

UTT/20/3263/FUL (Great Chesterford)

(UDC Application)

PROPOSAL: 1 no. Bungalow including associated external works and parking (amendments to plot 7 of previously approved application UTT/19/2288/FUL).

LOCATION: Land North of Bartholomew Close, Great Chesterford

APPLICANT: Uttlesford District Council

AGENT: The Design Partnership (Ely) Ltd

EXPIRY DATE: 19th February 2021

CASE OFFICER: Chris Tyler

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The site is located to the north east of Rookery Close and Bartholomew Close in Great Chesterford. It comprises an undeveloped parcel of land, bordered by trees and hedgerows.

3. PROPOSAL

3.1 This application seeks to amend plot 7 previously approved under planning application UTT/19/2288/FUL (Proposed residential development for 13 affordable dwellings including associated external works and parking)

3.2 The proposal makes a material change to plot 7 increasing the floor space and external appearance. The increase in floor space will accommodate the increase from 2 bedrooms to 3 bedrooms. A carport over the existing parking to the side of the property is also proposed.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:

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

5. APPLICANT'S CASE

- 5.1 The council's housing team are seeking to amend the size of this bungalow because since permission was granted for a 2 bed bungalow it has been identified a family who require a fully adapted wheelchair accessible 3 bed bungalow. There are currently no properties within our housing stock that can meet this family's needs. This development at Great Chesterford gives us the opportunity to fulfil our duties to this family by building a property that will meet all their future housing requirements.
- 5.2 The applicant has provided a number of documents in support of the proposed development, this includes:
- Completed Biodiversity checklist
 - Ecology Survey
 - Ecology Design Strategy
 - Tree Survey
 - Surface Water Strategy
 - Transport Statement

6. RELEVANT SITE HISTORY

- 6.1 UTT/14/0425/OP-Outline Planning with all matters reserved for residential development of up to 14 dwellings.
Approved- 3/9/2014

UTT/17/1452/DFO- Details following outline application UTT/14/0425/OP for residential development of up to 14 dwellings - Details of access
Approved - 31/8/2017

UTT/17/2745/DFO- The reserved matters application for the construction of 11 new dwellings covering access, layout, scale, landscaping and appearance following outline approval UTT/14/0425/OP
Approved- 21/12/2017

UTT/19/2288/FUL- Proposed residential development of up to 13 dwellings including associated external works and parking.
Approved -12/5/2020

UTT/20/1959/DOC- Application to discharge condition 7 (Biodiversity Enhancement Strategy), 9 (surface water drainage), 16 (hard/soft landscaping) and 19 (tree protection measures) attached to UTT/19/2288/FUL
(Approved- Discharged in Full)

7. POLICIES

7.1 National Policies

National Planning Policy Framework (2019)

7.2 Uttlesford Local Plan (2005)

- S7 – The Countryside
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN4 – Good Neighbourliness
- GEN6 – Infrastructure Provision to Support Development

- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- ENV1 – Design of Development within Conservation Areas
- ENV3 – Open Spaces and Trees
- ENV4 – Ancient Monuments and Sites of Archaeological Importance
- H1 – Housing Development
- H9 – Affordable Housing
- H10 – Housing Mix

7.3 Supplementary Planning Documents/Guidance

Uttlesford Local Residential Parking Standards (2013)
 Essex County Council parking Standards (2006)
 Supplementary Planning Document- Accessible homes and play space homes
 Essex Design Guide

7.4 Emerging Plans

Great and Little Chesterford Neighbourhood Plan

8. PARISH COUNCIL COMMENTS

8.1 Supports the proposal.

9.0 CONSULTATIONS

The Highways Authority

9.1 It is confirmed the Highway Authority has no further comments to add to those under UTT/19/2288/FUL, these include:

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

1. Prior to occupation of the development, the access arrangement, as shown in principle on DWG no. UDC-842-01, shall be fully implemented. Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety.

2. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:

- i. Safe access into the site;
- ii. The parking of vehicles of site operatives and visitors;
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;
- v. Wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

3. The proposed development shall not be occupied until such time as the vehicle parking areas as indicated on DWG no. UDC-842-01 has been provided. The vehicle parking areas and associated turning areas 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 interests of highway safety and that appropriate parking is provided.

4. The cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times. Reason: To ensure appropriate bicycle parking is provided.

5. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

6. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council. Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

7. No development shall take place until a comprehensive condition survey of the estate roads from Jackson's Lane to the application site has been completed. Details of such survey having first been submitted to and approved by the Local Planning Authority. The results of such 'before' survey and any required repair work necessary to facilitate the passage of construction vehicles shall be submitted to and approved in writing by the local planning authority with any repair work being carried out prior to the construction period. Reason: In the interests of highway safety.

8. Following completion of the construction of the dwellings, a further comprehensive survey of the estate roads from Jackson's Lane to the application site to the application site shall be completed in accordance with the details approved in 7 above. The results of the survey and any identified damage/repair work shall be submitted to and approved in writing by the Local Planning Authority. Any repair works identified in the 'after' survey shall be carried out within 3 months of the completion of the construction of the dwellings to a programme to be agreed with the Local Planning Authority.

REASON: In the interests of highway safety.

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

Ecology

9.2 No objection subject to securing biodiversity mitigation and enhancement measures Summary as conditioned.

Recommended conditions:

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecology Appraisal (Applied Ecology Ltd, January 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This includes maintaining the grass by regular mowing/cutting management, due diligence for nesting birds and hedgehogs, compensation for any loss of tree and scrub by replacement with native species planting, and wildlife sensitive lighting.”

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

2. PRIOR TO SLAB LEVEL: A FINAL BIODIVERSITY ENHANCEMENT STRATEGY

“A Final Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority following the recommendations made in the Preliminary Ecology Appraisal (Applied Ecology Ltd, January 2020) and the Ecological Design Strategy (Applied Ecology Ltd, January 2020).

The content of the final Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.”

Reason: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species).

3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

“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 consent from the local planning authority.”

Reason: To allow the LPA to discharge its duties under the UK Habitats Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

10 REPRESENTATIONS

10.1 1 letters of objection has been received, the comments include:

Increase in traffic,
Impact to the parking in Bartholomew Close,
Loss of privacy,
Impact to biodiversity and wildlife,
Harmful impact from noise and disturbance,

Potential increase to flooding,
Insufficient local facilities,

- 10.2 The comments included in the objection are in regards to the principle of the development approved under UTT/19/2288/FUL, this current application considers an amendment to plot 7 only.
- 11 The issues to be considered in the determination of this application are
- A The principle of the development of this site for residential (ULP Policy H1, S7, ENV3 NPPF, Emerging Great and Little Chesterford neighbourhood plan)**
 - B Design and impact to amenity to neighbouring properties (ULP Policy GEN2 and SPD Accessible Homes and Playspace).**
 - C Whether the proposed access and parking arrangements would be appropriate (ULP Policies GEN1 and GEN8)**
 - D Nature Conservation (ULP Policy GEN7)**
 - E Affordable Housing, Education Contributions, Housing Mix (ULP Policies H9, H10, GEN6)**
- A The principle of the development of this site for residential (ULP Policy H1, S7, ENV3, NPPF, Emerging Great and Little Chesterford neighbourhood plan**
- 11.1 This application sets out to amend Plot 7 approved under planning application UTT/19/2288/FUL. The amendment includes the increase floor space from 73.7m² to 105.9 m² to accommodate an additional bedroom, changing the external appearance of the dwelling and introduction of car port to the side elevation. Although the site is outside the development limits and ULP Policy S7 supports development that is appropriate to the area. The proposed amendment to plot 7 is not considered to result in the application site being over developed or having a harmful encroachment to the surrounding countryside location. The principle of the development has already been previously approved therefore the proposed amendments accords with ULP Policies H1, S7, ENV3, NPPF, Emerging Great and Little Chesterford Neighbourhood Plan.
- B Design and impact to amenity to neighbouring properties (ULP Policy GEN2 and SPD Accessible Homes and Playspace).**
- 11.2 The proposed amendment to Plot 7 will include the introduction of a larger side and front gable features, introduction of bay window, introduction of car port to the side elevation and changes to the fenestration. The increase in foot print is not considered to be excessive in the context of the site or other neighbouring dwellings. The external appearance and proposed materials are considered appropriate.
- 11.3 The increase in foot print will still provide an appropriate sized private amenity space that is in accordance with the Essex Design Guide, that being:
Three bedroom dwellings - 100sqm+
- 11.4 Policy GEN2 also seeks to ensure that development would not have a materially adverse effect on residential amenity. The single storey form of plot 7 ensures the proposal will not result in any loss of light, over shadowing or overbearing impacts to neighbouring properties. Also the distance between the Plot 7 and the neighbouring properties is considered sufficient and will not result in a loss of privacy or overlooking.

11.5 In terms of the design of Plot 7, it is considered the proposed amendment is appropriate and in accordance with the aims of ULP Policy GEN2 and the NPPF.

C Whether the proposed access and parking arrangements would be appropriate (ULP Policies GEN1 and GEN8)

11.6 The proposed amendment to Plot 7 will not result in an unacceptable intensification of highway use or the requirement for further off street parking. As such, the proposal is not considered to result in any highway safety impacts. The Highway Authority have been consulted and raised no objections subject to conditions. Therefore, the proposal is in accordance with ULP Policy GEN1, GEN8 and the Uttlesford Local Residential Parking standards (2013).

D Nature Conservation (ULP Policy GEN7)

11.7 Policy GEN7 seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. The previously approved planning application (UTT/19/2288/FUL) included significant details of ecology, protected species and habitat. The Council's Ecology Consultant has made no objections or further recommendations subject to conditions, as such it is considered the proposed amendment to the development will not have a harmful impact on protected species or biodiversity and is in accordance with ULP Policy GEN7 and the National Planning Policy Framework

E Affordable Housing, Education Contributions, Housing Mix (ULP Policies H9, H10, GEN6)

11.8 Policy H9 states that the Council will seek to negotiate on a site for site basis an element of affordable housing of 40% of the total provision of housing. However this application is for 100% affordable homes and makes a positive contribution to housing.

11.9 The proposal includes a mix of smaller properties, no objections have been made by the Council's Housing Enabling Officer and as such it is considered the proposed amendment to Plot 7 will not impact the housing mix and accords with ULP Policy H10.

11.10 No requests have been made from the Essex County Council's Infrastructure Planning Officer in regards to the requirement of infrastructure contributions and therefore complies with ULP Policy GEN6.

12 CONCLUSION

A The principle of the development has been established under planning approval UTT/19/2288/FUL.

B The revisions to plot 7 will provide a fully adapted wheelchair accessible 3 bed bungalow for the council's housing stock to meet the identified needs for council residents.

C Although the proposed amendment will result in a material change to Plot 7 it is considered of an appropriate design and appearance that is compatible with the character of the application site and surrounding area.

- D The access and proposed parking for the Plot 7 is considered appropriate, no objections have been made by the Highways Authority subject to conditions.
- E The proposed amendment will not impact the housing mix of the overall development and therefore in accordance with ULP Policy H10.
- F The proposal would not be harmful to protect/priority species subject to conditions and is therefore in accordance with ULP Policy GEN7.
- G All conditions from the originally approved planning application UTT/19/2288/FUL will be included if the planning committee members are minded to approved the application.

RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
- 2 This application relates to Plot 7 of planning approval UTT/19/2288/FUL. The development shall in accordance with the details approved in the subsequent discharge of conditions application (UTT/20/1959/DOC) and shall not be changed without prior written approval from the local planning authority.

REASON: To ensure the development as a whole is in accordance with the required conditions as set out in the original planning approval.
- 3 Prior to occupation of the development, the access arrangement, as shown in principle on DWG no. UDC-842-01 approved under planning permission UTT/19/2288/FUL, shall be fully implemented.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety and in accordance with ULP Policy GEN1.
- 4 The cycle parking facilities as shown on the approved plan approved under planning permission UTT/19/2288/FUL are to be provided prior to the first occupation of the development and retained at all times.
REASON: To ensure appropriate bicycle parking is provided and in accordance with ULP Policy GEN1.
- 5 No development shall take place until a comprehensive condition survey of the estate roads from Jackson's Lane to the application site has been completed. Details of such survey having first been submitted to and approved in writing by the Local Planning Authority. The results of such 'before' survey and any required repair work necessary to facilitate the passage of construction vehicles shall be submitted to and approved in writing by the Local Planning Authority with any repair work being carried out prior to the construction period.

REASON: In the interests of highway safety and in accordance with ULP Policy

GEN1.

- 6 Following completion of the construction of the dwellings, a further comprehensive survey of the estate roads from Jackson's Lane to the application site to the application site shall be completed in accordance with the details approved in condition 5 above. The results of the survey and any identified damage/repair work shall be submitted to and approved in writing by the Local Planning Authority. Any repair works identified in the 'after' survey shall be carried out within 3 months of the completion of the construction of the dwellings to a programme to be agreed with the Local Planning Authority.

REASON: In the interests of highway safety and in accordance with ULP Policy GEN1.

- 7 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in Preliminary Ecology Appraisal (Applied Ecology Ltd, January 2020) as already submitted with planning application UTT/19/2288/FUL and agreed in principle with the local planning authority prior to determination. This includes maintaining the grass by regular mowing/cutting management, due diligence for nesting birds and hedgehogs, compensation for any loss of tree and scrub by replacement with native species planting, and wildlife sensitive lighting."

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

- 8 Prior to the occupation of the development hereby approved a wildlife sensitive lighting design scheme 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 consent from the Local Planning Authority.

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

- 9 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall subsequently be implemented as approved.

REASON: To ensure the development is in accordance with ULP Policy GEN3 and the NPPF regarding flooding. The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the

site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.

- 10 Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. The above reasoning for the condition is in accordance with ULP Policy GEN3 and the NPPF.

- 11 The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk and in accordance with ULP Policy GEN3 and the NPPF.

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

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

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

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

- 14 The development hereby approved shall be constructed in accordance with the materials schedule as submitted with the application and planning approval UTT/19/2288/FUL

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

- 15 Within 6 months of the commencement of the development hereby approved details of the walk/cycle way connecting the application site with Stanley Close shall be submitted and approved in writing by the Local Planning Authority. The walk way will be constructed in accordance with the approved details and will not be changed without prior written approval from the Local Planning Authority.

REASON: To ensure the foot way is constructed and completed in appropriate time scale and standard. In the interest of appropriate access to the site in accordance with ULP Policy GEN1.

- 16 The proposed development shall not be occupied until such time as the vehicle parking areas as indicated on DWG no. UDC-842-01 approved under planning permission UTT/19/2288/FUL has been provided. The vehicle parking areas and associated turning areas 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 interests of highway safety and that appropriate parking is provided.

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 and in accordance with ULP Policy GEN1.

- 17 Prior to the commencement of the development hereby approved (including ground clearance; any matters pursuant to any condition contained in this permission and the provision of site compound) a Construction Method Statement shall be submitted and approved in writing by the Local Planning Authority and shall be adhered to throughout the construction period. The Statement shall provide:

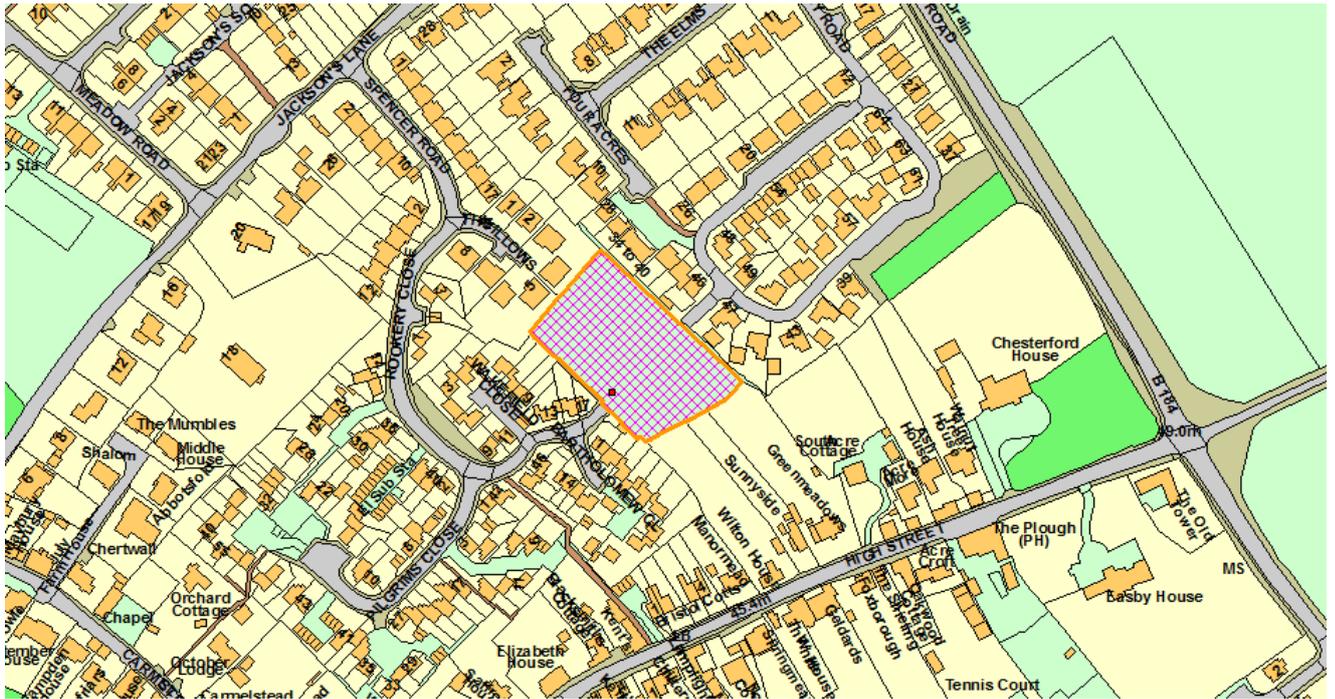
- (a) details confirming pre-development initiation meeting on site between the developer, the Local Planning Authority and the local community (including parish council and neighbours)
- (b) the parking of vehicles of site operatives and visitors
- (c) loading and unloading of plant and materials
- (d) storage of plant and materials used in constructing the development
- (e) the control of noise from construction including the hours of working
- (f) wheel washing facilities
- (g) measures to control the emission of dust and dirt during construction
- (h) Construction/ delivery times

REASON: The use of such pre commencement condition is required to protect the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 18 Notwithstanding the submitted plans, all dwellings shall be in strict accordance with the Technical Housing Standards- Nationally Described Space Standards (2015)

REASON:

To comply with Policy GEN2 of the Adopted Local Plan 2005 to provide an environment which would meet the reasonable needs of potential users of the development.



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Organisation: Uttlesford District Council

Department: Planning

Date: 27th January 2021