

## UTT/20/2148/DFO

<b>PROPOSAL:</b>	<b>Details following outline approval UTT/17/3556/OP - details of scale, layout, appearance and landscaping</b>
<b>LOCATION:</b>	<b>Land To The North And East Of Priory Lodge, Station Road, Little Dunmow, CM6 3HF</b>
<b>APPLICANT:</b>	<b>Rooff Property Ltd</b>
<b>AGENT:</b>	<b>Sergison Bates Architects</b>
<b>EXPIRY DATE:</b>	<b>20.10.2020 (Extension of time agreed until 26 February 2021)</b>
<b>CASE OFFICER:</b>	<b>Clive Theobald</b>

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### **1. NOTATION**

- 1.1 Outside Development Limits / Adjacent to the Flitch Way (County Wildlife Site).

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

- 2.1 The site comprises the wider grounds of Priory Lodge, a large two storey slate and red brick Victorian dwelling which stands back from Station Road on its eastern side to the immediate south of the Flitch Way, a designated linear County Wildlife Site and also public bridleway. The site has an area of 0.49 ha being triangular in shape and set mainly to grass, although a large commercial workshop building and metal storage containers exist to the immediate rear of Priory Lodge with further containers being sited towards the site's northern boundary.
- 2.2 The land within the site rises up from the road, which is more pronounced on its northern side running along its northern boundary with the Flitch Way, although levels out towards the rear tapered eastern boundary before slightly dropping to the rear boundary point. The road frontage boundary to Priory Lodge contains a hedge line and a row of mature pollarded lime trees, whilst the south-eastern boundary contains a mature tree line extending towards the north-eastern corner of the site. A more well-defined tree line runs along the site's northern boundary with the Flitch Way. A large feature good specimen Walnut tree stands towards the front of the site
- 2.3 Arable farmland lies to the immediate south of the site extending down towards Stebbing Brook, whilst the large housing development which is Flitch Green lies diagonally opposite the site across Station Road to the immediate south-west.

### **3. PROPOSAL**

- 3.1 This reserved matters application relates to consideration of scale, layout, appearance and landscaping (the reserved matters) following the grant of outline planning permission UTT/17/3556/OP on 16 April 2018 for the demolition of all commercial buildings and removal of commercial storage at Priory Lodge and the erection of 8 no. detached dwellings together with modification of the existing vehicular access to Priory Lodge. The DFO application as submitted has deleted

one dwelling unit from the outline approved scheme and is now shown for 7 no. dwellings.

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

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

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

- 5.1 The application is accompanied by the following supporting documents:

- Planning Supporting Statement
- Design and Access Statement
- Tree Survey and Condition Report
- Bat Survey (updated October 2020)
- Drainage Report, including Surface Water Drainage Strategy (updated January 2021)
- Soft Landscape Proposals

- 5.2 The submitted planning statement describes the site and its surroundings and the recent planning history for the site with specific reference to approved outline application UTT/17/3556/OP, refers to the planning policy context, and evaluates the planning merits of the proposed development under consideration, making reference to subsequently withdrawn application UTT/19/2185/DFO and discussions which have since taken place with Council officers regarding a revised DFO scheme for the site.

- 5.3 The planning statement concludes as follows;

- “The proposed development of seven new residential units and associated works at the site will result in a high-quality development that provides much needed housing while respecting the local context and character of the area. We therefore consider the proposal to accord with the relevant Local Plan policies as well as the relevant provisions as set out in the NPPF.
- The proposal has also had regard to the outline application and the previously withdrawn reserved matters application and, where relevant, attention has been drawn to Officers’ and consultees opinions in respect of those applications.
- As the proposal complies with the development plan, provides new housing, will preserve the character and appearance of the area and represents high quality development, we respectfully request that planning permission be granted”.

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

- 6.1 Outline planning permission for the demolition of all commercial buildings and removal of commercial storage and erection of 8 no. detached dwellings with modification of existing access with all matters reserved except access at Priory Lodge, Station Road, Little Dunmow was granted by the Council on 16 April 2018 under ref; UTT/17/3556/OP when the principle of residential development at this part residential, part commercial site to the immediate south of the Fritch Way was

considered acceptable and the indicated means of improved vehicular access from Station Road to serve the proposed development was also considered to be acceptable in highway transportation and highway safety terms.

- 6.2 A reserved matters application was subsequently submitted to the Council in 2019 seeking approval of scale, layout, appearance and landscaping from the outline approved scheme showing a reduction in the number of dwellings from eight to seven units at the site so as to reduce site density and to improve site layout (UTT/19/2185/DFO refers). The application was withdrawn, however, as the indicative drawings showed some three storey dwellings for the development which officers considered would have caused material harm to rural amenity at this location on the east side of Station Road by reason of excessive scale and also as the indicated housing mix showed a propensity for 4 and 4+ bedroomed dwellings which officers considered would not have represented a balanced housing mix across the development.
- 6.3 Discussions subsequently took place between the applicant and officers following the withdrawal of UTT/19/2185/DFO whereby revised drawings were presented for informal consideration which showed the removal of the three storey height dwellings from the scheme with a resultant improved housing mix still as a reduced 7 no. unit development whereby it was considered that the revisions represented a design improvement over the previously withdrawn DFO application. It was suggested by officers that there should be a grading down of the scale of the development from the front to the rear of the site from two storey to 1½ storey height dwellings to reflect the more open nature of the rear part of the site towards more exposed agricultural land beyond. These discussions and drawings now form the basis of the current revised reserved matters application.

## **7. POLICIES**

### **National Policies**

National Planning Policy Framework (NPPF) (revised).

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

ULP Policy S7 – The Countryside

ULP Policy GEN2 – Design

ULP Policy GEN3 – Flood Protection

ULP Policy GEN7 – Nature Conservation

ULP Policy GEN8 – Vehicle Parking Standards

ULP Policy ENV3 – Open Spaces and Trees

ULP Policy ENV7 – Protection of Natural Environment and Designated Sites

ULP Policy H10 – Housing Mix

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

SPD “Accessible Homes and Playspace”

### **Other Material Considerations**

2015 Strategic Housing Market Assessment (SHMA)

Essex Design Guide

ECC Parking Standards – “Design and Good Practice” (September 2009)

UDC Parking Standards (adopted February 2013)

## **8. PARISH COUNCIL COMMENTS**

8.1 None received.

## **9. CONSULTATIONS**

### **ECC Highways**

9.1 The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to the following condition:

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

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

### **ECC SuDS**

9.2 (Updated comments received on 11 January 2021 on revised drainage information received following previous SuDS drainage holding objection):

As we have been consulted on a minor application, we are assuming that there is a potential flood risk on site. Therefore, we are considering the impact of increased run off rates. The cumulative impacts of minor developments can increase flood risk in an area.

Current processes for assessing major applications cannot be applied in the same way to minor applications as reduced orifice sizing to meet the greenfield 1 in 1 rate can increase the risk of blockages and therefore flood risk.

The required storage volume and run off for the site can be calculated using the UK SUDS website.

Having reviewed the application, we do not object based upon the following:

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the FRA and the documents submitted with this application are implemented as agreed.

Advisory comment:

- The proprietary treatment device needs to be added to the maintenance plan.

We recommend that a covenant should be included within the deed to the land to ensure SUDS features are maintained in the future.

### **ECC Ecology**

9.3 (Updated comments received on 2 November 2020 on revised ecology information received following previous ecology holding objection - Bats):

No objection subject to securing biodiversity mitigation and enhancement measures.

*Summary:*

We have reviewed the new document submitted in support of the above development scheme, namely the Bat Survey (Essex Mammal Surveys, October 2020), along with the Soft Landscape Proposals (Jonathan Cook Landscape Architects, August 2020), Existing Tree Survey and Tree Constraints Plan (Marcus Foster, April 2019) and Ecology Survey and Assessment (Essex Mammal Surveys, February 2018) attached to UTT/17/3556/OP, Magic Maps and aerial photographs to further assess the likely impacts of the development on designated sites, protected & Priority species and habitats, and identification of proportionate mitigation and enhancement.

We are now satisfied that there is sufficient ecological information available for determination.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species and, with appropriate mitigation measures and biodiversity enhancements secured, the development can be made acceptable.

Despite the location of the scheme, adjacent to the Flich Way Local Wildlife Site and Deciduous Woodland Priority Habitat, the mown and corrugated fenced area has been assessed as having low ecological value. The trees to be removed do not have potential roosting features and the small orchard is to be retained, along with many of the boundary features.

The mitigation, compensation and enhancement measures outlined within the Bat Survey and the Ecology Survey and Assessment (Essex Mammal Surveys, October 2020 and February 2018) and the Soft Landscaping Scheme (Jonathan Cook Landscape Architects, August 2020) should be secured and implemented in full. However, we recommend the addition on an informative for general good practice during the construction phase. This is necessary to conserve and enhance protected and Priority Species and secure measurable net gains for biodiversity as outlined under Paragraph 170d of the National Planning Policy Framework 2019.

The limited biodiversity enhancement measures outlined within the Bat Survey (Essex Mammal Surveys, October 2020) have been detailed on a layout plan within the report. However, it is recommended that, considering the value of the surrounding habitats and the loss of trees and mature hedgerows on site, further enhancements are devised to compensate during the time it takes for new plantings to mature. Also, as the boundaries of the site are Priority and sensitive habitats, wildlife sensitive lighting is recommended and should be secured as a condition of any consent along with the revised Biodiversity Enhancement Layout Plan. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details set out should be a condition of any planning permission.

**UDC Landscape Officer (verbal comments)**

9.4 I have reviewed the submitted landscaping scheme by Jonathan Cook, Landscape Architects which contains a wide range of appropriate hard and soft landscape measures and which I consider to be comprehensive so as to inform the landscaping requirements necessary to help assimilate this development into the local landscape at this semi-rural setting, including the separation of individual garden plots by native hedging. I also note that the existing feature Walnut tree would be retained, which is welcomed, and that the frontage Lime trees would be replaced, whereby I further note that other trees to be removed are of only low amenity value which would not be a loss to the wider landscape. I therefore do have any landscaping objections to this proposal.

## 10. REPRESENTATIONS

10.1 1 representation received (object). Neighbour notification period expires 22/09/2020. Site notice expires 02/10/2020.

Summary of representations received as follows:

- The development will directly threaten the Flitch Way which is a haven for flora and Fauna.
- The development will add significant vehicular traffic to an already busy stretch of road and the pedestrian access to the eastern side of the Flitch Way.

## 11. APPRAISAL

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

- A Whether the scale of the development would be acceptable (NPPF and ULP Policies S7 and GEN2);
- B Whether layout would be acceptable (NPPF and ULP Policies GEN2 and GEN8);
- C Whether appearance would be acceptable (NPPF and ULP Policy GEN2);
- D Whether the submitted landscaping measures would be acceptable (NPPF and ULP Policies ENV3 and GEN2);
- E Housing Mix (ULP Policy H10);
- F Impacts on residential amenity (ULP Policy GEN2);
- G Impacts on protected and priority species, including the Flitch Way (ULP Policies ENV7 and GEN7);
- H Whether the submitted drainage details are considered acceptable (NPPF and ULP Policies GEN2 and GEN3).

### **A Whether the scale of the development would be acceptable (NPPF and ULP Policies S7 and GEN2)**

11.1 The number of dwellings shown for this revised DFO housing application has been reduced by the applicant to seven residential units from the eight dwellings shown for the indicative layout plan submitted at outline stage under ref; UTT/17/3556/OP. This elected reduction in housing units results in a consequential improvement in the scale and massing of the proposed development in terms of its overall visual impact on the immediate rural amenities of the area and in particular this side of Station Road which is undeveloped with the exception of Priory Lodge and two dwellings which are set back from Station Road to the immediate north of the Flitch Way.

11.2 The submitted scheme follows on from pre-application discussions as referenced in the planning history section above whereby the two dwellings shown at the front of the site adjacent to and in line with the existing Priory Lodge are shown at two storey height to be consistent in height with this frontage Victorian building, whilst the remaining five dwellings as they extend down the site to its north-eastern corner are shown at 1½ storey height to reduce the impact of the development across the site to its juxtaposition with agricultural land beyond. The dwellings would have ridge heights comprising the following:

Plot 1 = 8.0m, Plot 2 = 8.0m, Plot 3 = 8.3m, Plot 4 = 8.3m, Plot 5 = 8.3m, Plot 6 = 7.8m, Plot 7 = 7.4m.

11.3 This “tapered down” of scaling from the front to the rear of the site is considered to be appropriate in terms of countryside impact whereby the raised former railway line running along the northern boundary of the site would screen the development to the north. It is considered that the scale of the development as presented is acceptable and no rural amenity or design objections in consideration of Scale are raised under ULP Policies S7 and GEN2.

**B Whether layout would be acceptable (NPPF and ULP Policies GEN2 and GEN8)**

11.4 The proposed development would have a calculated site density of 14.3 dwellings per ha, representing a low housing density for this irregular shaped and semi-rural location. A table showing a breakdown of the bedroom specifications, private garden amenity areas and parking for the proposed dwellings is provided below:

Plot No.	No. of bedrooms	Rear amenity space (excludes courtyards)	Parking spaces
1	3	230sqm	2
2	3	270sqm	3
3	4	130sqm	3
4	4	328sqm	3
5	4	230sqm	3
6	4	200sqm	3
7	4	327sqm	3

11.5 The scheme would have an informal housing layout incorporating a curved service road and private walled front gardens to all of the dwellings and is shown in contrast to the more rigid and linear housing layout as indicated for the site under outline approved scheme ref; UTT/17/3556/OP where the applicant has purposely moved away from this formerly indicated structured layout. This design approach would provide for a more fluid housing layout through this undeveloped site and is considered to represent a marked layout improvement on the previous indicated scheme.

11.6 The two dwellings shown for the front of the site (Plots 1 and 2) would create a linear road frontage parallel to Priory Lodge whilst maintaining the same separation distance from Station Road thereby naturally infilling the front of the site between Priory Lodge and the former railway bridge on the site’s northern boundary whereby the dwellings would face into a courtyard setting with Plots 3 and 4. Plot 7 at the rear eastern end of the site would face back down the service road to Plots

1 and 2 thereby serving to frame this small development to provide a sense of physical enclosure.

- 11.7 Each dwelling for the development would have a generous private rear amenity space comfortably exceeding Essex Design Guide minimum recommended garden sizes for 3 and 4 bedroomed dwellings and would also incorporate an intimate front walled garden which would represent an unusual and interesting design feature for this housing layout as additional private amenity space. Level access would be afforded to each dwelling whereby each dwelling would be built to accessible homes standards under Part M of the Building regulations.
- 11.8 Each dwelling would have an attached double front garage at 7m x 3m bay compliant size to accommodate two vehicles with the exception of the garages for Plots 2 and 7, whilst there would be associated hardstanding provision across the plots at 5.5m x 2.9m bay compliant size so that each dwelling would comply with or exceed minimum adopted UDC parking standards for 3 and 4 bedroomed dwelling units. Additionally, two visitor parking spaces are shown for the northern boundary off the service road within the site development which would supplement the indicated on-plot parking arrangements. Each dwelling would also have a secure and covered bicycle parking space. As such, the parking provision shown would comply with ULP Policy GEN8.
- 11.9 The submitted parking layout plan demonstrates by way of swept path analysis that emergency vehicles and refuse vehicles would be able to access the site and be able to turn around at the rear of the new service road and exit the site in forward gear. ECC Highways have seen the plan and have confirmed that the proposed site layout would accord with highway good practice in this regard and that it would be possible for family cars to enter and exit the garages shown for Plots 4 and 5 without restriction after requesting that this requirement be also shown. It is considered, therefore, that the Layout of the development as presented is acceptable and no design or parking objections are raised under ULP Policies GEN2 and GEN8

### **C Whether appearance would be acceptable (NPPF and ULP Policy GEN2)**

- 11.10 The dwellings shown for the proposed development combine traditional pitched roofs with chimneys, some also showing dropped eaves lines, but with a more contemporary level of detail showing split roof lines, flat roofed dormers, zinc gutters and downpipes, albeit that roof lights are also shown. Each dwelling would have a clay tiled roof, red brick walls and stained timber windows.
- 11.11 It is considered that this combination of traditional and contemporary style for the proposed dwellings creates for a pleasing design through the appropriate execution of building elements where the applicant has tried, successfully it is argued, at providing a complimentary scheme for the site given its physical constraints. It is considered therefore that Appearance for the development as presented is acceptable and no design objections are raised under ULP Policy GEN2.

### **D Whether the submitted landscaping measures would be acceptable (NPPF and ULP Policies ENV3 and GEN2)**

- 11.12 The site is presently screened by a row of mature pollarded Lime trees to the Station Road frontage, by a line of mature tree cover along the site's northern boundary with the Flitch Way and by additional tree screening to the site's south-

eastern boundary. Notwithstanding this, the need for appropriate landscaping for the proposed development is considered necessary in order to mitigate against its potential urbanising impacts on the local landscape whereby additionally the aforementioned Lime trees at the front of the site would be required to be removed to provide improved site lines to accommodate the proposed site access from Station Road into the development when Access fell to be considered along with the principle of development at this site under approved outline application ref; UTT/17/3556/OP. Furthermore, it was a condition of the outline permission that any submitted landscaping scheme was to include hedge strengthening treatment onto this site frontage boundary.

- 11.13 A detailed tree survey has been prepared for the current application together with a comprehensive package of hard and soft landscaping measures (Jonathan Cook, Landscape Architects) which seeks to address the visual impacts of the development. The tree survey has identified a good specimen mature Walnut tree existing at the front and centre of the site (T37) which has a life expectancy of 40+ years which has been found to be generally structurally sound, albeit this is not the subject of a TPO. The intrinsic value of this tree has been recognised through the design of the proposed layout whereby the tree is shown to be retained and protected. The existing frontage Lime trees would be replaced by a new row of Lime trees underpinned by a new native frontage hedge to be set back behind the improved southwards visibility line required for the proposed new access point to serve the new development. A new line of native planting would be proposed for the front section of the new service road to a first "courtyard", whilst tree strengthening would take place both to the Flitch Way northern boundary and the site's south-eastern boundary. A key landscape feature of the site layout would be the provision of walled front gardens, whilst it is proposed that the boundaries to each rear garden plot would be predominantly sub-divided by additional native hedgerow planting with simple stock-proof fences installed alongside the hedges to provide safe enclosures for each plot thereby negating the need for close boarded fencing which would serve to soften the development within its setting. An estate rail would be provided to form a new common boundary between the development and the Flitch Way 5m width buffer zone.
- 11.14 The submitted landscaping scheme has been considered by the Council's Landscape Officer who has commented that the scheme is a commendable one where it has been noted that the separation of the individual plots by native hedging would help blend the development within its semi-rural setting, that the existing feature Walnut tree would be retained, the frontage Lime trees would be replaced and that the other trees to be removed are of only low amenity value which would not be a loss to the wider landscape. No Landscaping objections are therefore raised to the proposal under ULP Policies ENV3 and GEN2.

## **E Housing Mix (ULP Policy H10)**

- 11.15 ULP Policy H10 of the adopted Local Plan sets out how all developments of 0.1ha and above or comprising 3 or more dwellings will be required to include a significant proportion of market housing comprising smaller properties. More recently, however, and reflecting changing housing trends, the 2015 SHMA assessment concluded that the majority of need for market housing in Uttlesford District is now for 3 and 4+ bedroomed houses, which is a material planning consideration.
- 11.16 As previously mentioned in this report, the previously withdrawn DFO application submission for housing at this site (UTT/19/2185/DFO) included a propensity for 4

and 4+ bedroomed housing units which was considered by officers to not represent a balanced housing mix for the development and not in conformity with either Policy H10 or the SHMA findings. However, the revised scheme as submitted for the current revised DFO application following discussions with officers has revised down the housing mix whereby the mix is now shown as 2 no. x 3 bed units (Plots 1 and 2) and 5 no. x 4 bed units (Plots 3-7). This revision in the housing mix now aligns with the SHMA assessment to provide more 3 and 4 bedroomed dwellings, albeit that the mix would not align with ULP Policy H10, but where the SMAA now takes preference over this housing policy. No objections are therefore raised to the proposed housing mix.

#### **F Impacts on residential amenity (ULP Policy GEN2)**

11.17 The layout for the proposed development has been designed so that there would not be any intra-plot residential amenity loss between dwellings in terms of significant overbearing effects, loss of light or overshadowing. Also, all of the opposing flank elevations of the dwellings are shown to contain small square secondary window openings with the principal outlook to each dwelling being to the rear meaning that there would be no material loss of privacy through overlooking whereby the dwellings for Plots 3 to 7 would back onto farmland. Similarly, the south-west flank elevation of the dwelling for Plot 3 is also only shown to contain a secondary window meaning that there would be no overlooking onto the rear reduced garden of Priory Lodge, the “donor” dwelling. No residential amenity objections are therefore raised under ULP Policy GEN2.

#### **G Impacts on protected and priority species, including the Flitch Way (ULP Policies ENV7 and GEN7)**

11.18 Condition 9 of outline permission UTT/17/3556/OP required that the housing layout for subsequent reserved matters application shall show a continuous 5m exclusion zone between the Flitch Way and any dwellings and garages for the proposed development in the interests of biodiversity protection given the linear country park/ local wildlife status of the Flitch Way. The submitted drawings for the current DFO application respect this ecological requirement whereby a continuous simple estate rail would form the northern boundary of the new development with the 5m exclusion zone onto the Flitch Way as shown on the submitted landscaping drawings and no objections are therefore raised under ULP Policy ENV7.

11.19 ECC Place Services have assessed the submitted ecology reports and new information received and have concluded that the interior of the site has a generally low ecological value for protected and priority habitats, that the trees to be removed do not have potential bat roosting features and that the small orchard at the rear of the site is to be retained as part of the development along with many of the boundary features. As such, Place Services have now removed their original holding objection for the scheme in view of the receipt of the further ecology details. However, they advise that further ecology enhancements are required to compensate for any wildlife loss and that a wildlife sensitive lighting is recommended which should be secured as a condition of any consent along with a revised Biodiversity Enhancement Layout Plan given that the northern boundary of the site onto the Flitch Way is Priority containing sensitive habitats such as bats who use it as a commuting corridor. No objections are raised under ULP Policy GEN7 subject to these conditions being imposed.

#### **H Whether the submitted drainage details are considered acceptable (NPPF and ULP Policies GEN2 and GEN3)**

- 11.20 The proposal represents a Minor development scheme, although condition 8 of outline permission UTT/17/3556/OP required that the reserved matters application be accompanied by a surface water drainage strategy for subsequent approval by the LPA to demonstrate how surface water drainage at the site would be disposed of “which shall include details and calculations of surface water discharge and run-off rates to cater for storm events and climate change in accordance with sustainable drainage principles” given that no drainage details were submitted within the outline application.
- 11.21 A surface water drainage strategy has been submitted with the current DFO application (Price & Myers), including a revised Below Ground Drainage Layout Plan (Drwg. 28325/6000 Rev A dated 4 January 2021) showing proposed below ground drainage attenuation for the development in the form of attenuation tanks to be installed for the middle section of the new service road (cross-hatched blue), whilst surface water along the front section of the service road would drain down to the existing swale/depression that runs along the frontage boundary with Station Road (hatched green) and then into an existing culvert. New SW drains and filter drains would be provided.
- 11.22 ECC SuDS team have reviewed the submitted surface water drainage strategy and updated surface water drainage information, including the revised below ground drainage plan, and have now removed their original drainage holding objection to the scheme stating in their revised consultation response dated 11 January 2021 that they are satisfied with the drainage measures as detailed in the revised flood risk assessment and accompanying documents providing that the measures are implemented as agreed in accordance with the submitted drainage details. No objections are therefore raised to the drainage scheme as revised on this basis under ULP Policies GEN2 and GEN3 (NPPF).

## **12. CONCLUSION**

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

- A The scale of the development is considered to be acceptable (NPPF and ULP Policies S7 and GEN2).
- B The housing layout is considered to be acceptable (NPPF and ULP Policies GEN2 and GEN8).
- C Appearance is considered to be acceptable (NPPF and ULP Policy GEN2).
- D The submitted landscaping measures are considered to be acceptable (NPPF and ULP Policies ENV3 and GEN2).
- E The housing mix is considered to be acceptable (ULP Policy H10).
- F There would be no significant impacts on residential amenity (ULP Policy GEN2).
- G There would be no significant impacts on protected and priority species, including those species which use the Flitch Way subject to appropriate ecology conditions being imposed as recommended (ULP Policies ENV7 and GEN7).
- H The revised drainage details submitted are considered to be acceptable (NPPF and ULP Policies GEN2 and GEN3).

## **RECOMMENDATION – APPROVAL WITH CONDITIONS**

### **Conditions**

1. All hard and soft landscape works shall be carried out in accordance with the approved details (Soft Landscape Proposals, Jonathan Cook Landscape Architects

dated 17.08.2020). All planting, seeding or turfing and soil preparation comprised in the approved scheme 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 Policies ENV3, GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

2. The Walnut tree on the site as identified as tree T37 on the submitted BS5837:2012 Tree Survey - 26/04/19 shall be retained as a feature tree for the proposal as indicated in the scheme of Soft Landscape Proposals, Jonathan Cook Landscape Architects dated 17.08.2020 and shall be suitably protected during the course of development construction by tree protection measures in accordance with recognised BS standards.

REASON: In the interests of visual amenity given the "Good" category rating of the tree in accordance with ULP Policies ENV3 and GEN2 of the Uttlesford Local Plan (adopted 2005).

3. The development hereby approved shall be implemented in accordance with the revised Flood Risk Assessment and supporting documents accompanying the application (Price and Myers) to include revised drawing 28325/6000 Rev A dated 4 January 2021 (Below Ground Drainage Layout Plan). Note: The proprietary treatment device needs to be added to the maintenance plan.

REASON: To ensure that the development does not result in flooding and also to prevent flooding of neighbouring land and properties in accordance with ULP Policies GEN2 and GEN3 of the Uttlesford Local Plan (adopted 2005).

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

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

5. Prior to dwelling occupation the dwellings shall be provided with electric vehicle charging points. The charging points shall be fully wired and connected, ready for first use and retained for occupant use thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

6. All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the LPA adopted SPD "Accessible Homes and Playspace".

7. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Bat Survey (Essex Mammal Surveys, October 2020), Soft Landscape Proposals (Jonathan Cook Landscape Architects, August 2020), Existing Tree Survey and Tree Constraints Plan (Marcus Foster, April 2019) and Ecology Survey and Assessment (Essex Mammal Surveys, February 2018) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes, but is not limited to, permeable boundaries with the wider landscape, bird boxes, hedgehog boxes and solitary beehives. General good practice during the construction phase to protect mobile species.

REASON: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

8. Prior to slab level, a Biodiversity Enhancement Plan and Layout, providing the finalised details and locations of enhancement measures, including but not limited to those contained within the Bat Survey (Essex Mammal Surveys, October 2020), shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

9. Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior written consent being obtained from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), the garages hereby approved shall be retained for the parking of domestic vehicles in connection with the use of the properties to which they shall relate and shall not be converted to another use, including conversion to habitable accommodation, without the prior approval in writing of the local planning authority.

REASON: To ensure that off-road parking is provided and maintained in the interest of traffic safety on the adjoining highway, and to avoid the requirement for further buildings for this purpose in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).



Organisation: Uttlesford District Council

Department: Planning

Date: 5 JANUARY 2021