

UTT/21/2114/FUL (Great Chesterford)

(Major Application)

PROPOSAL: Application to vary condition 14 and to revise the approved schedule of materials of previously approved planning application UTT/20/3263/FUL.

LOCATION: Plot 7, Land North Of Bartholomew Close, Bartholomew Close, Great Chesterford

APPLICANT: DCH Construction

AGENT: The Design Partnership (Ely) Ltd

EXPIRY DATE: 3rd September 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 vary condition 14 and to revise the approved schedule of materials of previously approved planning application UTT/20/3263/FUL.

3.2 Condition 14 of the approved application UTT/20/3263/FUL states:

'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'

3.3 The materials as per the existing approved material schedule included Heritage Red Blend facing bricks, this is now proposed to be red brick – Staplefield Block.

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 It is advised by the applicant that the revised materials are required due to lack of current ability and delivery restrictions.

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/20/3263/FUL
1 no. Bungalow including associated external works and parking (amendments to plot 7 of previously approved application UTT/19/2288/FUL)
(Approved 19/2/2021)

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 8/2/2021)

UTT/21/0611/DOC
Application to discharge condition 5 (road condition survey), 9 (offsite flooding) and 17 (construction method statement) attached to UTT/20/3263/FUL
(Approved 12/8/2021)

UTT/21/0612/DOC
Application to discharge condition 4 (road condition survey) attached to UTT/19/2288/FUL
(Approved 12/8/2021)

UTT/21/0479/DOC

Application to discharge condition 10 (offsite flooding) and 18 (construction method statement) attached to UTT/19/2288/FUL

(Approved 12/8/2021)

7. POLICIES

7.1 National Policies

National Planning Policy Framework (2021)

7.2 Uttlesford Local Plan (2005)

- S7 – The Countryside
- GEN2 – Design
- ENV1 – Design of Development within Conservation Areas

7.3 Supplementary Planning Documents/Guidance

Essex Design Guide

7.4 Emerging Plans

Emerging Great and Little Chesterford Neighbourhood Plan

8. PARISH COUNCIL COMMENTS

- 8.1 No objections subject to noting the importance of the use of high quality materials including heritage tiles and to be in keeping with the surrounding properties.

9.0 CONSULTATIONS

Built Heritage Officer

- 9.1 No objections regarding the change in the specified brick to Staplefield Stock.

10 REPRESENTATIONS

- 10.1 No objections or comments received.

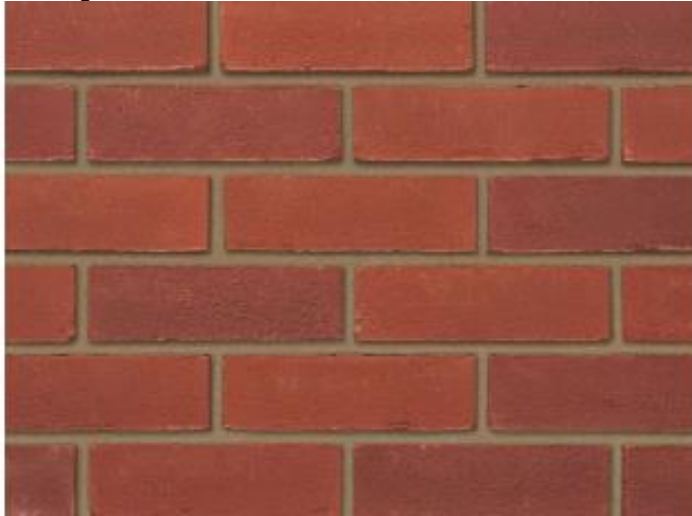
- 11 The issues to be considered in the determination of this application are

A Character and Design (ULP Policies S7, GEN2, ENV1), NPPF (2021), Emerging Great and Little Chesterford Neighbourhood Plan, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 11.1 This application solely relates to the variation of condition 14 attached to planning application UTT/20/3263/FUL to revise the approved schedule of materials of plot 7 of the development. The only change to the approved materials is altering the use of Heritage Red Blend facing bricks to Staplefield Stock Red facing bricks.

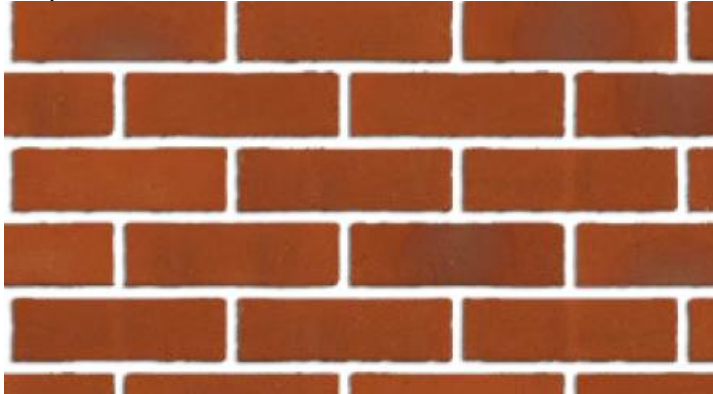
11.2 Existing Approved Bricks

Heritage Red Blend



11.3 Proposed Bricks

Staplefield Stock Red



11.4 The proposed change of brick type will result in a minor material change to the external appearance of the existing approved scheme, however it is considered this will not result in a harmful impact to the overall appearance or character of the development or its surroundings. The revision of the bricks will continue to be consistent with the aims of the Essex Design Guide in regards to appropriate use of materials. As such it is considered the proposal is in accordance with ULP Policies S7, GEN2 and the NPPF.

11.5 No objection in regards to the use of revised bricks have been made by the Council's Built Heritage Officer, as such it is considered the proposal will not result in a harmful impact to the setting of the nearby Conservation Area and is in accordance with ULP Policy ENV1 and the aims of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF.

12 CONCLUSION

A The proposed variation of condition 14 to revise the approved schedule of materials of previously approved planning application UTT/20/3263/FUL is considered appropriate in regards to the character and appearance of the site and its surroundings in accordance with ULP Policies S7, GEN2 and the NPPF.

- B The proposed revision to the bricks will not have a harmful impact to the setting of the nearby Conservation Area and is in accordance with ULP Policy ENV1 and the aims of Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the NPPF
- C All conditions from the originally approved planning application UTT/20/3263/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 The development hereby permitted shall be in accordance with the details of;
- Biodiversity Enhancement,
 - Surface Water drainage,
 - Hard and soft landscaping
 - Tree Protection

Approved under discharge of conditions application UTT/20/1959/DOC - dated the 8th February 2021) 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 and in accordance with ULP Policies GEN2, GEN3, GEN7 and the NPPF.

- 3 Prior to occupation of the development hereby approved, 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 and shall not be changed without prior written approval from the local planning authority.

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 UDC-842-P100 REVA approved under planning permission UTT/20/3263/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 Following completion of the construction of the dwellings, a 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 of condition 5 approved under application UTT/21/0611/DOC – dated 12th August 2021.

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.

- 6 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.

- 7 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.

- 8 The development shall be in accordance with the offsite flooding scheme details approved under discharge of conditions application (UTT/21/0611/DOC - dated the 12th August 2021) 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 and in accordance with ULP Policy GEN3 and the NPPF regarding flooding.

- 9 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.

- 10 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.

- 11 A minimum of a single electric vehicle charging point shall be installed. This 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

- 12 The dwelling 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

- 13 The development hereby approved shall be constructed in accordance with the submitted materials schedule. Unless otherwise agreed in writing with the Local Planning Authority.

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.

- 14 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 to 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.

- 15 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 and in accordance with ULP Policy GEN1.

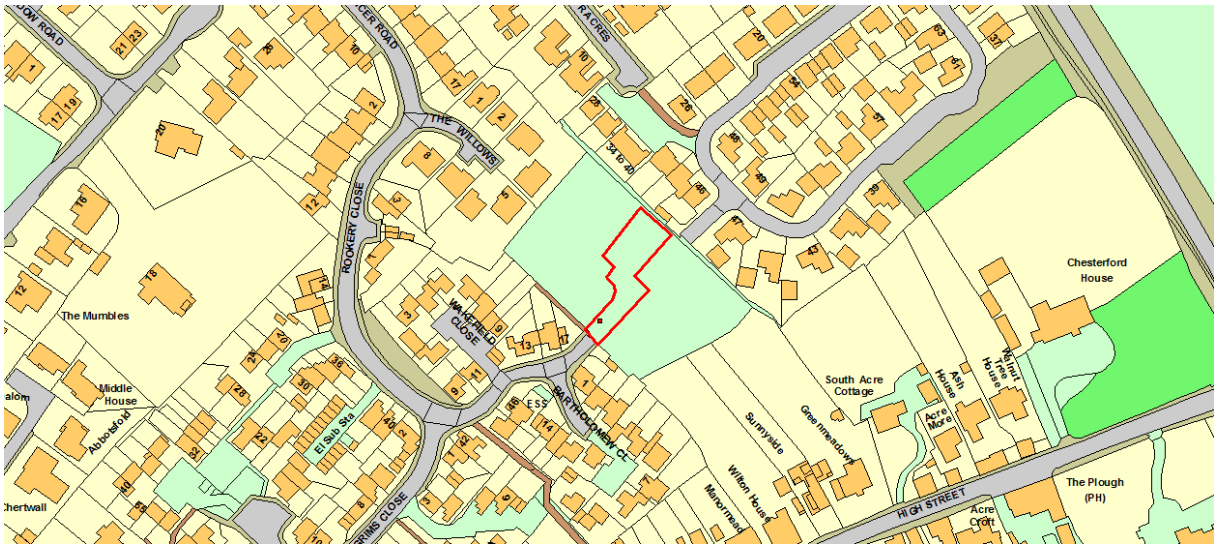
- 16 The development shall be in accordance with the construction management plan approved under discharge of conditions application (UTT/21/0611/DOC - dated the 12th August 2021) and shall not be changed without prior written approval from the local planning authority.

REASON: To ensure the development as a whole is in accordance with the required conditions as set out in the original planning approval and to protect the amenity of surrounding residential premises in accordance with Policies GEN1, GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 17 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: 16th August 2021