

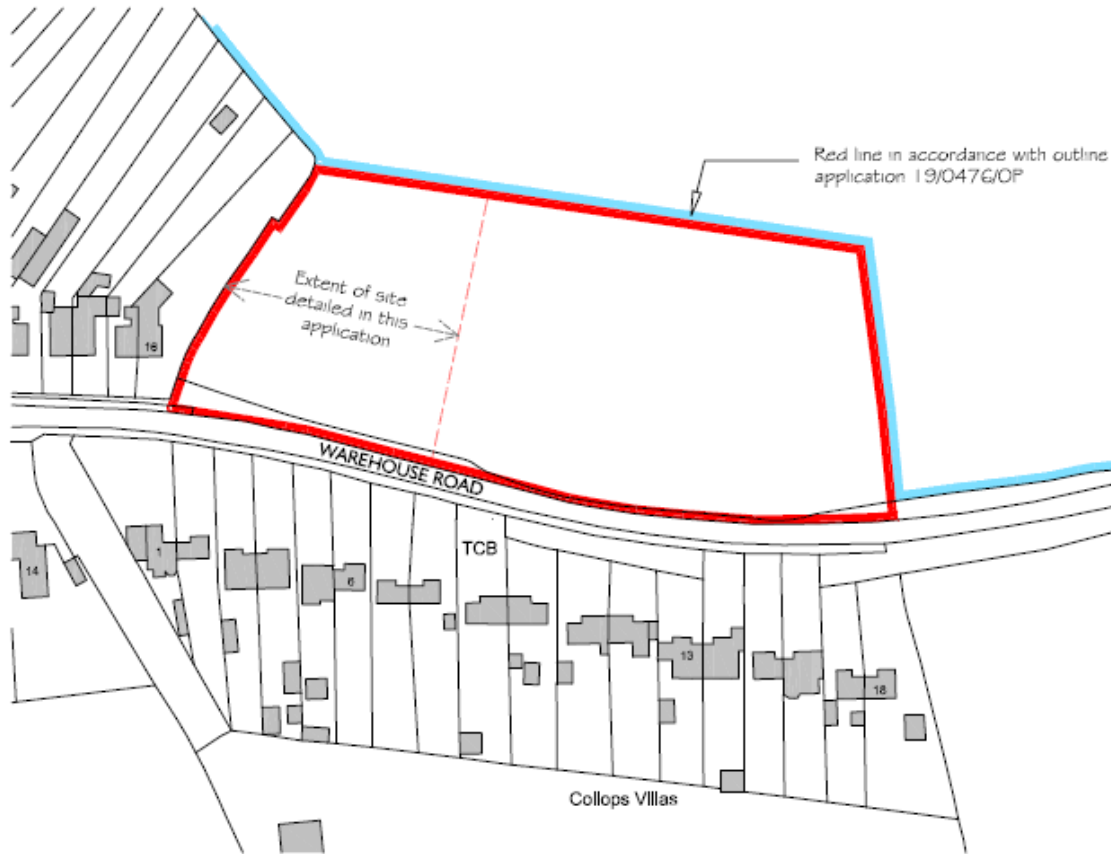
ITEM NUMBER: 9

PLANNING COMMITTEE DATE: 6 July 2022

REFERENCE NUMBER: UTT/22/0676/DFO

LOCATION: Land East of Warehouse Villas, Stebbing Road, Stebbing

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: June 2022

PROPOSAL: Reserved matters application consisting of details of layout, scale, landscaping and appearance of the Affordable Housing Plots 1-7 following outline application UTT/19/0476/OP for the erection of 17 dwellings

APPLICANT: Mr G Mann

AGENT: Mr C Wragg

EXPIRY DATE: 03 May 2022

EOT Expiry Date 17 June 2022

CASE OFFICER: Madeleine Jones

NOTATION: Outside Development Limits.

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

- 1.1** This scheme is for 7 residential affordable housing units and follows an outline application reference UTT/19/0476/OP. As such the principle of the development has already been established. There are no further relevant changes in planning policy since that date that would reverse that decision.
- 1.2** The reserved matters to be considered are therefore only appearance, layout, landscaping and scale which are considered below.
- 1.3** Planning application UTT/ 19/0476/OP was for Outline application with all matters reserved except access, for the erection of a new residential development comprising of 17 dwellings along with associated works.
- 1.4** The application relates to the western parcel of the site that encompasses the Affordable Housing dwellings (plots 1-7) that form the 40% of the total site approved under UTT/19/0476/OP for 17 dwellings.

2. RECOMMENDATION

That the Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

A) Conditions

3. SITE LOCATION AND DESCRIPTION:

3.1 The site lies on the north side of Stebbing Road to the east of Warehouse Villas and comprises agricultural land which fronts onto the road behind a ditch line and partial hedge and tree line which run parallel with the road

3.2 A ribbon of post-war former local authority dwellings with long rear gardens front onto the north side of Stebbing Road extending from Collops Lane to the west to Warehouse Villas, whilst a similar ribbon of former local authority dwellings with long rear gardens fronts onto the south side of Stebbing Road extending out from Collops Lane to Collops Villas, with the last dwelling in the line (No.18 Collops Villas) standing opposite and being flush with the eastern boundary of the site

3.3 The site is substantially level. Stebbing Road is a Class 3 highway.

4. PROPOSAL

4.1 The proposal is for reserved matters consisting of layout, scale, landscape and appearance of the Affordable Housing Plots 1-7 following the approved UTT/19/0476/OP Outline application with all matters reserved except access for the erection of 17 dwellings with associated works.

4.2 The following documents have been submitted in support of the application:

Design and Access Statement
Landscape Management Plan
Landscape details and Tree Protection

5. ENVIRONMENTAL IMPACT ASSESSMENT

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

6. RELEVANT SITE HISTORY

Reference	Proposal	Decision
UTT/19/0476/OP	Outline application with all matters reserved except access for	Conditional Approval.

	the erection of 17 no. dwellings with associated works.	
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7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 N/A

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

8.1.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to mitigation and conditions

9. PARISH COUNCIL

9.1 No objections. Parking appears to be restrictive within the site. The speed limit of 40mph to 30 mph should be moved towards Stebbing Green to reduce vehicle speed before approaching the proposed houses.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

10.2 The affordable provision on the site will assist towards meeting the housing needs for the district identified within the SHMA 2017 including provision of one wheelchair adaptable M4(3) property.

Each of the affordable properties exceed the Nationally Described Space Standards (NDSS) and have private amenity space which exceeds the standards set by the Essex Design Guide.

The scheme is to be delivered by English Rural Housing Association (ERHA) who have expertise in delivering affordable housing schemes in rural areas such as Uttlesford and their involvement with this development is welcomed.

10.3 UDC Landscape Officer

10.4 The planting proposals are considered to be satisfactory

11. REPRESENTATIONS

11.1 A site notice was displayed on site and 38 notifications letters were sent to nearby properties.

11.2 Support

11.3 There is a shortage of homes to purchase in this area and

we are 110% for this development. I'll be the first to register my interest once available to do so.

Well done to the developer and hope there will be more to choose from in near future

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

(a)The provisions of the development plan, so far as material to the application,;

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

12.3 The Development Plan

12.3.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

S7 – The countryside Policy
GEN1- Access Policy

GEN2 – Design Policy
GEN3 -Flood Protection Policy
GEN4 - Good Neighbourliness Policy
GEN6 - Infrastructure Provision Policy
GEN7 - Nature Conservation Policy
GEN8 - Vehicle Parking Standards Policy
H9 - Affordable Housing,
H10 - Housing Mix Policy
ENV5 - Protection of Agricultural Land Policy

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document- Accessible homes and play space
homes Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of Development**
 - B) Design, scale, landscaping and appearance**
 - C) Affordable Housing, housing mix**
 - D) Biodiversity**
 - E) Climate Change**
 - F) Highway safety and access**

14.3 A) Principle of development

14.3.1 Outline permission has been granted for this site under application UTT/19/0476/OP. As such the principle of housing on this site has been established

14.4 B) Design, scale, landscaping and appearance

14.4.1 The application relates to the western parcel of the site that encompasses the Affordable housing dwellings (plots 1-7) that form the 40% of the total site approved under UTT/19/0476/OP for 17 dwellings.

14.4.2 National and local policies seek to secure good quality design which respects general townscape and is a key aspect of sustainable development

14.4.3 Policy GEN2 of the Local Plan states seeks to ensure that design of all new development is compatible with the scale, form, layout, appearance and materials of surrounding buildings. Policy GEN2 of the Local Plan seeks to ensure that design of new development would not have a materially adverse effect on the reasonable occupation and enjoyment of

a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

14.4.4 The site layout submitted is similar to the layout submitted at outline stage and is considered to be appropriate for the site.

14.4.5 The properties comprise semidetached properties of traditional vernacular. A mix of materials is proposed consisting of render and facing brick. To add interest ornate details will be included such as arched brick soldier courses above windows, stone window cills, mono pitched and lead lined flat roof porches and chimneys. Each property will also have a timber shed for storage.

The design, appearance, scale and external materials of the proposed dwellings reflect the Essex vernacular as detailed in the Essex Design Guide.

14.4.6 All of the units would have private amenity spaces. The Essex Design Guide recommends that dwellings or 3 bedrooms or more should have private amenity spaces of 100sqm+.and 2-bedroom properties 50 sqm+. Each plot would have adequate private amenity space to accord with the requirements of the Essex Design Guide (also see table below).

14.4.7 The proposed dwellings have been positioned and designed so that there would not be any material detrimental impact by way of overlooking, overshadowing or overbearing impact to neighbour's amenity. The proposed layout of the development takes into account the position and orientation of the existing adjacent properties and the distances set out in the Essex Design guide to prevent any overlooking and loss of amenity to the occupiers of existing properties.

14.4.8 The proposal is considered to be of acceptable design and scale. The proposal would therefore comply with the requirements of ULP Policies GEN2 and GEN4

14.5 C) Affordable Housing, housing mix

14.5.1 Policy H10 states that all development on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties. All developments on a site of three or more homes must include an element of small two and three bed homes, which must represent a significant proportion of the total

14.5.2 The housing mix and parking provision of the individual plots for this application is as per the table below.

14.5.3

Plot	Housing type	Garden size	Parking
1	1 Bed flat	50sm ² +	2
2	1 Bed flat	50sm ² +	2
3	2 Bed	50sm ² +	2

4	2 Bed	50sm ² +	2
5	2 Bed	50sm ² +	2
6	2 Bed	50sm ² +	2
7	3 Bed	100m ²	2
Visitor.			2

14.5.4 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. This proposal is for the 40% affordable housing units of the total 17 dwellings that were approved under UTT/

14.5.5 The proposal complies with policies H9 and H10 of the Uttlesford Local plan (2005)

14.6 D) Biodiversity

14.6.1 Policy GEN7 and paragraph 174 of the NPPF require development proposals to aim to protect and enhance biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species.

14.6.2 The site currently comprises arable farmland subject to ploughing with a frontage ditch, hedge and partial tree line onto Stebbing Road. A Preliminary Ecological Appraisal Report was submitted with the outline application and a number of conditions were attached to the outline application

14.6.3 Th existing trees to the west of the site are to be protected. Additional tree planting and hedge planting is proposed. It is proposed to remove the low value trees to allow for the ditch at the site frontage to be culverted and provides adequate space for a new footpath to be provided

14.6.4 Although not part of this application a new hedge and tree planting will be provided along the northern boundary to screen the development from the open fields beyond. The development layout has been landscape lead. The low density of development ensures that there is plenty of new hedge, shrub and tree planting. The proposal seeks to retain the vegetation on the western boundary whilst creating vast areas of lawn and new planting. An entire new hedge row along the northern boundary will add to the biodiversity gain. Additional features will be included such as bird boxes and hedgehog proof fencing. A few trees will have to be removed to allow for access to the development and to provide adequate sight lines for vehicles exiting onto the highway. However new trees have been proposed to mitigate any trees lost. The entire northern boundary will be planted with a native hedge row to aid in biodiversity net gain but to also soften the development into its surroundings.

14.6.5 The landscape office has been consulted and considers the landscaping scheme to be satisfactory.

14.6.6 As such it is not considered that the proposal would have any material detrimental impact in respect of protected species to warrant refusal of the proposal and accords with ULP policy GEN7.

14.7 E) Climate Change

14.7.1 Since the outline application has been approved, the council has adopted an Interim Climate change Planning Policy.

14.7.2 The proposal seeks to minimise carbon emissions and green house emission. Detailed design will seek that the buildings will comply and exceed the minimum standards within the Approved Building Regulation Documents. To encapsulate this ethos the dwellings are ideally orientated with south facing roofs ideal for the proposed solar PV technology. The provision of Electric Vehicle Charging infrastructure will be included to promote the use of electric cars. Other technology that will be explored is the use of air source heat pumps to limit the need for natural gas.

14.7.3 The development will be built to meet and exceed the requirements of the Approved Building Regulation Documents. Low water consumption sanitary ware and aerated taps will be specified specifically. In addition each dwelling will include a water butt in the garden space to minimise water consumption.

14.7.4 Within the house the developers standard specification is to provide suitable 'adaptable' and 'future-proofed' infrastructure that will enable low carbon heating technology, such as an air source heat pump, to be fitted with minimum upheaval for the residents.

14.7.5 The client is proposing to use PV panels on the roof of the new buildings which are ideally located to make use of the south facing elevations.

14.7.6 A key feature of this development is the inclusion of a new footpath that links to the existing network. The new footpath entices the new residents to travel by foot or by cycle. Each new dwelling will benefit from secure cycle storage and the bus service is easily available close to the site which gives the residents a viable alternative transport method than be reliant on a car

14.7.7 The provision of Electric Vehicle Charging infrastructure will be included to promote the use of electric cars

14.8 E) Highway safety and access

14.8.1 Policy GEN1 seeks to ensure that development is only permitted if the access is appropriate, traffic generation does not have a detrimental impact on the surrounding road network, it is designed to meet the needs of people with disabilities, and it encourages sustainable modes of transport.

- 14.8.2** The access proposals were approved at the outline stage.
- 14.8.3** The vehicular access to the affordable housing remains the same as shown on the plans considered at outline.
- 14.8.4** In view of the above it is considered that the proposal would comply with the aims of Policy GEN1.
- 14.8.5** The proposed properties are a mixture of one-, two-, and three-bedroomed dwellings. The adopted Essex County Council parking standards require the provision for two parking spaces per dwelling for two and three bedroomed dwellings and three parking spaces for three+ bedroomed properties and additional visitor parking spaces.
- 14.8.6** As set out in the table above it can be seen that each property would be able to meet the required parking standards. There is sufficient space for two unallocated parking spaces within the development to provide visitor parking.

Therefore, the proposals comply with Policy GEN8.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

- 15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) 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

16. CONCLUSION

- 16.1** The principle of the development has been established under UTT/19/0476/OP
- 16.2** The design and scale of the dwellings is considered to be appropriate for this site. Adequate amenity space can be provided.
- 16.3** The housing mix for the development is considered to be acceptable.
- 16.4** The proposal would comply with Uttlesford Local Plan Policy GEN7
- 16.5** The proposal complies with the aims of the Interim climate change Policy.
- 16.6** The new access road is considered to be acceptable and to comply with ULP policy GEN1 and was granted under UTT/19/0476/OP. Adequate parking is provided to comply with ULP policy GEN8

17. Conditions

- 17.1** Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on drawing number 20/35/03 rev A (May 2022), 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 Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

- 17.2** Dwellings shall not be occupied until such time as their associated cycle parking indicated on drawing number 20/35/03 rev A (May 2022) approved plans, has been provided.

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.

Appendices

ECC Highways

- 14** UTT/22/0676/DFO | Reserved matters application consisting of details of layout, scale, landscaping and appearance of the Affordable Housing Plots 1-7 following outline application UTT/19/0476/OP for the erection of 17 dwellings
Land East Of Warehouse Villas Stebbing Road Stebbing Essex

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

1. Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on drawing number 20/35/03 rev A (May 2022), 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 Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.
2. Dwellings shall not be occupied until such time as their associated cycle parking indicated on drawing number 20/35/03 rev A (May 2022) approved plans, has been provided. **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.

Informatives

- I. 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.
- II. 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 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

- III. 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.
- IV. 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.
- V. 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.
- VI. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway

Katherine Wilkinson | **Strategic Development Engineer**
Strategic Development