

UTT/17/1652/FUL – (GREAT DUNMOW)

(MAJOR)

PROPOSAL: Erection of 20 no. two bedroomed apartments, including parking, amenity space and landscaping

LOCATION: Sector 3 Woodlands Park, Great Dunmow

APPLICANT: Wickford Development Company

AGENT: Melville Dunbar Associates

EXPIRY DATE: 7 November 2017

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Within Development Limits (Great Dunmow 5).

2. DESCRIPTION OF SITE

2.1 The site comprises part of Sector 3 Woodlands Park and consists of bare ground which lies within a much larger expanse of open cleared land forming an approved but as yet built housing development area within the estate. Roads have already been laid out within this larger land tract representing the road infrastructure for this future development. Residential properties and a rear garage compound line the southern boundary of the site along Elm Road which would eventually connect with Emblems to the south-east and to the yet built housing phases at Sector 3 at Woodlands Park on the undeveloped land to the east of the site and to the north. Elm Road itself comprises a mixture of two storey and 2½ storey housing which is constructed in traditional style with a mix of external finishes. The ground within the site falls gently away to the north.

3. PROPOSAL

3.1 This full application proposal relates to the erection of 20 no. two bedroomed (four person) affordable housing apartments within two blocks of 10 no. units to be built across an irregular shaped defined site area of 0.275 ha. The two blocks would each be constructed at 3 and 4 storey levels, would be handed identically with each other in terms of floor layout and built form and would face each other across an already constructed internal access road which leads through to an approved but yet unbuilt affordable housing development “behind” the proposal site to the immediate west. The scheme represents a revised proposal to a 3 storey affordable apartment complex shown in two blocks approved for this site under ref; UTT/0392/05/DFO which would appear still to have an extant approval.

3.2 The two apartment blocks would each have eaves heights of 8.0m (3 storey building element) and 10.7m (4 storey building element) and ridge heights of 10.2m and 14.0m respectively. Each block would have a series of vertically aligned Juliet balconies going up to 4th floor level. Each block would be externally finished in traditional materials. Communal resident parking would be provided within the site on the west side of each apartment block, whilst communal amenity space provision

would be provided to each block. A cycle store and bin stores area would also be included within the scheme.

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 (site area =0.275 ha), the development does not include more than 150 dwellings and the overall site area of the development does not exceed 5 hectares.

5. APPLICANT’S CASE

- 5.1 The application is accompanied by a planning statement which sets out the applicant's case for a revised affordable housing complex at this previously approved affordable housing site on Sector 3, Woodlands Park which is predicated upon a demographic change in affordable housing occupation needs based in part upon the findings of the Council's SHMA evidence based assessment of local housing needs. A Design and Access Statement has also been submitted which informs the design and layout ethos of the proposal.

- 5.2 The submitted planning statement states the following:

“The planning permissions for the affordable housing provision within Sector 3 are extant due to technical commencements that have taken place. These are acknowledged by UDC and as such the approved affordable housing for this site could be built out as approved. This proposal seeks to update the mix of dwellings by providing larger units in the form of 20 two bedroom apartments. A key consideration is the trigger within the s106 agreement for provision of affordable housing within Sector 3. Currently, the requirement is to transfer the land to a Registered Provider upon occupation of the 200th unit. However, the applicant is already in negotiations with Estuary Housing regarding delivery of the extant 34 dwellings approved in 2008. Subject to contractual agreements, this would allow delivery of a significant proportion of the affordable housing up front, starting this year. Commencement of construction of the open market houses is yet to take place within Sector 3 and therefore provision of affordable housing could be several years away if completed in line with the requirements in the legal agreement”.

- 5.3 *“Whilst an immediate concern may be that the scheme will result in 7 less affordable units, in terms of bedroom spaces the revised proposal equates to an additional 13 bedrooms and an overall net increase in habitable rooms. It should also be borne in mind that the legal agreement does not require a minimum percentage of affordable housing or a minimum number of affordable units. As such, it is considered that the scheme still delivers the aspirations of the original agreement in terms of affordable housing provision. Furthermore, the SHMA identifies that the greatest need is for 2 bedroom properties and given the site is already approved as two apartment blocks, it stands to reason that these blocks be redesigned to reflect this need”.*

- 5.4 *“In terms of the details of the application, the scale of the building has been altered from 3 storeys to a part 3 and part 4 storey building. The variation in urban form from the predominance of 2-2.5 storeys is considered appropriate to add variety to the streetscape within Woodlands Park. Parking provision has been increased from 100% to 150% for residents plus provision of 4 no. on-street visitor spaces, thus representing an improvement in the ratio of off street parking. Further details are*

provided in the Design and Access Statement supporting the application”.

5.5 *“With regard to other material planning considerations, it is considered these issues have been satisfactorily addressed with previous planning applications. For example, ecological considerations for the whole site have previously been assessed and mitigated. In particular, there is specialist fencing around the site to manage GCN migration. Furthermore, the development will connect into the existing surface and foul water drainage systems approved for Woodlands Park. This application seeks to simply amend the proposal to reflect current affordable housing need”.*

5.6 *“To conclude, the proposal would result in the provision of affordable housing which meets current needs in terms of providing larger apartments and a scheme with superior design quality. The revised proposal will be subject to an appropriate legal agreement to ensure delivery of the affordable housing”.*

5.7 The submitted Design and Access Statement states the following (extracted comments):

- The Gross Internal Area (GIA) for the proposed development has increased by approximately 10% between the approved & proposed schemes.
- The number of habitable rooms has also increased by over 10% from 54 to 60.
- [Resident] amenity space has been increased from 400m² to 430m², which also includes cycle storage.
- Table 1 outlines the increase of parking provision [for the current revised scheme] from 27 to a total of 34 [parking spaces] which includes 4 visitor spaces. The ratio of residents' parking has been increased to 150% (previously approved at 100%) with visitor parking also provided on street.
- The scale of the proposal is appropriate to its surroundings. The two blocks are four storeys in height but will not dominate any of the dwellings in the vicinity. Certainly there are a number of three-storey dwellings close by and those areas of the proposed blocks are positioned will be adjacent to three storey dwellings. The step up in scale will add variety to the streetscene, but at the same time will not be harmful to the amenity of nearby residential properties.
- The design is well proportioned and incorporates stepped building lines & ridge heights to break up the vertical scale of the building. Further layering to the building is applied through the provision of Juliet balconies & a variation in materials providing a balance composition which will sit comfortably in the streetscene.
- The vernacular of the estate typifies the Essex Design Guide ethos, albeit modified over time. It has always been the intention of Wickford Development Company Ltd to ensure that a particular house does not dominate the estate. There are at least 75 different house types on the Woodlands Park Estate.
- Proposed elevations can be seen in figure 6, the use of Parex render, brickwork and rain screen cladding are complimentary to the approved finishes across Woodlands Park.
- The design incorporates Lifetimes homes criteria (as part of Approved Document M). Wheelchair lifts will be provided in both blocks to allow disabled inhabitants/visitors to access all upper floors.

6. RELEVANT SITE HISTORY

6.1 Sector 3, Woodlands Park comprises a total of 417 dwelling units which were granted planning permission under three separate planning applications for 100

dwellings, 300 dwellings and 17 dwellings respectively under approvals UTT/0449/02, UTT/0450/02 and UTT/0399/08. Reserved matters were subsequently granted on the outline planning permissions for 100 dwellings and 300 dwellings in 2005 under UTT/0386/05 and UTT/0392/05. The reserved matters application for the 300 dwellings scheme included 54 affordable dwellings. Commencement of the 300 dwellings was confirmed in a letter from Uttlesford District Council (UDC) on 7 April 2008 and the 100 dwellings in a letter dated 28 April 2008.

- 6.2 The third application for 17 dwellings was granted in June 2008 in conjunction with a planning application for 34 no. affordable dwellings. This application sought to amend part of the affordable housing (mix of houses only) approved under the reserved matters as well as inclusion of a further 7 no. affordable dwellings as the contribution from the additional 17 dwellings. The 27 one bedroom apartments remained unaltered at this point in time. Confirmation of commencement of these units was received in a letter dated 13 July 2011 from UDC which confirmed through a site inspection carried out by UDC officers on 26 May 2011 that operational development (estate road and laying of underground drainage pipes) had been undertaken in accordance with the planning permission (the Council has been in recent correspondence concerning this matter). Therefore, the current approved provision of affordable housing within Sector 3 is 61 dwellings.
- 6.3 The section 106 agreement which accompanied the outline planning permissions for Sector 3 defines the affordable housing provision as follows;

“Sector 3 Affordable Housing Land means (1) the plot of land within Sector 3 in the indicative position shown cross hatched black on Plan 1 having an area of not less than 1ha and (2) the plot of land within Sector 2 and shown cross hatched black on Plan 1 and both being intended for the provision of Affordable Housing”.

The trigger for provision of affordable housing and tenure within Sector 3 is as follows;

“Not more than 200 Open Market Dwellings shall be occupied within Sector 3 until the Developer has transferred the part of Sector 3 Affordable Housing Land which is in Sector 3 to a Social Landlord for the provision of Affordable Housing for rent or shared ownership in such proportions of no more than 70% housing for rent and no less than 30% shared ownership as shall be approved by the Council”.

The part of the affordable housing provision for Sector 3, located in Sector 2, has already been delivered within the site phase. This forms part of a scheme of 156 affordable dwellings. It should be noted that the 34 no. apartments (to the rear of the current application site) has not yet been constructed.

- 6.4 Particularly relevant for the planning assessment for the current reserved matters application before Members [UTT/17/1652/FUL] is approved application UTT/0392/05/FUL as referred to above for the erection of 27 no.1 bedroomed apartments. This approved development, which it is asserted by the applicants can be lawfully implemented by reason of the infrastructure works already carried out at Sector 3 Woodlands Park, has the same T shaped footprint as proposed for current application UTT/17/1652/FUL and is shown at 3 storey level with sub-linking elements and Juliet balconies (see further discussion within the Planning Considerations element of this report below).

7. POLICIES

- Uttlesford Local Plan (2005)

- ULP Policy S1 – Settlement Boundaries for the Main Urban Areas
- ULP Policy H1 – Housing Development
- ULP Policy H9 – Affordable Housing
- ULP Policy GEN2 – Design
- ULP Policy GEN7 – Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

- SPD “Accessible Homes and Playspace”

National Policies

- National Planning Policy Framework (NPPF)

Other Material Considerations

- Great Dunmow Neighbourhood Plan (GDNP)
- Essex Design Guide
- ECC Highways Parking Standards
- UDC Parking Standards

8. TOWN COUNCIL COMMENTS

- 8.1 Comments not received.

9. CONSULTATIONS

Anglian Water

9.1 ASSETS

Section 1 – Assets Affected

1.1 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

2.1 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 – Foul Sewerage Network

3.1 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

4.1 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.

Section 5 – Trade Effluent

5.1 Not applicable.

London Stansted Airport

- 9.2 The proposed development has been examined against aerodrome safeguarding conditions and does not conflict with any safeguarding criteria. Accordingly, Stansted Airport has no safeguarding objections to the proposal.

ECC SuDS

- 9.3 This is a revision of a previously approved scheme. Could the applicant just clarify whether any change made as part of this application leads to an increase in impermeable area? If this application does increase the impermeable area, the applicant will need to demonstrate that there is an appropriate drainage scheme in place for these areas which does not increase flood risk off site.

ECC Ecology

- 9.4 No objections:

Despite the modest scale of the development, it is clear the site has been managed in such a way to discourage protected/priority species from colonising the site. The OPDM Circular 06/05 is clear that further surveys are only required if there is a *reasonable likelihood* of biodiversity being impacted. Given the low ecological value

of the site, further surveys are not required.

ECC Infrastructure

- 9.5 Thank you for providing details of the above full planning application. An education contribution will not be requested.

UDC Housing Enabling Officer

- 9.6 The delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing.
- 9.7 The proposal is for 20 x 2 bed apartment blocks delivered wholly for affordable housing. The Council's clustering policy is for affordable homes to be in clusters of no more than 10 units and not to be contiguous. This policy is not met on the current proposal.
- 9.8 The S106 states that affordable housing will be delivered as 70% affordable rent and 30% shared ownership. This would require one block to be delivered as a joint tenure and may cause management issues for the Registered Provider or Housing Association.
- 9.9 In addition, the Council requires a lift as per the Accessible Homes and Place Space (SPD) as the flatted apartments are over three storeys high, whilst 5% of the total scheme should be fully wheelchair accessible homes.

UDC Environmental Health Officer

- 9.10 No objections.

10. REPRESENTATIONS

- 10.1 Neighbour notification period expired 30 August 2017. Two representations received (Object).
- The area is also overdeveloped without the need for further housing.
 - The development will result in overlooking and consequently loss of privacy. Also, the proposed works and subsequent occupation of the development will result in some noise pollution

11. APPRAISAL

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

- A Principle of development (ULP Policies S1 and H1 and NPPF)
- B Affordable Housing (ULP Policy H9)
- C Design (ULP Policy GEN2)
- D Parking Standards (ULP Policy GEN8)
- E Impact on residential amenity (ULP Policy GEN2)
- F Impact on protected species (ULP Policy GEN7)
- G Drainage (ULP Policy GEN3).

A Principle of development (ULP Policies S1 and H1 and NPPF)

- 11.1 The site is located within development limits for Great Dunmow (Great Dunmow 5 housing allocation) as shown within the adopted local plan and the principle of residential development at Sector 3, Woodlands Park as part of the wider residential masterplan for Woodlands Park has long been accepted by the Council through a series of previous grants of planning permission for housing, including for affordable housing as part of the housing mix. Accordingly, the submitted proposal as a revision scheme to UTT/0392/05/DFO would comply with ULP Policies S1 and H1. The site is situated close to local services, amenities and public transport planned as part of the overall masterplan or additional to it and the proposal would because of this favourable locational positioning represent a presumption in favour of sustainable development compliant with the provisions of the NPPF.

B Affordable Housing (ULP Policy H9)

- 11.2 The two affordable housing apartment blocks proposed for this cleared site for the current application as a revision to the previously approved but yet to be implemented affordable housing scheme for the site as part of a previously secured S106 agreement relating to Sector 3 Woodlands Park would help to meet both the applicant's and the District Council's provision for affordable housing for the district. As such, the applicant's desire to fulfil its legal obligations in this respect is welcomed.
- 11.3 The application has been submitted on the basis that the previously approved scheme for 27 no. 1 bedroom apartments no longer fits the local demographic relating to affordable housing requirements and is not in line with the most available housing study base, namely the 2015 SHMA housing needs assessment, which has identified that there is a need for 2 and 3 bed roomed affordable housing units rather than 1 bed roomed units.
- 11.4 It is stated by the applicant that the housing provider which would be responsible for running the affordable homes, namely Estuary Housing and whom it is stated are in advanced negotiations with the applicant to deliver the proposed apartments and also the 34 approved apartments approved behind, have stated that it is fully supportive of the redesigned scheme. The comments from the Council's Housing Enabling Officer are noted regarding housing mix and tenure. However, it is considered that the change from solely 27 1 bed apartments to 20 bed 2 bed (four person) apartments is more aligned to current affordable housing needs where it is stated in the applicant's planning statement that;
- "The developer of Woodlands Park (Wickford Development Company - WDC) has gone to the market in relation to the affordable housing requirements of Sector 3. There was general interest from Registered Providers, although consistent feedback was that the total number of one bedroom units was excessive and consequently, not attractive to Registered Providers. The proposal therefore, seeks to provide affordable units which are reflective of the need in today's market. This is endorsed by Estuary Housing Association who are in contractual negotiations with Wickford Development Company to deliver the other 34 affordable units within Sector 3...It is proposed that the tenure would remain as currently set out in the existing section 106 agreement (i.e. a split between rented and shared ownership properties)."*
- 11.6 It is considered from the above explanation that the applicant has justified the reason and need for the change in unit specification where it is stated that the tenure split would not change from the previous approval for the site and from the

original S106 Agreement, whilst the clustering would remain the same in essence as previously approved. It should be noted that each block of the proposed 3 and 4 storey development would include a communal lift as an internal design variation from UTT/0392/05/DFO whereby this previously approved scheme did not include lifts, whilst all of the units would be wheelchair accessible. In the circumstances, it is considered that the proposal complies with ULP Policy H9, although it is considered necessary for a new S106 Agreement to be prepared between the Council and Wickford Developments (applicant) to ensure that there is appropriate continuity and linkage with the requirements of the original S106 agreement for the site and to fulfil the applicant's affordable housing obligations for Sector 3 whereby this mechanism has been offered by the applicant.

C Design (ULP Policy GEN2)

- 11.7 The two previously approved affordable housing blocks for this site for the 27 apartments approved under ref; UTT/0392/05/DFO, which it is claimed by Wickfords has been the subject to lawful commencement by reason of road and services infrastructure works, comprise three storey structures. The current revised affordable housing scheme for this site comprises 3 and 4 storey structures across two blocks on the same footprint.

The design of the apartment blocks as shown and revised in terms of scale and building profile at 3 to 4 storey height would be in contrast to the scale and profile of surrounding residential development within Sector 3 Woodlands Park, which is predominantly 2 storey housing, although 2½ storey townhouse buildings exist immediately adjacent to the site in Elm Road, whilst 3 storey town houses exist at the roundabout at the beginning of Elm Road further to the west, which as a circular grouping make up a townscape feature at this nearby street location. Further 2½ storey affordable housing exists with the near vicinity of the site to the south.

- 11.8 The apartment blocks would thus by their introduction represent a scaling up by one storey on the immediate townscape, although the ridge heights of the 3rd storey of each handed block would be lower than the ridge line of the adjacent block of 2½ storey townhouses. The ridge heights for the corresponding 4th storey for each block would be approximately 3.4m higher than the ridge line of the adjacent townhouse block. In this respect, the applicant has stated that the development would serve as a focal point for this road intersection between Elm Road and the already laid out road leading out to the north past the front of the site.
- 11.9 ULP Policy GEN2 of the adopted local plan states that development will not be permitted unless it is compatible with the scale, form, layout, appearance and materials of surrounding buildings, whilst the NPPF states that the Government attaches great importance to the design of the built environment whereby it states at para 57 that *"It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes"*.
- 11.10 The buildings proposed do represent good design in the way in which they have been articulated whereby they observe proper proportions of scale and form between the individual building components and also have a good symmetry and relationship between the opposing building blocks. Furthermore, the buildings would have a pleasing palate of external materials, incorporating both modern and traditional finishes and would have a distinctly upmarket feel and quality, which would be enhanced by the introduction of Juliet balconies shown for various elevations of the buildings, including the inside corners of both buildings at 2nd, 3rd

and 4th storey levels. As such, the development would achieve both a strong and distinct sense of place, where this planning aim is encouraged by para 58 of the NPPF which states that planning decisions should aim to ensure that developments “*establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit*”, whilst paragraph 60 states that LPA’s “*should not attempt to impose architectural styles or particular tastes and they should not stifle innovation originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness*”.

- 11.11 It therefore falls to be considered as to whether there are any justified planning reasons for refusing the application in terms of design, namely building mass and scale relative to the surrounding area when making an assessment against ULP Policy GEN2. Clearly, the introduction of a 3 and 4 storey building complex at the site compared to the 3 storey building already approved under UTT/0392/05/DFO would represent a step change up in scale for the immediate area and the development would be prominent at the site until the approved residential developments to the north and east of the site are brought forward, which are understood to be predominantly two storey in character, but with some 2½ storey housing built into this. However, this absence of building on these sides of the site is not a reason for refusal in itself. Care though has to be taken so as not to have a highly intensive built form of development either by itself at the site or by association with surrounding built form.
- 11.12 The proposed buildings at the front of the site in their 3 to 4 storey handed form would make a “design statement” as a gateway into the access road leading to the approved affordable housing to the west (rear) of the application site, although this is what the applicant through the application submission seeks to achieve where distinctive builds within the public realm at Woodlands Park have already been achieved at other prominent sites within the estate as a whole. It is considered in making an assessment of the appropriateness or otherwise of the proposed development in terms of bulk and scale that the approved 3 storey affordable housing complex which has already been approved at this site is a material consideration to the application proposal.
- 11.13 These approved structures are shown as 3 storey blocks which similarly oppose each other across the road which have a similar external appearance in terms of use of building materials and also incorporating Juliet balconies. However, the 3 storey scale of the building complex shown across the building elements for that approved scheme has a more solid mass and form with consistent ridge lines without any meaningful break lines when read as a composite whole with the exception of a reduction in ridge height for the linking elements for each building block. In contrast, the proposed revised scheme for the site the subject of the current application has a much improved articulation of scale with subordinate side wings and slender and vertically emphasised opposing frontage elements facing onto the street which have a less bulky form. This, combined with the quality of appearance of the development is considered to make the revised scheme more attractive for the site as a whole compared to the approved scheme. Thus, whilst an extra storey is gained through the development, it is considered that this should not in itself be a reason to refuse the application on design grounds in terms of townscape impact. It is therefore asserted that the proposed development would on balance be acceptable in terms of scale, form and appearance under ULP Policy GEN2.
- 11.14 In terms of amenity provision, the development would require 500sqm of communal

amenity space across both blocks based upon the Essex Design Guide minimum recommended amenity standard of 25 sqm per flat (20 x 25sqm = 500sqm). The amenity space shown allocated for the development would equate to 23.65sqm per apartment, which is only marginally less than the recommended minimum standard, although by adding balconies as shown for the development would increase the aggregate amenity provision to 25sqm per apartment across both blocks. This compares and contrasts with the lesser and inferior 17sqm communal amenity provision figure per apartment which exists for the approved and extant scheme. Therefore, the revised scheme represents an occupant amenity improvement over and above the approved scheme and no design objections under ULP Policy GEN2 are raised in this regard.

D Parking (ULP Policy GEN8)

- 11.15 The extant permission for the 27 apartments on the site under UTT/0392/05/DFO has 100% parking allocation for the units, namely one parking space per one bedroomed unit. The revised proposal would have only 150% parking provision for the 20 now proposed apartments, namely one parking space per two bedroomed unit where UDC locally adopted parking standards require a ratio of 2 no. spaces per two bedroomed unit (whether dwelling or flat). The development would have 4 no. parking spaces, which would comprise 2 no. parking spaces each on a staggered opposing shared surface strip on either side of the access road leading through the development.
- 11.16 The proposed development would not therefore on the face of it meet the Council's parking standards. However, this deficiency in on-plot parking against the standards should be seen against the very sustainable nature of the development site as part of Woodlands Park whereby it is situated between 5 to 10 minutes from the local Tesco superstore and other local services and close to a local connecting bus route which loops through Woodlands Park from Great Dunmow, whilst the 133 service is an hourly bus service along the south side of Woodlands Park along the B1256. Furthermore, the site is located within walkable distance of the centre of Great Dunmow through Emblems Way. Given the sustainable nature of the location, it is considered that mitigation exists for the lower standard of parking in this instance to be applied, where it should be noted that the revised scheme has the benefit of 4 no. visitor parking spaces unlike the approved scheme which did not include any visitor parking. On balance, therefore, it is considered that an exception should be made against ULP Policy GEN8 for the proposal.

E Impact on residential amenity (ULP Policy GEN2)

- 11.17 The proposed 3 and 4 storey apartment complex has the potential to cause material loss of residential amenity to those residents living in adjacent properties or of those properties planned on surrounding future phases of Woodlands Park. This is recognised by the applicant. However, the latest edition of the Essex Design Guide (EDG) was published in 2005 and the original planning permission for affordable housing apartments on the site was approved in 2008. Therefore, as a general rule, overlooking distances (and for that matter communal amenity space for the apartments as discussed above) were considered by the Council for the approved extant scheme for the site under the provisions of current design guidance and previously accepted. The applicant sees this as a fall-back position which could be reverted to, although does not wish for the revised scheme to be assessed solely on this basis.
- 11.18 A revised site layout drawing has been submitted by the applicant's architects (498-

S3-PL-001 Rev B) which shows indicated separation distances to the site boundaries and to neighbouring dwellings, both as existing within Elm Road and at the corner of the new connecting service road to the north from Elm Road and also as planned to the north, east and west which has been used for assessment purposes for assessing the significance of amenity impact on adjacent properties.in consideration of ULP Policy GEN2 .

- 11.19 The two 3 and 4 storey blocks as handed with each other on each side of the entrance road leading through the development to the approved and as yet built affordable housing scheme to the west would contain bedroom windows at first and second floor levels facing onto the “flank” boundaries, whilst the 3rd (top) floor for each block would represent the top of the stairs and landing recessed in from the perimeter of the main blocks facing onto the flank boundaries (and therefore at a greater distance away from these boundaries). The “front” elevations of the blocks facing onto the linking road leading through to the north and facing onto the approved and as yet unbuilt residential development to the east would contain living, dining room and bedroom windows at first, second and third floor level. Whilst there would be some overlooking of the apartments from upper storey living rooms from the Flats Block 1-10 on the north side of the access road to properties to the “flank” boundary where the distance is narrower than on the south side for Flats Block 10-20, which also has the benefit of a parking compound which helps shield dwellings fronting onto Elm Road behind, and also onto the rear gardens of a few unbuilt dwellings across the constructed road to the east, the levels of significance would not be significantly greater than that which was assessed for the three storey block approved for the site under UTT/0392/05/DFO which it should also be noted had Juliet balconies shown for the first and second storeys for the frontage elevations of both blocks overlooking the road. Three mature trees line the eastern boundary between the connecting road and those properties planned on the eastern side which would also serve to screen out some overlooking from the upper floors of the two blocks to the front.
- 11.20 It is considered from the above amenity assessment that the proposed revised scheme for this undeveloped site would not give rise to any more significant overlooking and loss of privacy, or any more significant overbearing effect than the 3 storey approved flats scheme for the site when similarly assessed against the same design criteria relating to amenity impact pertaining to the Essex Design Guide. As such, it is considered that it would be difficult to refuse the application proposal on amenity grounds under ULP GEN2 and no objections are raised on this basis.

F Impact on protected species (ULP Policy GEN7)

- 11.21 As previously stated, the site currently represents bare cleared ground forming part of the wider residential development area for Sector 3 (formerly agricultural land). Given this situation, the site does not possess any prevailing ground conditions suitable for habitats which would be favourable to protected or priority species, a situation recognised by ECC Ecology in their consultation response. Accordingly, ECC Ecology has not raised any ecology objections to the scheme where it is not necessary in the circumstances for any individual species surveys to be conducted. The proposal would not therefore be contrary to ULP Policy GEN7.

G Drainage (ULP Policy GEN3)

- 11.22 The site area for the revised application submission is the same as the previously approved scheme, albeit with a slight boundary alteration. A SuDS checklist has been completed by the applicant. The drainage to the original scheme for 27 no. 1

bedroomed apartments at the site was approved in 2006 to drain into the public surface water sewer system maintained by Anglian Water. The proposed 20 no. 2 bedroomed apartments as now proposed would decrease the impermeable area draining into the public sewer system by 0.006 ha which would decrease the run-off rate by a small amount, which would represent betterment in this regard. An amendment to the original agreement to connect to the public sewer is therefore all that ought to be required by Anglian Water to update their records. As such, the new layout proposal showing the variation in unit and bedroom specification would therefore have a negligible effect on the already approved and adopted foul and surface water drainage system for the site.

- 11.23 It is noted that Essex SuDS have not objected to the drainage requirements of the revised scheme, but simply seeking clarification on the impermeable surface issue. Given the applicant's findings and given that there would not be an increase in impermeable areas at the site, the proposal would not increase the incidence of surface water flooding at the site. No objections are therefore raised under ULP Policy GEN3.

12. CONCLUSION

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

- A The principle of residential development at this undeveloped location on Sector 3, Woodlands Park has already been accepted under previous grants of planning permission, including most notably UTT/0392/05/FUL where there would be a presumption in favour of sustainable development (ULP Policies S1 and H1 and NPPF).
- B The change in affordable housing provision for the site from 27 no.1 bedroomed apartments to 20 two bedroomed apartments is considered acceptable (ULP Policy H9).
- C The design, scale and appearance of the revised housing complex for the site which now incorporates an additional 4th storey for both housing blocks is considered acceptable where the extant 3 storey housing scheme on a similar combined footprint approved under UTT/0392/05/DFO is a material consideration to the design merits of this proposal (ULP Policy GEN2).
- D The parking allocation for the site, whilst only at 150% parking provision, but now incorporating visitor parking is considered on balance acceptable given the site's sustainable location (ULP Policy GEN8).
- E The impact of the development on residential amenity would not be significantly greater than the 3 storey two block apartment scheme for the site approved under UTT/0392/05/DFO which is also a material consideration to the proposal (ULP Policy GEN2).
- F The proposal would not have an impact upon protected species (ULP Policy GEN7).
- G The drainage aspects of the proposal are considered acceptable (ULP Policy GEN3).

RECOMMENDATION – Approval subject to conditions and Section 106 Agreement

- (I) The applicant be informed that the committee be minded to refuse planning

permission for the reasons set out in paragraph (III) unless by 31 January 2018 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:

- (i) Provision of affordable housing (by way of linkage to the original S106 Agreement)**
- (II) 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.**
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning shall be authorised to refuse permission in his discretion at any time thereafter for the following reason:**
 - (i) Provision of affordable housing (by way of linkage to the original S106 Agreement)**

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. Before development commences samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. 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. This includes the visitor parking bays for each apartment block as shown. 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).

4. The development hereby permitted shall incorporate all accessibility measures, including the incorporation of lifts for both building blocks of the development, as set out in the accessibility statement and as shown on the drawings which accompanied the application.

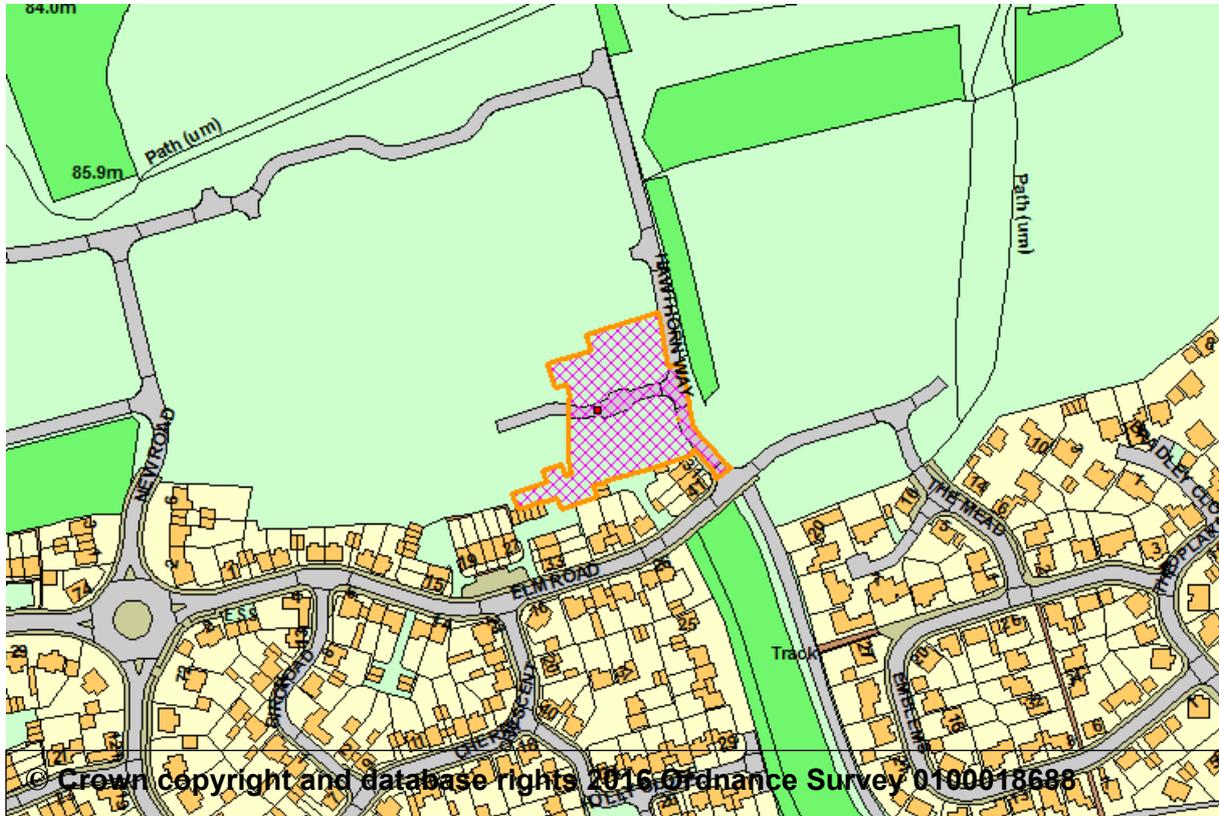
REASON: To ensure that the premises can be readily used by people with physical disabilities in accordance with ULP Policy GEN2 of the Uttlesford Local Plan.

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

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

Application: UTT/17/1652/FUL

Address: Sector 3 Woodlands Park, Great Dunmow



Organisation: Uttlesford District Council

Department: Planning

Date: 8 December 2017

