

Late List –Planning Committee 27/04/22

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated at 2.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

Item Number	Application reference number	Comment
3	UTT/21/3269/DFO	Final comments have been received from the Highway Authority, raising no objection to the scheme. Full comments are as follows:

Your Ref: UTT/21/3269/DFO
Our Ref: TST/SD/KMW/4B
Date:- 20/04/2022



Essex County Council

Andrew Cook
Director of Highways and Transportation

CC: by email Cllr Gooding
Essex Highways Development Management

To: Uttlesford District Council
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Response

Application No. UTT/21/3269/DFO

Applicant Bloor Homes C/o Pegasus Group

Site Location Land To The North West Of Henham Road Elsenham

Proposal Approval of reserved matters (layout, scale, appearance and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion

This response supersedes the highway response dated the 18/01/2022

The Highway Authority assessed the layout of the development originally submitted and made a number of comments. Revised plans and additional information have been provided by the applicant to address these comments. The revised layout has been tested against the swept path analysis for a 10.3m refuse vehicle, visibility splays are satisfactory, details of the cycle connection have been provided and the parking and area around the school land has been adjusted and walking and cycling routes been provided. The visitor parking meets the Essex Parking Standards and although not distributed evenly around the site, from a highway perspective is unlikely to cause a safety hazard.

From a highway and transportation perspective the impact of the proposal as shown in drawing Number P21-029-37 REV T dated 20/04/22 is acceptable to the Highway Authority subject to the following mitigation and conditions:

		<ol style="list-style-type: none">1. Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed 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 Policy DM8 of the 2. Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided in accordance with the EPOA Parking Standards. Reason: To ensure appropriate bicycle parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. 3. Prior to beneficial use of the sports pavilion cycle parking shall be provided in accordance with the EPOA Parking Standards. In addition, cycle parking for 4 cycles shall be provided at the LEAP. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. 4. Prior to construction of the road layout, a scheme of traffic calming appropriate for a 20mph road to be submitted to the highway authority and the approved scheme to be implemented in conjunction with the road layout. Reason: To provide a low-speed environment in the residential area in interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011. <p>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.</p>
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		<p>Informatives:</p> <ul style="list-style-type: none">(i) The area around the school land will be subject to detailed design which may include Traffic Regulation Orders, parking restrictions and crossings as well signing and lining to ensure safe access for the pupils and residents.(ii) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.(iii) Any signal equipment, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. To be provided prior to the issue of the works licence.(iv) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 -
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Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford.
CM2 5PU.

- (v) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- (vi) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.
- (vii) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.
- (viii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over PROW no. 13/21 shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.



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		<p><u>Additional representations</u></p> <p>Late Representations have been received from Elsenham Parish Council requesting that Section 9 of the Officers report is withdrawn, as it does not represent the Parish views following the submission of amended plans.</p> <p>Please note that Section 9.1 of the report refers to a summary of Elsenham Parish Council objections. These were updated in March/April 2022 representations following re-consultation of amended plans. Please see below a summary of the March/April objections, which can supplement Section 9.1 of the report:</p> <p>Please note that these relate to amended objections, following major revisions by the applicant. As a consequence, 4 sections have been deleted, 12 have been revised and 6 remain unaltered. The sequence has been amended and the representations divided into two parts (major objections and other considerations). 1 appendix has been deleted and 1 appendix has been added. The representation is detailed extending 58 pages in total with the appendices and 16 pages without. A summary of the detailed objection is as follows:</p> <p>MAJOR OBJECTIONS</p> <ol style="list-style-type: none">1. Garden sizes2. Resident parking3. Visitor vehicle parking4. Visitor cycle parking5. Number of storeys6. Recreational walking7. Tree maintenance8. Pond9. Access via Hailes Wood <p>OTHER CONSIDERATIONS</p> <ol style="list-style-type: none">10. Community involvement11. Plans12. Housing mix13. Design14. Sports pavilion15. Roads within the development
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		<p>16. Speed limit 17. Community Hall 18. Phasing Plan 19. Miscellaneous</p> <p>In conclusion to the major objections <i>“is that the site cannot sustain the proposed number of 350 dwellings and that a revised application should be submitted”</i></p> <p><i>“EPC takes the view that the applicants have not demonstrated that 350 dwellings can reasonably be accommodated, and that the proposals should be reconsidered accordingly”.</i></p> <p><u>Additional Information/amendments</u></p> <p>The applicant has submitted amended plans for consistency. This includes a site layout plan which highlights the changes undertaken following a meeting with UDC Design Officer in March 2022.</p> <p>An updated parking and garden space schedule has been provided for each unit.</p> <p><u>Relevant updates to the report</u></p> <p>The site location plan on the front sheet of the committee report relates to the application site and the wider access. Please note that the access is owned by the applicant and has already been subject to reserved matters approval. The reserved matters excludes the access as is shown on the originally submitted plans.</p> <p>Paragraph 3.2: The PROW transverses the access and is thus outside of the Reserved Matters application.</p> <p>Paragraph 14.6.13: The applicant is proposing on-plot EV charging points, and 5 additional charging points for visitor use.</p> <p>Paragraph 14.6.5: Plot 312 now has a shortfall of 6 sqm.</p> <p>Paragraph 14.8.3: The applicant is proposing 9v9 pitch (in accordance with the Section106) and one extra 7v7 pitch that can also be used as a 5v5 pitch.</p>
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Paragraph 14.8.5: The Landscaping Officer comments have now been addressed by way of amended plans.

Additional conditions are as follows:

- I. Notwithstanding the details of materials shown on the Materials Plan (P21-0295_28 Rev F) hereby approved, no above ground construction shall take place until additional detail confirming type, colour and manufacturer have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
REASON: In the interests of the appearance of the development, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.
- II. Prior to beneficial use of the sports pavilion cycle parking shall be provided in accordance with the EPOA Parking Standards. In addition, cycle parking for 4 cycles shall be provided at the LEAP. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. Reason: To ensure appropriate cycle is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policies GEN1 and GEN8 of the Uttlesford Local Plan 2005.
- III. Prior to construction of the road layout, a scheme of traffic calming appropriate for a 20mph road to be submitted to the highway authority and the approved scheme to be implemented in conjunction with the road layout. Reason: To provide a low-speed environment in the residential area in interest of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policies GEN1 and GEN8 of the Uttlesford Local Plan 2005.
- IV. Dwellings shall not be occupied until such time as their associated cycle parking indicated on the approved plans, has been provided in accordance with the EPOA Parking Standards. Reason: To ensure appropriate bicycle parking is provided In

		<p>accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policies GEN1 and GEN8 of the Uttlesford Local Plan 2005.</p> <p>V. No development shall be occupied until confirmation has been provided that either:- all sewage works upgrades required to accommodate the additional flows from the development have been completed; or - a development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Reason: Sewage Treatment Upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents, in accordance with Policies GEN3 and GEN6 of the Uttlesford Local Plan 2005.</p>
4	UTT/22/0152/DFO	<p>Late representations Comments from Takeley Parish Council received 22.04.22</p> <p><i>'The Parish Council acknowledges the landscaping and design changes in response to our previous comments. Landscape, public open space and play space elements are supported. The general layout and colour palette is also supported, with the exception of two aspects of concern:</i></p> <p>1) <i>We do not support the location and height of the apartment block, which would be on the highest ground, and we feel it will dominate the street scene. We agree with the urban design comments that the apartment block would be better located in a central square within the development and should be 2.5 storey not 3-storey.</i></p> <p>2) <i>The officer's report says that the Parish Council would like more bungalows, however, our comment was specifically about plots 17 and 18, a pair of semi-detached 2-storey houses which we feel will overshadow the existing bungalows adjacent to the development and will be out of place in the grouping of bungalows within the new development.</i></p>

		<p><i>Should the committee be minded to approve the application, we request planning conditions to prevent airport fly-parking and to provide an enhanced resident travel pack to encourage use of public transport'.</i></p> <p><u>Late consultee comments</u> MAG Aerodrome Safeguarding Group have provided their response (dated 20.04.22) to the updated Bird Hazard Management Plan (BHMP) they have now removed their objection and consider the scheme is 'fit-for-purpose' however two further amendments have been requested.</p> <p><u>Amendments</u> The applicant's Bird Hazard Management Plan has been updated to incorporate the following two points requested by the MAG Aerodrome Safeguarding Group:</p> <ul style="list-style-type: none"> • The level of monitoring stated has been increased to at least once a week during the gull breeding season (from mid-April to mid-June). • The following sentence has been added 'Should the potential of an increased birdstrike risk be identified by any element of the development, then a meeting between the airport, the site owner and the Local Planning Authority will be convened at the earliest opportunity to discuss how the situation can be resolved'.
5	UTT/21/3735/FUL	None
6	UTT/22/0326/FUL	None

Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarized

Late items from **STATUTORY CONSULTEES** are reproduced in full.