, and that therefore a greater number of bungalows should be provided. The applicants went to appeal and the appeal was allowed. The crucial question of housing mix was left undecided; the Inspector commented, 'I note the preference of the Council and some third parties would be for the development to be predominately comprised of bungalows and housing for the over 65s. This is a matter to be discussed and negotiated at the reserved matters stage' (The Planning Inspectorate, Appeal Decision, Appeal Ref APP/C1570/W/16/3155971, Section 11).
- 8.5 The Parish Council cannot accept that the meaningful negotiations called for by the Inspector have taken place. Particular objection is made concerning the lack of open market bungalows. This detailed application proposes the same number of bungalows, two, as the outline application which was rejected by Uttlesford District Council Planning Committee. There is every reason, therefore, to anticipate that if the application goes before the Committee in its present form, it will be rejected for the same reason. There is no case for more general housing in view of the large projects now under construction in Elsenham.

Parking:

Three-bedroom houses:

- 8.6 A total of four three-bedroom houses is proposed (two private development and two

affordable). One of these houses (Plot 173) is allocated three parking spaces and the other three houses are allocated two parking spaces. The Parish Council takes the view that two parking spaces for a three-bedroom house is inadequate in a rural area where there is necessarily much dependence on private transport.

Four-bedroom houses:

- 8.7 A total of ten four-bedroom houses is proposed. One house (plot 157) is allocated six parking spaces and one house (plot 162) is allocated four parking spaces. The remaining eight houses are allocated three parking spaces, all of which are arranged end-to-end. The arrangement is unsatisfactory in that few households are prepared to engage in triple shuffling of vehicles, with resultant parking on roads and pavements. The issue is particularly acute on the road along the west of the development, where five four-bedroom houses each with three parking spaces are proposed.

Visitor parking:

- 8.8 The distribution of the five visitor parking spaces is not satisfactory. Three spaces are shown on the east of the site, adjacent to the area reserved for the community building. But as outlined above, there is no means of access shown to the community building site and it may be that the area shown for visitor parking would be needed for access purposes. Furthermore, it is doubtful whether the two spaces at the south of the site would be used by visitors to dwellings other than plots numbered 173, 174 and 175. There is a shortage of visitor parking spaces on the west of the site. Parking places exist where shown on the plan opposite to plots 158, 159 and 160, but these spaces are reserved for the main development of 155 houses. These existing parking spaces cannot be extended in either direction. They are constrained to the south by the footpath crossing giving access to Alsa Wood, and to the north by the ditch on the boundary of Alsa Wood.

Conclusion:

- 8.9 Residential parking is insufficient, particularly for houses to the west of the site, and provision for visitor parking to houses on the west is inadequate. These houses front onto the main access to the larger David Wilson Homes development of 155 dwellings which is now under construction. It is very clear that the proposed layout is a recipe for serious obstruction by way of excessive parking on the road and parking on the pavement along this busy access road.

Site layout:

Pavement:

- 8.10 The Parish Council is concerned by the fact that the pavement appears to stop at plot 166, although a further nine dwellings and five visitor parking spaces are indicated beyond this point. The further narrowing of the access towards plots 173, 174 and 175 is particularly unsatisfactory from the point of view of public safety. The tracking plan appears to show that it would not be possible for refuse lorries to turn in this area.

Woodland:

- 8.11 It is considered that a buffer should be left between plots 156 with 175 in the south-west of the site and the woodland to the south in order to provide the means of

maintaining the woodland from the north and to inhibit any tendency to dispose of rubbish in the woodland.

Attenuation pond:

- 8.12 It is understood that surface water disposal is to be managed through the large attenuation pond to the north of the site which has been constructed as part of the scheme for 155 dwellings. Currently the pond is very full, evidently because the outlet has not been connected. Apparently it is intended that when fully operational the pond should hold water only in exceptional circumstances after heavy rainfall. But it is difficult to see how that can be so given that the outlet is some distance above the bottom of the pond leading to concerns as to the design. Currently, the pond is surrounded by temporary fencing for safety reasons pending the connection of the outlet. It is not known what fencing, if any, is proposed in the long term. The knee-rail on the side towards the road will prove no deterrent to children attracted by the water, which will freeze over in the winter, and nothing is known about the boundary to the south. An informal path has already become well-established on the eastern side of the pond. The Parish Council urges strongly that a robust permanent solution must be found to the safety issues which arise through the presence in a prominent position of this large open pond.

Surface water disposal:

- 8.13 Surface water for 155 homes is mostly directed to the north-east of the site, then via an open ditch alongside the access road to The Orchard, and then to the surface water drain under Station Road. The addition of a further twenty dwellings will add to the burden on the surface water system in Station Road, which is already prone to flooding.

Gardens:

- 8.14 The boundaries to plots 158, 159, 160, 162 and 172 are ill-considered in that they broaden out behind garages giving a small, inconvenient area which can be of no value for purposes of cultivation. The provision of a garden to the flat over garages, plot 167, is welcomed, but it is considered that this garden should be made somewhat larger by reducing the garden to plot 166.

9. CONSULTATIONS

NATS

- 9.1 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Stansted Airport

- 9.2 The proposed development has been examined for all aspects of aerodrome safeguarding and the landscaping has potential to present a birdstrike risk to Stansted Airport. Accordingly, we request that conditions are attached to the landscaping scheme:
- Ideally, the attenuation basin should not hold water on a permanent basis because it has the potential to attract and support hazardous waterfowl; the

basin should be dry for the majority of the time with a quick draw down time (less than 3 days on an extreme rainfall event) and the grass is to be maintained long as a meadow. This will minimise any potential exploitable habitats for hazardous birds.

- If the basis is to hold water for the majority of the time then the surrounding vegetation should be designed to provide a dense goose proof barrier. We recommend Common Reed, *Phragmites australis* as the best year round barrier. Alternatively, a goose and duck proof fence should be erected surrounding the pond.
- The current shrub and hedgerow planting includes a high proportion of berry bearing species. This will provide an exploitable food resource for hazardous flocking birds such as Starlings and Winter Thrushes. As such, the berry bearing component of the planting should make up no more than 20% of the shrub and hedgerow planting, interspersed across the site so as not to create blocks of exploitable habitat.

Essex County Council Highways

- 9.3 The impact of the proposal is considered acceptable to the Highway Authority from a highway and transportation perspective (standard parking condition and informatives).

Note: The access to the proposed community centre has not been shown as part of this application, but it is considered that there is sufficient width available to accommodate a pedestrian and vehicular access if required.

Essex County Council SuDS

- 9.4 As we have been consulted on a DOC application for this site concerning drainage, we will not be providing comments to the reserved matters application. Please refer to our consultation response for application reference UTT/17/2705/DOC for comments regarding drainage in this respect.

Essex County Council Education

- 9.5 This is a DFO application following the grant of outline planning permission. Therefore, we have no further comments to make on the application.

Essex County Council Archaeology

- 9.6 Recommendation: Archaeological Excavation: Reason: Archaeological trial trenching by Thames Valley Archaeological Services in 2013 identified a small concentration of archaeological deposits in the south-west corner of the development site. These are a sequence of ditches potentially related to an adjacent medieval site. This would be a small excavation to be undertaken in advance of the development.

UDC Housing Enabling Officer

- 9.7 The delivery of affordable housing is one of the Council's corporate priorities and will be negotiated on all sites for housing. The Council's policy requires 40% affordable housing on all schemes over 0.5 ha or 15 or more units and 20% on schemes of 11-14 units.
- 9.8 The affordable housing provision on this site will attract the 40% policy requirement

as the site is for 20 (net) units. This amounts to 8 no. affordable housing units and it is expected that these properties will be delivered by one of the Council's preferred Registered Providers.

9.9 It is also the Council's policy to require all units delivered to the Lifetime Homes Standard with 5% being wheelchair accessible as well as 5% of all units to be bungalows delivered as 1 and 2 bedroom units. This would amount to 1 bungalow across the site delivered as an affordable unit.

9.10 The mix and tenure split of the properties are given below. This mix should be indistinguishable from the market housing, in clusters of no more than 10 units with good integration within the scheme and be predominantly houses with parking spaces. The Council's preferred mix is given below:

Affordable Rent	Shared Ownership
2 no. x 1 Bed Maisonette	1 no. x 2 Bed FOG
1 no. x 2 Bed Bungalow	1 no. x 3 Bed House
2 no. x 2 Bed House	
1 no. x 3 Bed House	

UDC Environmental Health Officer

9.11 The street lighting scheme as shown on drawing MMA/14316/001 dated 26.09.17 by MMA Lighting Consultancy is considered acceptable whereby the lighting specification would be to ECC Highway standards similar or the same as the lighting already installed along the spine road. The single private light standard to be fitted beyond the adoptable highway would also be comparable to the others in all key physical features, including a height of 6m.

UDC Landscape Officer

9.12 The proposed hard landscaping works as indicated on the external works drawing BH075-PL-03 dated Aug 2017 are considered acceptable. The soft landscaping (planting) as indicated on the revised soft landscaping drawing P17-1275_01B dated 12/10/2017 which has been updated to take account of the aerodrome safeguarding comments received from Stansted Airport relating to bird strike by the subsequent reduction in berry bearing species shown on the revised drawing is also considered acceptable.

9.13 Whilst the submitted site layout provides only nominal front gardens to the house plots which is somewhat regrettable, this layout is consistent with the Phase 1 David Wilson development which exists to the immediate north and therefore cannot reasonably be considered a landscape reason for refusal.

10. REPRESENTATIONS

10.1 Neighbour notification period expires 9 October 2017. 5 representations received (Object). Advertisement expires 12 October 2017. Site Notice expires 16 October 2017.

Summary of representations as follows:

- UDC rejected a previous application on this site as Elsenham needs more Bungalows. The Planning Inspector rejected this decision, but said it should be discussed at the detailed application stage. The developer at no time presented the village with anything other than their original (previously rejected) proposal. Elsenham needs more open market bungalows. A further 18 houses and 2 affordable bungalows is not what Elsenham needs. The village, and Uttlesford, needs open market bungalows of a high standard to enable older people to downsize and free up the family homes that are needed. At the public exhibition held in 2015 every person that attended highlighted the need for more bungalows. This was again reiterated by Elsenham PC at a meeting in public held with the developers on 17th July 2017. The developers have completely ignored the requests of UDC, EPC and the villagers of Elsenham and are quite frankly trying to ride rough-shod over the wishes of the Village. They have not taken any notice of the planning inspector's report that stated that the question of bungalows should be revisited at the detailed planning application stage. Until this is resolved UDC should continue to refuse this application.
- This application will add yet more large houses to an over developed village, This land should have been used for a care home.
- Elsenham is being over-developed and the infrastructure to support this level of house building is not being carried out. I believe the council is failing in its statutory duty in this respect.
- Housing mix – Local demand should be satisfied and more bungalows provided. Beyond the increase in the number of bungalows being provided from one to two, the clearly stated preference in the local community for enhanced provision for the elderly has not been taken into account at either the outline or detailed application stage).
- Visitor parking – The admitted defects in the outline application have not been remedied. The distribution of these spaces is not satisfactory. Visitors to Plots 156-162 would be very unlikely to drive past their destination in order to find the nearest parking space and then walk back again. The two spaces shown for the south of the site are so far away from most of the site that it is doubtful whether they would be used by visitors to dwellings other than Plots 173, 174 and 175. It is clear that what is needed is visitor parking on the west side of the site. Parking spaces exist opposite to Plots 158, 159 and 160, but these spaces are not available as they are reserved for the main development of 155 houses and are intended for visitors to the nine dwellings to the south and the ten dwellings to the north (indeed, inadequate for these). A revised site layout is therefore essential.
- Attenuation pond – The concerns of Stansted Airport must be addressed. Its is not known why an open pond has been provided when attenuation over the remainder of the site for 155 dwellings, and elsewhere in the village, is managed by underground crates. This issue must be addressed.
- Surface water disposal – A condition must be provided for the open ditch next to The Orchard. Silt and rubbish is washed into the ditch and thus drains into the drain in Station Road, which already suffers from flooding. The ditch should therefore be provided with a conduit.
- Southern buffer – The buffer along the southern boundary should be made complete. The buffer in this respect should be extended by way of a public walkway alongside Plots 175 and 156.
- Eastern boundary – The informal footpath developed along this boundary should be surfaced alongside the attenuation pond as far as the boundary with the Community Building site and there should also be a surfaced footpath along the eastern boundary of the open space at the south-east of the development.
- Consultation – No meaningful community involvement has occurred.

11. APPRAISAL

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

- A Design (Layout, Scale, Appearance and Landscaping) (ULP Policies GEN2, GEN8, ENV3 and ENV8).
- B Housing Mix (ULP Policy H10).
- C Affordable Housing (ULP Policy H9).
- D Drainage (ULP Policy GEN3).
- E Nature Conservation (ULP Policy GEN7).

A Design (Layout, Scale, Appearance and Landscaping) (ULP Policies GEN2, GEN8, ENV3 and ENV8).

Layout:

- 11.1 The proposed layout for the current DFO scheme is broadly consistent with the illustrative masterplan submitted as part of the outline submission for this triangular site focused on a perimeter layout scheme with one vehicular access towards the eastern boundary and so facilitating a shared access with the future community building. The housing density for the scheme at 28.5 dph is consistent with the density proposed by outline planning permission UTT/15/3090/OP and of that already for Leigh Drive to the immediate south-east of the site. The orientation of the layout seeks to promote natural surveillance, including over the informal public open space to be provided in the site's south-east corner, whilst the corner house at the corner of Isabel Drive and the spur access into the development would “enclose” the junction to continue the active frontage. The access road is shown to transition from a standard 4.8m wide road at its junction with the spine road (Isabel Drive) to a shared surface design to facilitate reduced traffic speeds and to enhance the public realm whereby it is stated in the submitted Design and Access Statement that the new street would maximise the flexibility for the future design of the planned community building. It is considered by these factors that the presented housing layout for the proposed development is acceptable for this level, triangular site and would accord with ULP Policy GEN2 in this respect.
- 11.2 With regard to dwelling garden sizes, all of the dwelling units for the development would comply with Essex Design Guide recommended minimum garden standards for 1, 2, 3 and 4 bedroomed units respectfully (see schedule above). Minimum, or close to minimum recommended back to back distances would be observed, including lesser required distances where dwellings are set at more than 30 degrees to each another. As such, it is unlikely that the development would give rise to significant levels of overlooking and loss of privacy between dwellings. The affordable corner house for Plots 163 and 164 is shown with 34m² individual rear gardens for each plot unit. Whilst this could have been shown as a shared communal space for each respective plot, the splitting up of the gardens as shown is considered acceptable (ULP Policy GEN2).
- 11.3 With regard to parking, all of the plots would meet adopted parking standards both in terms of achieving the ratio of on-plot parking spaces per dwelling and in terms of garage and hardstanding parking spaces. The unusual parking ratio of 6 no. parking spaces for Plot 157 (as remarked upon by the Parish Council) is considered somewhat unfortunate and could be regarded as representing a minor anomaly of the site layout, although this is not an uncommon feature of David Wilson Homes developments and is not sufficient in and of itself to represent an inherent weakness

of the scheme layout taken as a whole. A total of 5 no. visitor parking spaces are shown for the housing layout, which would accord with the minimum amount of visitor parking required under ECC Highways adopted parking standards (20 x 0.25 = 5 spaces). The comments by the Parish Council concerning the distribution of the visitor spaces across the development are noted, including those three spaces shown outside the proposed site for the approved community centre. However, the applicant has assured the Council that the site access arrangements for the approved community building when this is eventually brought forward would not be compromised as sufficient access width exists along the northern edge of the zoned area for this building project, either off the shared access drive into it or off the tarmaced section. Whilst no visitor parking spaces are shown along the spine road, the fact that the market properties fronting onto it have generous parking allocations would mean that such a requirement here would not be so necessary where this on-plot parking provision would reduce the likelihood of on-street parking and where visitor parking for the affordable housing units further into the site may be more necessary. As such, it is considered that the parking provision shown across the development would accord with ULP Policies GEN2 and GEN8.

Scale:

- 11.4 It is intended by the proposal that the scale of the development would serve both as a continuum of the suburban character being created at Phase 1, Kingswood Place and as a visual connection with the existing cul-de-sac at Leigh Drive. The development would consist of dwellings mainly at two storey height with the exception of the pair of bungalows shown for Plots 169 and 170. It is considered from this that the scale of the proposed development as indicated both in terms of site density and dwelling height as a reflection of the illustrative masterplan for this new phase of Kingswood Place is acceptable and would accord with ULP Policy GEN2.

Appearance:

- 11.5 The proposed scheme seeks to provide a variety of house styles that are deemed characteristic of the area and to provide continuity with Phase 1. In this respect, a common palette has been used throughout the scheme, although with subtle variations, including the use of slate, tile, red/multi-stock bricks and cedar texture Hardieplank boarding. Whilst the design of the dwellings is considered to have a somewhat uniform appearance, particularly along the spine road (Isabel Drive), the dwellings do nonetheless have a variety of building styles. As such, the appearance of the dwellings shown for the development as a building continuum from Phase 1 is considered acceptable under ULP Policy GEN2.

Landscaping:

- 11.6 A landscaping scheme has been submitted which seeks to soften the impact of the new development as well as providing consistency of landscape character with that proposed for Phase 1 Kingswood Park. The soft landscaping measures specify a variety of native plant species as well as a selection of specimen shrubs and additional trees to be used across the development site. Proposed external works treatment show appropriate changes in texture to reinforce the definition of spaces and the separation between vehicular and pedestrian routes where they are not combined as a shared space so as to help define parking and movement zones within the public and private realms. The soft landscaping proposal also includes the planting of trees around the already built attenuation pond at the northern end of the site to enhance this area as a landscape feature (see revised drawing P17-

1275_01B dated 12/10/2017). As with the outline scheme, the layout ensures the retention of the existing substantial tree belt to the immediate south, which represents a positive landscape feature and which would help frame the development from the south with adequate separation distances being maintained from the nearest dwellings to this vegetated boundary.

- 11.7 The Council's Landscape Officer has not raised any objections to the scheme based upon the revised landscaping drawing which shows a reduction in berry bearing species to reduce the incidence of bird strike from the proposed development in line with the consultation response received from Stansted Airport and its landscape requirements in this respect. The landscaping measures therefore comply with ULP Policies GEN2, ENV3 and ENV8. It should be noted that the informal open space shown for the south-east corner of the site amounting to 450sqm has been secured for the proposed development under the terms of the S106 Agreement which accompanies approved application UTT/15/3090/OP as allowed on appeal.

B Housing Mix (ULP Policy H10).

- 11.8 ULP Policy H10 states that all developments on sites of 0.1 ha and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising smaller properties. However, this policy is considered out of date when considered against emerging strategic market housing assessments. The same now also applies to the Council's Developers Contributions SPD. In contrast, the emerging local evidence base, namely the 2015 SHMA, indicates that the majority of need for market housing in the area is for 3 and 4+ bedroomed houses, whilst the greatest need for affordable housing units is for 2 and 3 bedroomed units. The proposed scheme therefore directly reflects this most recent evidence base.
- 11.9 The house mix shown for the proposed development reflect this identified market demand based upon the evidence base and would as a consequence create a natural continuation of the house mix already approved and now being delivered as part of Phase 1, Kingswood Place to the north. This includes the type of FOG units to be used (identical) and provision of corner-house units. The development would in this respect include a mix of 1, 2, 3 and 4 bedroomed units, with ten of the twenty dwellings (50%) being 4 bedroomed to reflect local market demand and prevalence for 3 and 4 bedroomed properties. However, 20% of the proposed dwellings would be either single storey or apartments contributing to the range of properties available at the site. It should be noted in this respect that two bungalows are now included, which constitutes 10% of the dwellings and consequently in excess of the SPD guidance recommendation of 5%.
- 11.10 It is acknowledged by the report author that there has been a previously expressed preference by the Council and the Parish Council for any proposed housing scheme for this site at reserved matters stage to comprise principally bungalows for the over 65's to cater for a locally identified demand where this issue was left open for local discussion between relevant parties by the Planning Inspector at appeal for approved application UTT/15/3090/OP. However, it is considered an unrealistic commercial proposition by your Officers for the District Council to impose this specific housing mix requirement on any potential developer for the site where it is clear from the most up to date housing evidence base that there would not be a realistic probability of a developer readily acceding to this local housing request where it should be noted that the site has already been acquired by David Wilson Homes. It is therefore considered that the housing mix as presented for the current reserved matters application is acceptable for the site (ULP Policy H10).

C ULP Policy H9 (Affordable Housing).

- 11.11 The submitted scheme proposes a total of 20 dwellings which requires 40% affordable housing provision under ULP Policy H9. Affordable housing has already been secured for the site as part of any future housing development under the terms of the S106 Agreement which accompanies approved application UTT/15/3090/OP as allowed on appeal whereby Schedule 2, Part 1 of the legal agreement requires *“The type and mix of the affordable housing units to be agreed between UDC and the owners prior to submission of any reserved matters application which includes the Affordable Housing Units”*. The Registered Housing Provider, Greenfields, which is likely to be responsible for implementing the affordable housing element of the proposed scheme, has provided pre-application advice to the applicant for the current reserved matters application on what is deemed by it to be an appropriate affordable housing mix based on local need and demand and has confirmed that the type and mix of the properties as presented for the current reserved matters application as set out in the housing mix schedule above is in line with their preferred choice.
- 11.12 The Council's Housing Enabling Officer has set out her preferred mix and tenure split to the current application in her consultation response, setting out the requirement for 5% of all of the housing units to be delivered as wheelchair accessible as well as 5% of all the units to be bungalows to be delivered as 1 and 2 bedroomed units, with the affordable housing being made indistinguishable from the market housing and in clusters of no more than 10 units with good integration within the scheme and benefiting from parking spaces. The only difference in the preferred mix and tenure choice between the applicant's housing provider as presented for the current application and the Council is that one of the 2 bedroomed units to be provided for the development is now shown as single storey rather than two storey which does not change the tenure split between affordable rent and shared ownership. In this respect, the housing type change from two storey to single storey can be seen as a positive design decision as the change provides for a further bungalow for the scheme development overall at 10% provision rather than at 5% as required, whilst the FOG unit would also be provided with a small rear garden. The 8 no. affordable units provided would be within a cluster of less than 10 and would be fully integrated within the housing scheme opposite the planned community centre building with parking spaces, including the FOG unit. In the circumstances, the affordable housing element of the presented scheme would comply with ULP Policy H9.

D Drainage (ULP Policy GEN3).

- 11.13 The attenuation pond now constructed to the immediate north of the site has been secured through the Phase 1 development of Kingswood Place under application UTT/14/3279/DFO whereby the operation, management and future maintenance of the pond is required to be conducted and carried out in accordance with the technical requirements and specifications of the approved Flood Risk Assessment and associated flood mitigation measures as required by Condition 4 of outline permission UTT/15/3090/OP for Phase II granted on appeal limiting the discharge of surface water from the application site, providing appropriate attenuation storage within the site and wider development for all storm events and providing the necessary amount of treatment in line with SuDS guidance. Condition 4 also requires the identified mitigation measures to be fully implemented prior to occupation and for details of the management and maintenance of any attenuation pond to be submitted and approved by the LPA in writing. Condition 5 requires the developer to submit a flood prevention scheme to the LPA for prior approval before

commencement of development to minimise the risk of off-site flooding caused by surface water run-off and groundwater during construction works and to be implemented as approved.

- 11.14 Drainage and SuDS details have been submitted by the applicant for information purposes with the reserved matters application showing details of drainage and flood prevention measures to discharge Conditions 4 and 5 of UTT/15/3090/OP. The Council is presently liaising with Essex SuDS regarding the discharge of these two outline imposed conditions through the Discharge of Condition (DOC) process whereby drainage/SuDs does not specifically fall to be considered within the scope of the current application (ULP Policy GEN3).

E Nature Conservation (ULP Policy GEN7).

- 11.15 ECC Ecology did not raise any ecology objections to the proposed development at outline stage under UTT/15/3090/OP whereby the site represents bare open ground which was former agricultural land which does not provide any suitable habitats for protected species (notwithstanding the adjacent tree belt could provide a habitat for bat foraging). Details have subsequently been submitted by the applicant again for information purposes with the reserved matters application showing details of biodiversity mitigation to discharge Condition 3 of UTT/15/3090/OP, including location of bat boxes, bird boxes and log piles/reptile hibernaculum across the development. The Council is presently liaising with ECC Ecology regarding the discharge of this condition through the Discharge of Condition (DOC) process whereby similarly ecology does not specifically fall to be considered within the scope of the current application (ULP Policy GEN7).

12. Conclusions

- A Details of the layout, scale, appearance and landscaping of the proposed development is considered acceptable (ULP Policies GEN2, GEN8, ENV3 and ENV8).
- B The housing mix shown for the development is considered acceptable (ULP Policy H10).
- C The affordable housing mix and tenure split for the development is considered acceptable (ULP Policy H9).
- D Drainage – Outstanding details to be agreed via Discharge of Condition (ULP Policy GEN3).
- E Ecology – Outstanding details to be agreed via Discharge of Condition (ULP Policy GEN7).

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

1. The dwellings for the development hereby approved shall not be occupied until such time as their associated vehicle parking areas indicated on the approved plans have been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times and shall not be used for any purpose other than for the parking of vehicles that are related to the use of the development unless agreed in writing with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does

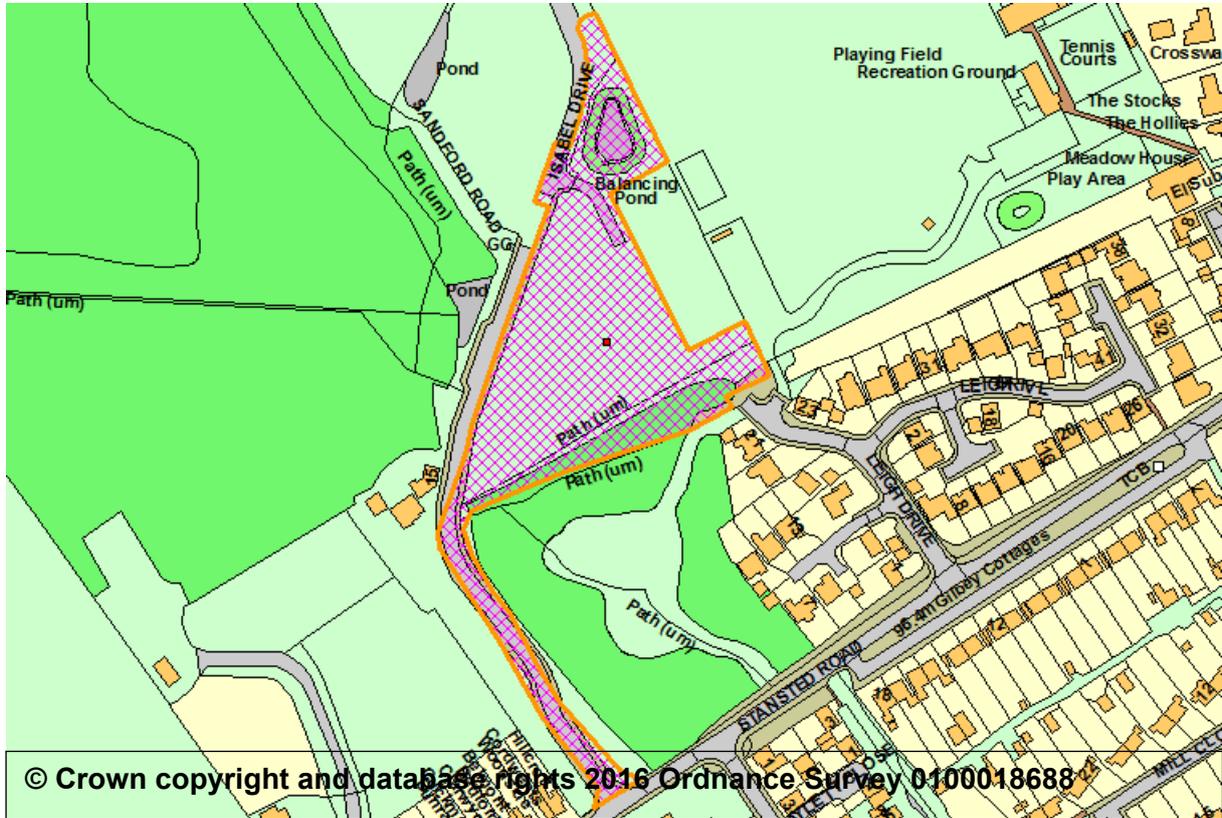
not occur in the interests of highway safety and that appropriate parking is provided in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

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

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005)

Application: UTT/17/2542/DFO

Address: Land North of Leigh Drive, Stansted Road, Elsenham



Organisation: Uttlesford District Council

Department: Planning

Date: 8 December 2017

