



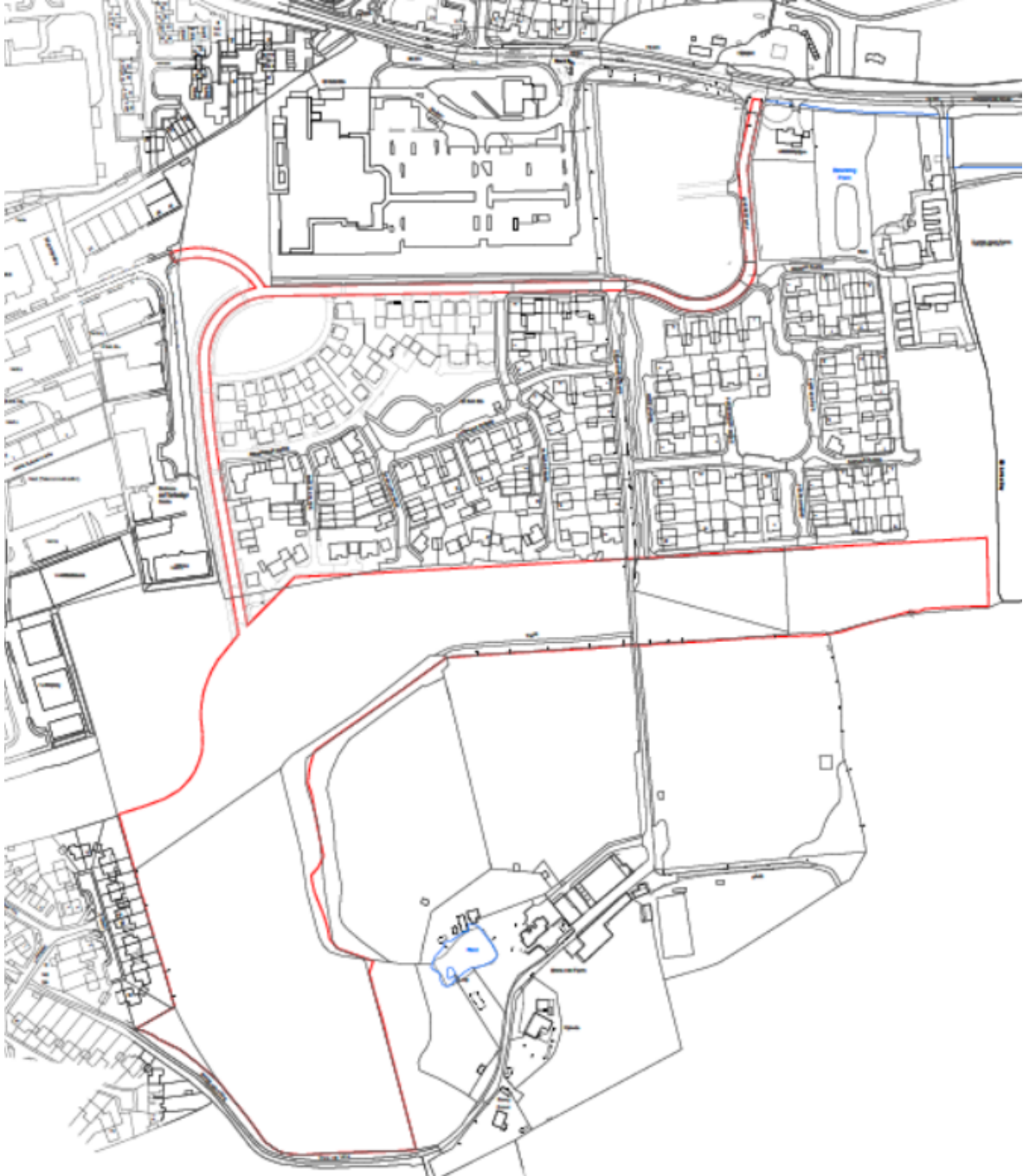
ITEM NUMBER: 6

PLANNING COMMITTEE DATE: 26 October 2022

REFERENCE NUMBER: UTT/21/3565/DFO

LOCATION: Land North of Shire Hill Farm, Shire Hill,
Saffron Walden

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: October 2022

PROPOSAL: Approval of reserved matters subject to permission UTT/17/2832/OP for up to 100 dwellings, for the following:

- Layout
- Strategic highway masterplan for the spine road
- Scale
- Public open space- Landscaping
- Appearance

APPLICANT: Redrow Homes Limited

AGENT: Bidwells

EXPIRY DATE: 7 March 2022

EOT Expiry Date: 28 October 2022

CASE OFFICER: Mr Lindsay Trevillian

NOTATION: Outside Development Limits.

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application

1. EXECUTIVE SUMMARY

1.1 Background

1.2 This application was presented to members of the planning committee on 31st August 2022 with a recommendation for approval subjected to suggested conditions.

1.3 Following discussions, Members concluded to defer from making a decision and requested Officers to engage with the applicant to establish whether the design and appearance of the scheme could be enhanced to improve place making objectives through better urban design principles for those occupants who will live and play within the application site.

1.4 The key points that were requested to be addressed and improve was in relation to the play space areas contained within the site and particular the play area to the south of the site adjacent to the 'Spine Road' and to

improve the appearance of the dwelling types to reflect the architectural qualities and local distinctiveness of the surrounding locality and the wider Essex vernacular.

- 1.5** A meeting was held on the 15th September 2022 between Officers of Uttlesford District Council and Essex County Council's Highway Officers and the Applicant's project team to agree on an appropriate design solution to address the points of interest/concerns raised by members.
- 1.6** Following the above meeting the applicant engaged with Saffron Walden Town Council on the 27th September 2022 and provided a presentation to members of the proposed revisions.
- 1.7** A complete package of revised drawings was submitted to the Local Planning Authority on 7th October 2022 and the application was formally consulted to the Town Council for a period of 14 days. At the time of preparing this report a formal response from the Town Council has not been received, however, their comments will either be presented via the Late List procedure or presented verbally by Officers on the day of the committee meeting. Although, it has been acknowledged by the Town Council in an informal email to the LPA on 6 October that the Town Council is content with the revised scheme as presented with the relocated play area.
- 1.8** It was considered that due to the minor nature of the revisions which will be explained in full below that there was no need to reconsult the public.

Revised Layout

- 1.9** The main concerns raised by Members at the previous meeting was in relation to the location and position of the play area to the south of the application site. It was considered that due to its location adjacent to the busy proposed new Spine Road, the play area would not be safe for those utilising it and that it may result in unwanted air pollution given that this road would accommodate a bus route.
- 1.10** Following members resolution, the applicant has amended the scheme to address the concerns raised by relocating the southern play area away from the main Spine Road and adjacent to the proposed pedestrian link to Shire Hill Lane.
- 1.11** To accommodate the relocation of the play space, the layout of the southern portion of the site including internal highways, public open space, and the position and orientation of new dwellings have been revised. Figure 1 below provides an extract of the southern portion of the site that was originally presented to members in August and Figure 2 is that of the new revised layout.



Figure 1: Extract of the original proposed layout presented to Members 31st August.



Figure 2: Extract of the revised proposed layout.

1.12 It should be noted that the number of units across the scheme remains the same as previously (100 in total) and includes the same housing mix and tenure. Furthermore, apart from the introduction of an additional visitor parking space adjacent the attenuation pond, the northern section

of the site remains the same as previously presented to Members. In addition, the position/alignment, dimensions, and connection points of the 'Spine Road' to the adjacent sites to the north and south including footway and cycle paths are the same.

1.13 The revised layout has been checked by officers of the Local Planning Authority. It can be confirmed that each residential dwelling still meets the required standards and guidance in respect to the internal space standards, external private amenity, and off-street provisions to meet the needs and enjoyment of future residents.

1.14 The reposition of the dwellings along the Spine Road will remain in cohesion within the street scene and reflective to the characteristics and distinctiveness of those dwellings located opposite and throughout the scheme. Furthermore, the dwellings surrounding the play space have been orientated to ensure natural surveillance of the area.

1.15 The orientation and separation of the dwellings including the required back-to-back distances are appropriate to ensure that the proposals would not be visually intrusive or result loss of privacy or light to all properties within the scheme.

1.16 The revised layout has been checked by Essex County Council highway authority who have confirmed that the proposals are appropriate in respect to accessibility, permeability, and transportation, and that the layout meets all technical highway standards including sight splay lines, turning circles, and safety.

1.17 **Revised housing types**

1.18 Members previously raised some concerns in relation to the appearance and detailing of the proposed house types. It was suggested that they would not generally reflect the architectural grain or Essex vernacular specifically in relation to external finishing materials and detailing. It was expressed that guidance provided by the Councils urban designer should be adhered too to improve the overall appearance and quality of the appearance of the dwellings.

1.19 The applicant has taken into consideration the comments by Members and sought advice from Council's urban design officer and have amended the design and detailing of the proposed dwellings to enhance their overall appearance and so that they may respond positively to the local and regional context.

1.20 Appearance

1.21 Amendments to the house types include:

- Rationalisation of bricks to focus on two types (a soft orange and red/brown multi) rather than three different types. The previously

proposed yellow brick has been removed as it was considered more typical of a yellow London stock.

- Rationalisation of roof tile colours from three to two (brown of red). The slate grey roof tile has been removed.
- The previously proposed roughcast render style has been changed to a smooth render finish, which is considered more typical of the local vernacular. A palette of complementary pale pastel render shades has been selected.
- There is now a wider application of render across the scheme. There are more properties with render wrapping around the whole house and extending down to brick plinths.
- Simplification of architectural details stripping back the Arts & Crafts appearance.
- The window style has been reviewed and the false-leaded /Georgian bar style windows have been removed so all the properties now feature a simple window style.
- Door styles have been reviewed. Three simple door styles have been proposed, which are traditional rather than typical Arts and Crafts style designs.
- Providing some units with standalone chimneys.

1.22 The revised housing types have been reviewed by the Council's urban design officer who has confirmed that the changes to the application have been made which respond to the urban design comments (pertaining to sections 'facilities and services' and 'a memorable character' in urban design consultation response 'UDC_BHL_21-3565-DFO_Land North Of Shire Hill Farm_Rev A') and that they have no objections. The main objectives of the development to include more rendered units helps to respond to those material paletts found within the town of Saffron Walden.

1.23 Scale

1.24 The scheme as originally submitted consisted of double storey dwellings along with single storey garages and 5 bungalows spread across the site. As a result of the revisions, the proposal will maintain the provision of 5 bungalows (plots 8, 9, 18, 22 & 73), but will now also include 2 two and a half storey dwellings located on plots 79 & 80.

1.25 Summary

1.26 The revisions including the amending the layout of the southern portion of the site to accommodate the relocation of the play space and the enhance detailing and appearance of the dwellings has improve the overall place making objectives through the use of better urban design principles which will ensure a good-quality development for those occupants who will live and play within the application site.

1.27 Saffron Walden Neighbourhood Plan

1.28 Since the application was previously presented to members, the preparation of the Saffron Walden Neighbourhood Plan has advanced in respect to it being 'Made'. As such Section 13.3 of the original committee report previously presented to Members below has been updated to reflect and provide advice of relevant policies of the Neighbourhood Plan to form part of the assessment of this application.

1.29 **Summary**

1.30 For the ease of reference for Members of the Planning Committee, apart from the required updates to Section 13.3 as described above, the remaining Sections including the main body of the assessment, conclusions, and suggested conditions remains the same as that presented to Members at the previous Committee in August.

1.31 It remains officers' recommendation that this reserve matters application relating to details concerning Appearance, Scale, Layout and Landscaping be approved in association with outline permission reference UTT/17/2832/OP subject to the conditions suggested in Section 17 of the below report.

1.32 **Conditions**

1.33 As a result of the submission of the revised drawings, the suggested conditions as outline in Section 17 of the below report have been amended to include the most up to date drawing references where applicable.

PREVIOUS REPORT PRESENTED TO MEMBERS 31st AUGUST 2022.

EXECUTIVE SUMMARY

1.1 This application seeks approval of details following the granting of outline planning under reference UTT/17/2832/OP whereby permission was approved for the erection of up to 100 dwellings along with associated open space and play areas, land for education use and other ancillary works.

1.2 The principle of the development along with the details of Access have been approved at outline stage, leaving the details for consideration as part of this reserve matters application being Appearance, Layout, Scale and Landscaping.

1.3 The applicant has undertaken pre-application discussions prior and post submission of the application with Officers' of Uttlesford Council which has helped to enhance the quality of the scheme in complying with the standards and guidance as per local policy and in order to achieve a sense of better place making whilst ensuring that future occupants have a quality development that provides reasonable enjoyment to all.

1.4 The proposals generally comply with the indicative illustrative masterplan that formed part of the Outline consent in respect to layout, number of units and housing mix. The design and appearance of the buildings generally conform to the required standards with each residential unit provided with appropriate parking and amenity provision to meet the needs of future occupants. Appropriate areas of informal and formal of public open space are provided throughout the site including the provision of additional land for a future school.

1.5 The proposals comply with the guidance and standards as set out within the Adopted Local Plan (2005), relevant supplementary planning documents and the National Planning Policy Framework. It has thereby been recommended that this reserve matters application relating to details concerning Appearance, Scale, Layout and Landscaping be approved in association with Outline permission reference UTT/17/2832/OP

2. **RECOMMENDATION**

That the Interim Director of Planning and Building Control 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 area of land subject to this full planning application relates to the land known as ‘Land North of Shire Hill Farm, Shire Hill, Saffron Walden, Essex.’ The extent of the application site is as shown by the land edged in red on the site location plan submitted in support of this application.

3.2 The site is located to the South-East of Saffron Walden. The site is an irregularly ‘L’ shaped piece of land being made up of two roughly perpendicular areas that intersect at their north-western corners. It covers an area of approximately 7.05 hectares whilst its topography generally slopes south to north with the southern part of the site being on the highest point, on a ridge which then plateaus and then slopes towards the south and western boundaries.

3.3 The site is free of any built form and consists mainly of arable fields (Grade 2 agricultural land) and lies within the rolling landscape of the River Cam/Granta.

3.4 The site to the north is currently being built out by Linden Homes (now Vistry Group). This was subject to Outline planning permission UTT/13/3467/OP for up to 200 dwellings, along with provision of 1.2 hectares of land for a new primary school. To the south is currently being built out by Bellway Homes. This was subject to Outline planning

permission UTT/18/0824/OP for up to 150 dwellings and reserve matters have now been approved. These dwellings are now under construction. The application site sits between the two sites.

- 3.5** Shire Hill Industrial Estate lies to the northwest containing a mixture of commercial buildings along with the buffer zone for the new primary school. There is a 1950/60s housing estate to the southwest of the site which is accessed from Rylestone Way off Thaxted Road. The south-eastern edge follows the limits of Shire Hill Farm and is strongly defined by trees, shrubs and hedges.
- 3.6** In terms of local designations, the site is near a designated Air Quality Management Area which is located at the junction with Thaxted Road/Radwinter Road. There are no County Wildlife Sites or any other local environmental designations nearby. The site is not adjacent to any statutory or non-statutory landscape designations and the Environmental Agency Flood Risk Maps identifies the whole of the site lying within 'Flood Zone 1'.
- 3.7** There is a bridleway which run along the southern perimeter of the site and separates this site from the Kier site to the south. This bridleway leads into Shire Hill Lane to the west.

4. PROPOSAL

- 4.1** This application relates to the reserved matters following the granting of Outline planning permission which was for the erection of up to 100 dwellings along with associated open space and play areas, land for education use and other ancillary works – ref: UTT/17/2832/OP. This application was granted by Uttlesford District Council on 14 July 2020 subject to conditions and to a Section 106 Agreement which secured various obligations and outlined specifications for the proposed development.
- 4.2** Access to the development was approved as part of the Outline application which established access to the site to the north from the Linden Homes development.
- 4.3** The reserved matters for consideration relates to Appearance, Layout, Scale and Landscaping for the erection of up to 100 dwellings.
- 4.4** The proposed residential mix has been developed to comply with the parameters set by the Outline planning permission. The proposal incorporates a range of housing types including one-bedroom units, two-bedroom bungalows, and two, three and four bedroom houses. The proposed residential mix is set out below.

Unit Type	Affordable	Market	Total
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1 – bed dwelling	4	0	4 (4%)
2 - bed dwelling	17	3	20 (20%)
3 - bed dwelling	16	10	26 (26%)
4 - bed dwelling	3	47	50 (50%)
Total	40 (40%)	60 (60%)	100 (100%)

- 4.5** The dwellings would be predominantly two stories in height although there would also be a limited amount of single storey dwellings. Building styles within the development would range from terrace style, semi-detached and detached buildings that contain different sizes and scale and have an assorted use of externally finishing materials and detailing. In addition, the provision of 5 bungalows and a mix of maisonettes, housing is proposed. Each of the dwellings within the development has been provided with off street parking spaces and its own private or communal amenity space.
- 4.6** In addition to the proposed housing, the provision of 4,217 square metres of land made up of informal and formal open space areas including two small play spaces are proposed within the development proposals to the south west and north of the site. The allocation of 0.9Ha of land to support a 2-form entry primary school with playing fields.
- 4.7** The extent of the land subject to the proposed primary school is fixed by the Section 106 Agreement to permission UTT/17/2832/OP and the Agreement for the Linden Homes site. The primary school would be delivered across the two sites with the 'primary school extension site' falling within the site subject to this application.

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

- 6.1** The application site contains the following relevant recorded planning history:
- 6.2** UTT/17/2832/OP - Outline application (with all matters reserved except access) for up to 100 dwellings, including affordable accommodation, in addition to the provision of land to facilitate an extension to the approved primary school (Planning Application Ref: UTT/13/3467/OP), and associated open space, drainage, landscaping, access and parking.
- 6.3** This application was approved by Uttlesford District Council on 14 July 2020 subject to conditions and to a Section 106 Agreement which secured various obligations and outlined specifications for the proposed development.

- 6.4 UTT/21/1920/NMA - Non Material Amendment for the removal of condition 25 (pedestrian/cycle access details) attached to UTT/17/2832/OP. This condition stated that:

“Before the commencement of development, details of the provision of pedestrian and cycle access onto Monks Hill, to consist of a shared use footway/cycleway 3.5m wide, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority, and thereafter implemented in accordance with the approved details.”

- 6.5 This application was approved by Uttlesford District Council on 09 July 2021. The effect of this is to remove condition 25 from planning permission UTT/17/2832/OP.

- 6.6 UTT/22/1598/DOV - Request for variation of 106 agreement made pursuant to section 106 of the 1990 Act dated 13th July 2020 and made between (1) UDC (2) ECC (3) Gordon Carl Kenmure Roberts, John Anthony Shippey, Lucinda Burnett, William Gustav Robert Engelmann and (4) Dianthus Land Limited in relation to UTT/17/2832/OP.

This application has yet to be determined and will be presented to members of the planning committee on the 31 August 2022 in association with this reserve matters application to secure the link for the proposed spine road that extends through the site.

7. **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1 A pre-application meeting was undertaken with Uttlesford District Council and Essex County Council by Microsoft Teams on 27 May 2021 (UTT/21/1646/PA). This meeting identified the key issues which would need to be addressed. A further pre-application meeting was held with Essex County Council on 23 September 2021 to discuss the requirements for the proposed primary school extension. Following this, a presentation and ‘questions and answers’ session was held with Saffron Walden Town Council on 14 October 2021. The main themes arising from the feedback given were the specification for the proposed feeder road and the proposed public open spaces.

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 **Highway Authority – No Objection**

- 8.1.1 The Highway Authority has worked with the applicant and Planning Officer to the achieve an acceptable layout of the site in highway terms. The layout includes bus stops and a crossing of the spine road. From a highway and transportation perspective the impact of the proposal as outlined in submitted drawing 2154.01 rev G is acceptable to the Highway Authority subject to imposing conditions.

8.2 Local Flood Authority – No Objection

8.2.1 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of the planning permission UTT/21/3565/DFO. It is in line with the approved outline drainage strategy.

8.3 NHS West Essex – No Objection

8.3.1 A developer contribution will be required to mitigate the impact of this proposal. West Essex CCG calculates the level of contribution required, in this instance to be £41,009.00 Payment should be made before the development commences. West Essex CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

8.3.2 However, it is acknowledged healthcare contribution has already been accounted for under the original outline application which is secured by way of the Section 106 Agreement. Within the Agreement it stipulates that a financial sum of £394.22 for each housing unit to be constructed is required to mitigate the capital costs to the NHS for the provision of additional healthcare service arising directly as a result of the Development Index. This results in a total £39,422.00.

9. TOWN COUNCIL COMMENTS

9.1 The Town Council in their formal response stipulated that they have strong concerns with this application due to the number of unresolved queries as follows:

- There is no obligation or mechanism to construct the road over the bridleway, thereby joining the two sections of road. This therefore means that the link road will not itself actually be connected and must be joined by someone else at some moment in time. This is unacceptable and there must be certainty in who in joining the link and when; this must be established prior to determination of this application.
- Until this matter is resolved, the clause in the S106 stating that the land needs to be Bus Ready prior to the 50th housing unit being occupied should not be agreed until the gap in the link road is resolved as it is of course impossible to implement.
- The play area and public open space is directly next to the spine road which is not suitable because residents (likely young families) will be nearby. The play area as proposed fails to meet the NPPF requirements contrary to para 93 of the NPPF.
- The spine road will be one of the main sources of pollution and with the limited play spaces being next to the road, it will not improve the health

of residents. With the play areas next to the road and proposed bus stops it is not safe or healthy with fumes being inhaled.

- As the non-material amendment, UTT/21/1920/NMA was approved there are now fewer pedestrian and cycle links. There are non-vehicle connection points listed but it is not clear if a crossing will be provided anywhere along the potential school site or along the spine road for pedestrians to safely cross.
- As noted in UDCs Housing Department response, the three- and four-bedroom affordable house types do not meet the nationally described space standards (NDSS).
- The application notes that 40% of the parking will be made suitable for electric cars but there is no reason as to why 100% cannot be made suitable to ensure that there is capacity for future needs.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer – No Objection

10.1.1 The affordable housing mix which is proposed meets the need identified within the SHMA 2017 and will provide 28 affordable rented and 12 shared ownership properties.

10.1.2 It is also the Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair accessible (building regulations, Part M, Category 3 homes) as well as a preference for 5% of all units to be bungalows and I note that the application meets these requirements.

10.1.3 This revised application has addressed the points which I previously raised as the affordable housing provision now meets the NDSS and the private amenity space either meets or exceeds the recommendations within the Essex Design Guide. There is now private amenity space for each of the affordable rented maisonettes.

10.2 UDC Environmental Health – No Objection

10.2.1 The EHO confirmed that the submitted EVCP plan has covered the condition for EV Charge Points applied in Condition 24 attached to UTT/17/2832/OP. Furthermore, although the lighting strategies and specifications report are not included with this submission as per condition 7 of UTT/17/2832/OP the lighting levels shown in Figure 2 of the Biodiversity Mitigation and Enhancements Strategy are satisfactory.

10.3 UDC Urban Designer – No Objection

10.3.1 When considered against the available Policy GEN2, taking into account positive and negative aspects of the scheme, and on balance, an overall objection is not raised.

10.4 Place Services (Ecology) – No Objection

10.4.1 We have reviewed the Biodiversity Mitigation and Enhancements Strategy (Greengage Environment Ltd., March 2022) relating to the likely impacts of development on protected species and Priority species & habitats and identification of appropriate mitigation measures. The mitigation measures identified in the Biodiversity Mitigation and Enhancements Strategy (Greengage Environment Ltd., March 2022) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly bats, Badger, reptiles, nesting birds and Priority species.

10.5 Crime Prevention Officer – No Objection

10.5.1 UDC Local Plan Policy GEN2 - Design (d) states" It helps reduce the potential for crime" Whilst there are no apparent concerns with the layout to comment further we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures. We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy by achieving a Secured by Design Homes award. An SBD award is only achieved by compliance with the requirements of the relevant Design Guide ensuring that risk commensurate security is built into each property and the development as a whole.

10.6 Anglian Water – No Objection

10.6.1 We have reviewed the applicant's submitted foul drainage strategy and flood risk documentation and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We have reviewed the applicant's submitted surface water drainage information (Flood Risk Assessment) and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge.

10.7 London Stanstead Airport – No Objection

10.7.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no aerodrome safeguarding objections to the proposals.

10.8 NATS Safeguarding – No Objection

10.8.1 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

10.9 UK Power Networks – No Objection

10.9.1 Provided information for the applicant in respect to a copy of their records which show the electrical lines and/or electrical plant and important information regarding the use of their plans and working around our equipment. It was advised that during excavation of the works, if these affect their Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), it was stipulated to contact UK Power to obtain a copy of the primary route drawings and associated cross sections.

10.10 Cadent Gas – No Objection

10.10.1 After receiving the details of your planning application, we have completed our assessment. We have no objection to your proposal from a planning perspective.

10.11 Defence Infrastructure Organisation – No Objection

10.11.1 Advised that their records indicate there may be a redundant pipeline in the area shown on the supporting plan. The plan supplied are intended for general guidance only and should not be relied upon for excavation or construction purposes. If the developer is working in close proximity to the pipeline we would recommend that they seek the advice of a specialist pipeline contractor by contacting the Pipeline Industries Guild.

10.12 Exolum Pipeline System - Not Affected Response

10.12.1 Exolum Pipeline System, does not have apparatus situated within the vicinity of your proposed works, and as such do not have any further comments to make.

11. REPRESENTATIONS

11.1 The application was publicised by sending letters to adjoining and adjacent occupiers, displaying a site notice and advertising it within the local newspaper. Representations have been received by the Council objecting and supporting the proposals for the following reasons:

11.2 Object

11.2.1 Highway & Traffic

- This new development will create congestion with access through a single road that already serves a large number of houses. Construction traffic and the din/dust of construction will make life difficult for the residents.
- With another planning permission already in place for a 300+ houses development off Radwinter road, Radwinter road will become very congested.

- Thaxted Road and Radwinter Road are extremely busy and this will also serve as a cut through for traffic to avoid the lights on Thaxted Road causing traffic and noise pollution.
- This planning application for a further 100 dwellings should not be granted until there is a ring road linking the Ashdon, Radwinter, Thaxted and Debden Road to the Newport Rd.

Biodiversity

- The proposals would reduce green land and impact upon the habitation of protected and priority species.

Amenity

- The proposals would due to their orientation and setbacks from existing adjoining residential properties would lead to visual blight, loss of privacy.

Infrastructure:

- Saffron Walden is at breaking point. The roads can't cope with the volume traffic. Schools and doctors are full and not taking on new patients. NHS dentists are full and it's impossible to obtain an emergency appointment.

Safety

- Potential safety risk for children walking to school without any provisions for traffic calming, including pedestrian crossings.

11.3 Comment

11.3.1 The above concerns have been addressed in detail in the main assessment of this report. However, the principle of the development has been already approved under planning reference UTT/17/2832/OP and a lot of the above concerns raised have been considered at the time of that application's assessment.

12. MATERIAL CONSIDERATIONS

12.1.1 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.

12.1.2 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:
- (a) 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.

12.2 The Development Plan

- 12.2.1** 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)
Stebbing Neighbourhood Plan (made July 2022)
Saffron Walden Neighbourhood Plan (made October 2022)

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

- 13.2.1** Relevant development plan policies and material considerations:

Uttlesford Local Plan (2005):

S7 – Countryside
GEN1 – Access
GEN2 – Design
GEN3 – Flood Protection
GEN4 – Good Neighbourliness
GEN5 – Light Pollution
GEN6 – Infrastructure Provision
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
ENV3 – Open Spaces and Trees
ENV7 – Protection of the Natural Environment
ENV8 – Other Landscape Elements of Importance
ENV10 – Noise Sensitive Developments
ENV11 – Noise Generators
ENV12 – Groundwater Protection
ENV13 – Exposure to Poor Air Quality
ENV14 – Contaminated Land
ENV15 – Renewable Energy
H9 – Affordable Housing
H10 – Housing Mix
T1 – Transport Improvements

13.3 Saffron Walden Neighbourhood Plan

- 13.3.1** The Saffron Walden Neighbourhood Plan was submitted to the Full Council on 11th October 2022 whereby it was agreed to be 'Made'. As such the following relevant policies of the SWNP can be given full weight in the assessment of the scheme.

SW5 – Affordable Housing
SW7 – Design
SW8 – Parking on new developments
SW19 – Ecological Requirements for all New Domestic and Commercial Development
SW20 – Promoting Walking and Cycling
SW21 – Travel Planning
SW23 – Vehicular Transport
SW27 – Opens Space for Informal Recreation
SW29 – Land Value to the Natural Environment

13.4 Supplementary Planning Document or Guidance

- 13.4.1** 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) Whether the layout, design and appearance of the proposal is acceptable**
 - B) Dwelling mix and Affordable Housing provisions**
 - C) Access to the site and highway issues**
 - D) Landscaping and open space**
 - E) Biodiversity and Protection of Natural Environment**
 - F) Drainage**
 - G) Whether the proposal would cause harm to the amenities of adjoining property occupiers**
 - H) Planning Obligations**
 - I) Other Issues**

- 14.3** **A) Whether the layout, design and appearance of the proposal is acceptable**

- 14.3.1** The guidance set out in Section 12 of 'The Framework' stipulates that the proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and is visually attractive as a result of good architecture.

14.3.2 Local Plan Policy GEN2 seeks to promote good design requiring that development should meet with the criteria set out in that policy. Regard should be had to the scale form, layout and appearance of the development and to safeguarding important environmental features in it's setting to reduce the visual impact of the new buildings where appropriate. Furthermore, development should not have a materially adverse effect on the reasonable occupation and enjoyment of residential properties as a result of loss of privacy, loss of daylight, overbearing or overshadowing.

14.3.3 The design and access statement provides details of the rationale behind the proposed development. This follows an assessment of the constraints and opportunities of the site, the design and appearance of the residential units, landscape objectives, noise assessment mitigation measures and surface water drainage strategies.

14.3.4 Layout:

14.3.5 The drawing submitted and approved with the outline planning permission for the site (UTT/17/2832/OP) did not include a proposal for a link road which connects from the northern to the southern boundary. The approved indicative plans, including the Access and Movement Parameter Plan (Drawing 005), indicate an access from the north extending to the south of the site where the development will be served by a primary loop road that will have a network of shared surfaces and private drives connecting inner and outer properties. An extract of the approved indicative site plan is show below in Figure 1.



Figure 1: Extract of southern portion of approved indicative site plan UTT/17/2832/OP

14.3.6 The committee report associated with the outline permission describes the history behind the introduction of the link road requirement. This was based following a cumulative assessment of wider development impacts which identified a potential impact upon the Air Quality Management Area

in Saffron Walden. Extensive air quality and traffic modelling was undertaken to demonstrate that air quality concerns could be addressed through the introduction of a link road between B1053 Radwinter Road and B184 Thaxted Road without unacceptable transport impacts, and such a Spine Road was proposed to connect the B1053 Radwinter Road to the north and B184 Thaxted Road to the south. The Spine Road would connect and provide vehicle access through the site including the provision of a new bus link. Hence this is the main change in respect to the layout from that of which the indicative plan showed and that of the now proposed site plan forming this reserve matters application.

- 14.3.7** The frontage of the buildings largely follows other development in the vicinity with the new buildings along the internal highways being sited at the back edge of the public footways allowing for car parking to be sited where possible between houses or within garages reducing the visual impact of on-site parked cars and also allows as much private rear gardens as possible to the rear of the dwellings. It is noted that there is some parking towards the front of properties which is not ideal, however, these hardstanding areas are broken up with soft landscaping and thereby on balance the visual impact within the street scene is minimal. In addition, the siting of the dwellings within the development have been arranged to follow the curve of the highways within the site which allows more harmonious street scene appearance.
- 14.3.8** The masterplan will ensure the residential layout is designed to integrate with Saffron View (the consented Linden Homes scheme) housing to the north and Poppy View (the Bellway Homes) development to the south.
- 14.3.9** In relation to the southern portion of the site, the edge spaces around the permitter have no clear public or private function. The layout is inward looking, the leftover space around the edge could be regarded to represent an inefficient use of land. Rear garden timber fences will be visible from recreational route severing any feeling of connection with this route and there is potential for fly tipping and crime in the large unoverlooked areas to the rear of houses which is not ideal. However, a 1.5m Chestnut Post and Rail Fencing with Gate will help to reduce footfall into these areas.
- 14.3.10** As a minimum every effort should be made to avoid overlooking of rear-facing living room windows. Where the rear facades of dwellings back onto one another the Essex Design Guidance stipulates that a distance of 25 metres between the backs of houses or the use of other possible design mitigation measures may be appropriate to minimise and reduce the risk of potential impact upon neighbouring amenities. Where the backs of houses are at more than 30 degrees to one another this separation may be reduced to 15 metres from the nearest corner. In addition, where new development backs on to the rear of existing housing, the rear of new houses may not encroach any closer than 15 metres to an existing rear boundary. This standard is achieved throughout the site.

14.3.11 Scale:

14.3.12 The Applicant has applied careful consideration in the design rationale behind the scale of the development taking into account the constraints of the site, the surrounding buildings and the natural environment. In terms of height, the applicant has taken the opportunity to provide two-storey dwelling houses along with 5 single storey bungalows.

14.3.13 The scale of the dwellings is appropriate in relation to the character and appearance of the surrounding area. The dwellings have been sensitively integrated within the tradition-built context using proportions, roof forms and details similar to surrounding buildings ensuring a subservient and well-proportioned buildings.

14.3.14 Appearance:

14.3.15 The proposals are generally predetermined house types that have been most likely be used for other developments by the applicant with no modification or design approach to adapt them to reflect positive local character of Essex and Uttlesford.

14.3.16 The house style generally represents neither traditional nor contemporary design and are generic. The site analysis undertaken by the applicant within the supporting Design and Access Statement to support these designs is minimal and refers to a number of places that represent average or generic suburban design, rather than high quality vernacular/contemporary precedent as would normally be required.

14.3.17 In particular, some of these house types have elements that are inconsistent with the Essex Design Guide namely the hipped projection to the front of the Shaftesbury, the short-ridged hip roof of the tweed, the incongruous forms of the Chester, the incongruous roof pitches of the Hadleigh, the poorly resolved roof of the maisonettes.

14.3.18 However, although the dwellings are not strictly in accordance with the Essex Design Guide in terms of preferred elements and features, the buildings will still provide a reasonable sense of place and are of an appropriate quality to provide a street scene that is visually pleasing and provides a strong sense of character.

14.3.19 Overall, a simple palette of materials that includes variation in facing bricks, roof tiles and render is proposed. In addition, selected variations in house design respond to the constraints of the site, ensuring that a neighbourly relationship is created and that a strong frontage is created along the internal highways.

14.3.20 The proposals seek to respond to the location of the site on the edge of the town and provide a good quality development.

14.3.21 Quality of Accommodation:

- 14.3.22** All of the proposed dwellings have been designed to provide a layout that has been designed to ensure attractive residential environments for new residents.
- 14.3.23** In light of this, the new homes comply with the Nationally Described Space Standard (NDSS). Each of the new homes will meet internal space standards and have acceptable levels of daylight and privacy as shown by the floor and elevation plans. They would ensure that the new home will function, be adaptable and cater to changing lifestyles that meet the needs of families, children and older people.
- 14.3.24** For a two bedroom dwelling unit, the provision of 50sqm of amenity area and 100sqm for a three or more bedroom dwelling unit has been found to be acceptable and a workable minimum size that accommodates most household activities in accordance with the Essex Design Guide. For a 1-bedroom flat communal gardens must be provided on a basis of a minimum area of 25sqm per flat. In addition to the minimum size guidance, the amenity space should also be totally private, not be overlooked, provide an outdoor sitting area and should be located to the rear rather than the side.
- 14.3.25** All residential units within the scheme have been provided with at least the minimum private garden sizes as stipulated above to meet the recreational needs of future occupiers.
- 14.3.26** All new development, as part of a future growth agenda for Essex, should provide climate friendly proposals in terms climate change mitigation and adaptation measures. Robust and effective designs provide an excellent mechanism to ensure that such measures are delivered within new schemes.
- 14.3.27** The applicant suggests that energy use and efficiency are maximised through a 'fabric first' approach to design and construction and a well-researched selection of materials with the intention is to minimise carbon emissions over the extent of the buildings' life.
- 14.3.28** However, there is no commitment or no meaningful references to any passive design measures, renewable energy, building fabric specifications, or any other measures that would meaningfully reduce carbon emissions, none of which is in accordance with the Interim Climate Change Policy. A suitable worded planning condition should be imposed if permission is granted for the applicant to provide details prior to the construction of the dwellings how the proposals will meet the required standards set out in the Interim Climate Change Policy.

14.4. B) Dwelling mix and Affordable Housing provisions

- 14.4.1** In accordance with Policy H9 of the Local Plan, the Council has adopted a housing strategy which sets out Council's approach to housing

provisions. The Council commissioned a Strategic Housing Market Assessment (SHMA) which identified the need for affordable housing market type and tenure across the district. Paragraph 62 of the Framework requires that developments deliver a wide choice of high-quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive, and mixed communities.

- 14.4.2** The S106 agreement attached to the Outline planning permission specifies the number and type of affordable housing to be provided. It also states that the affordable housing shall be positioned in separate groups which will not be contiguous and will not comprise more than 10 affordable housing units and 5% of these units shall be wheelchair assessable. In addition, it also stipulates that 40% of the development should be Affordable in which the Tenure mix should be 70% Affordable Rented and 30% Shared Ownership Units.
- 14.4.3** The affordable house type tenure mix complies with the S106A in that 40 of the residential units are to be affordable units which amounts 40% of the total units. 28 of these units are to be rented affordable units and 12 are to be shared ownership affordable units which amounts to a 70%-30% split. Furthermore, 2 of the 40 affordable units proposed are wheelchair accessible which amounts to 5% of the total units and thereby complies. The proposed affordable housing provision meets the requirements of the S106 and is therefore acceptable in this instance.
- 14.4.4** As shown on drawing ref: 2154.20 A, the clusters of affordable units are spread across the site in separate groups. Although there are two clusters of affordable units containing 11 and 12 units, this is considered to be acceptable in this case as the scheme provides other smaller clusters approximately 6 to 8 affordable units and the clusters of affordable units are well spread out.
- 14.4.5** ULP Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2 and 3 bedroom dwellings. However, since the policy was adopted, the Strategic Housing Market Assessment (SHMA) has identified that the market housing need is generally for dwellings with three or more bedrooms. The Council's stance is that this should equate to approximately 50% of the dwellings.
- 14.4.6** This is a material consideration because the SHMA constitutes supporting evidence for the Local Plan, which itself requires the housing mix requirements in the SHMA to be met in order to achieve compliance with Policy. 76 of the 100 dwellings proposed comprise of 3 bedrooms or more which equates to 76%. Although the percentage of dwellings consisting of three bedrooms or more is considerably high and it would be a better mix to provide more 1 and 2 bedroom dwelling units, on balance it is considered that the mix of one, two, three and four bedroom dwellings across the development as a whole is appropriate.

14.4.7 The provision of 5 bungalows has been incorporated into the scheme, 3 private and 2 affordable. This accords to Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair accessible (building regulations, Part M, Category 3 homes) as well as a preference for 5% of all units to be bungalows. The bungalows are located on Plots 8, 9, 18, 22 and 85.

14.5 C) Access to the site and highway issues

14.5.1 Spine Road:

14.5.2 It's useful to set out the relevant parts of the s106 agreement dated 13 July 2020 attached to the outline planning permission. It defines 'the Spine Road' as:

14.5.3 *"The 6.75m wide section of carriageway between the Spine Road Connection Points to be constructed to a suitable standard for adoption by ECC as a highway maintainable at the public expense with a minimum 2m footway on one side and minimum 3m footway/cycleway on the other along its full length of this section and a minimum two bus stops, each to current Essex County Council Specification to be constructed on the Land between the southernmost boundary of the Land and the northern boundary of the Land in accordance with the Permission (and any approvals of matters reserved or for approval under condition under it) such position as to allow a new road to be built linking the Land to Radwinter Road by way of a road already provided by the adjoining landowner to the north as part of the developer granted planning permission under reference UTT/13/3467/OP and linking the Land to Thaxted Road by way of a road to be provided by the adjoining landowner to the south as part the development granted planning permission under reference UTT/18/0824/OP in the future (if required) and FOR THE AVOIDANCE OF DOUBT does not include any road or part of a road to be constructed outside the Land."*

14.5.4 The layout includes a proposed 6.75m wide carriageway between the southernmost boundary of the site and the northern boundary of the site as required by the S106A.

14.5.5 The Spine Road is provided with a 3.5m footway/cycleway on its western boundary, consistent with the width provided through the adjacent development site, and is provided with a 2m footway on its eastern boundary along the southern section of the spine road and a 3m footway on its eastern boundary along the northern section of the spine road in the vicinity of the land secured in the site and the Saffron View site for a primary school which accords with the S106A.

14.5.6 Furthermore, the provision of new bus stops as show in drawing number 2012-515-SK021 Rev E will be provided. The bus stops shall comprise the following facilities: shelters; seating; raised kerbs; bus stop markings;

poles and flag type signs, timetable casings, all in accordance with the S106A.

14.5.7 Link over Bridleway:

14.5.8 A Deed of Variation (DoV) application has been submitted by the Applicant (Redrow) seeking permission to make revisions/amendments to the Section 106 Legal Agreement that was attached to the Outline permission reference UTT/17/2832/OP. This application has been presented to Members of the Planning Committee prior to the determination of this Reserve Matters application. If Members agree to approve the DoV application, this will secure and provide a link over the bridleway connecting the new 'Spine Road' from the application site to that of the adjoining development to the south of the site. This will enable the connection of the new 'Spine Road' to be delivered between the B1053 Radwinter Road and the B184 Thaxted Road and provide access, including bus links from both the north and south.

14.5.9 Parking:

14.5.10 Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning Guidance 'Vehicle Parking Standards.

14.5.11 The Adopted Council Parking Standards recommends that a minimum of one vehicle space be provided for a one-bedroom unit, two spaces for a two or three bedroom dwelling, and three spaces for a four-bedroom dwelling house along with additional visitor parking spaces. In addition, each dwelling should also be provided with at least 1 secure cycle covered space.

14.5.12 All parking spaces are a minimum of 2.9m x 5.5m with detached garages having internal dimensions of 3m x 7m. 1 bedroom homes have 1 parking space, 2 and 3 bedroom homes have 2 spaces and 4 bedroom homes have 3 spaces in accordance with Local Plan Policy GEN8, Uttlesford Residential Parking Standards (2013) and Essex Parking Standards (2009).

14.5.13 A total of 285 off street parking spaces are provided throughout the site which is excessive of the requirements stipulated within the Adopted Council Parking Standards. These would be accommodated within a range of options including integral and detached garages, and off-street parking. There is also the allowance for 25 additional visitor parking spaces which is regarded as being sufficient given the extra off street parking spaces provided for the dwelling units themselves. In addition, secure cycling would be provided for each residential unit within the site.

14.5.14 All dwellings with garages/car ports shall be provided with vehicle electric charging points. 20% of parking bays shall be provided with EV charging

points, with additional 40% having capacity for future conversion. All points shall be fully wired and connected, ready to use before first occupation of the site and retained thereafter.

14.5.15 All appropriate size vehicles including emergency and refuse vehicles would be able to access the site. Rear access, bin storage and refuse collection points provide the means for efficient servicing. These will ensure appropriate, safe and convenient collection of refuse as confirmed by vehicle tracking analysis and in compliance with local policy. All refuse storage points would be located within 25m carry distance.

14.6 D) Landscaping and open space

14.6.1 All larger development should be designed around a landscape structure. The landscape structure should encompass the public open space system but should also provide visual contrast to the built environment and constitute a legible network based, where appropriate, on existing trees and hedgerows.

14.6.2 Where based on retention of hedgerows, these should be within the public realm and not just in back gardens. The existing mature hedgerows along the boundaries of the site have been retained and are used to enhance public open space areas throughout the development in order to achieve a better sense of wellbeing and place making for future occupiers within the development.

14.6.3 The general landscape layout particularly that of the plot landscaping has been designed to enhance the overall character and appearance of the development and creates a pleasant environment to live in. Extensive grassed areas and garden beds along with street trees will provide an open and attractive aspect to the front of dwellings. In addition, the soft landscaping would be easily maintained and allow for future growth. The landscaping is appropriate in that it will help soften the built form of the development and reflect its wider setting.

14.6.4 Open space areas should be suitably located and have appropriate proportions to their use and setting. Narrow or peripheral areas, which are difficult to access or maintain will not be considered appropriate. Open space provisions should form an integral part of the design and layout and meet the need generated by the development.

14.6.5 The indicative masterplan that was submitted under the outline application showed most of the open space areas around the perimeter of the site.

14.6.6 A landscaping plan accompanies this application and shows where public open spaces would be delivered at the site and the nature and extent of landscaping. In addition to small areas of open space around the perimeter of the site which helps to provide an appropriate transition

between the urban edge and the wider countryside, the proposed development comprises three key open space areas. This includes:

- 2,460 square metre of public open space land adjacent to the SuDS area, within the eastern part of the site.
- 757 square metres of a formal play area adjacent to the proposed school extension site. This is a formal space, which will act as a focus of play.
- 1,000 square metres of enclosed formal play area, landscaping and associated play equipment and benches in the southern part of the site.

14.6.7 In total, 4,217 square metres of informal and formal public open space is proposed throughout the site. This is easily accessible on foot or bicycle. Although the informal and formal play spaces are in slightly different locations to that indicated on the Outline indicative masterplan, the proposed open play areas as proposed are considered to be appropriate. Specifically, the size and amount of play areas are acceptable, and they will be within convenient locations to the housing and help encourage healthy living.

14.6.8 It is acknowledged that concerns were raised by the Town Council in respect to the location of the play areas sited next to the proposed spine road as this may result in harm upon safety and not ideal in respect to air pollution.

14.6.9 Two areas of informal play space are included in the proposals. The first being an area to the north outside what would be the gateway to the new school site. This area includes an informal area of play and will include benches and boulders. The second play area is to the south will include trees and amenity grassland planting, timber equipment for play and benches.

14.6.10 Although it is acknowledged that this is not an ideal situation, the play area will include secure fencing, large trees, hedges and underplanting to creating a sense of enclosure and separation from the main road, thereby providing an environment which is and feels safe. The same matter was also considered and dismissed by the Planning Inspector for the adjacent Bellway site's Reserved Matter application (planning reference UTT/19/2355/DFO).

14.6.11 The design of the surface water run-off system should be considered in conjunction with the landscape structure. The SUDS basin shown located to the east of the developed area as part of the drainage strategy for the site would not be permanently full as required by Aerodrome Safeguarding. In addition, the basin can be a valuable ecological and landscape feature and help add to the visual amenity of the area.

14.6.12 The proposed landscaping of open spaces including street frontages is considered to be appropriate.

14.7 E) Biodiversity and Protection of Natural Environment

- 14.7.1** Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.
- 14.7.2** Existing ecology and natural habitats found on the site must be safeguarded and enhanced and new opportunities for increasing the biodiversity should be explored.
- 14.7.3** The application site itself is not the subject of any statutory nature conservation designation being largely fields with some mature trees and hedgerows scattered throughout.
- 14.7.4** It is therefore clear that the proposals would not result in adverse impacts in relation to ecology and that in fact a net biodiversity gain is achievable on the site through the implementation of the mitigation measures suggested in the accompanying ecology report. The proposals therefore comply with all policies relating to the conservation and enhancement of biodiversity. Furthermore, no objections were raised by Place Services Ecologist subject to imposing conditions if permission were to be granted.

14.8 F) Drainage

- 14.8.1** The adopted Development Plan Policy GEN3 requires development outside flood risk to avoid increasing the risk of flooding through surface water run-off.
- 14.8.2** The applicant has submitted an addendum Flood Risk Assessment in support of the proposals. This addendum outlines the changes accommodated within the proposed drainage strategy designs but also ensures that all the original principles of the original FRA that was approved as part of the Outline proposals have been maintained.
- 14.8.3** The applicants have stated that the risk of flooding on the site is low and that it is intended that sustainable drainage measures would be implemented so that the development would not worsen flood risk to the application site or surrounding areas. The applicants also confirm that the updated designs present an improvement in added ecological and amenity value over the previous proposals.
- 14.8.4** The applicant concludes that in terms of cumulative effects there would be negligible cumulative effects for flood risk, surface water drainage and surface water quality for the completed development.
- 14.8.5** A natural drainage system including linear swales and a large SUDS basin has a functional benefit whilst creating a new habitat and helps achieve bio-diversity gain.

14.8.6 The application was consulted to Essex County Council SuD's team who are the Lead Local Flooding Authority who confirmed that having reviewed the supporting Flood Risk Assessment and the associated documents which accompanied the planning application, that they do not object to the granting of the planning permission UTT/21/3565/DFO. It was confirmed that the proposals would be in line with the approved outline drainage strategy and as such should be subject to the same conditions applied to the Outline application (UTT/17/2832/OP).

14.8.7 The development at the site will not increase flood risk elsewhere and neither direct surface water runoff off site. The proposals will therefore not result in adverse impacts in respect either flood risk or drainage and thereby in accordance with Policy GEN3 and GEN6 of the adopted Local Plan and the NPPF.

14.9 G) Whether the proposal would cause harm to the amenities of adjoining property occupiers

14.9.1 Due consideration has been given in relation to the potential harm cause to the amenities enjoyed by adjoining residential property occupiers.

14.9.2 Although a large proportion of the new dwellings within the development would have the pleasure of views overlooking public spaces to the east and south of the site, other new dwellings would back onto the land that has been allocated for the school to the west and abut the adjoining dwellings to the north forming the Linden Homes development to the north and those dwellings to the west fronting onto Rylstone Way.

14.9.3 The site plan shows a degree of separation between the proposed area of housing and the adjoining dwellings that would ensure that the amenities of these properties will be largely protected. The distance would conform to the relevant setbacks within the Essex Design Guide and as such the proposal would not result in a significant degree of overlooking, overshadowing and would neither be visually intrusive or overbearing when viewed from adjoining properties.

14.9.4 It is noted that the dwellings along the western side of the new spine road of the site would be able to overlook the area that is being given to the school for future growth, however, this was deemed acceptable at outline stage and there no guidance in terms of how far dwellings should be setback from non-domestic uses such as schools.

14.9.5 In relation potential impacts at the construction stage, particular in relation to air quality, noise and vibration, it is considered that these could be addressed by appropriate conditions and also by a Construction Management Plan if permission were to be granted consent.

14.9.6 It is concluded that the development would not result in excessive harm to the amenities enjoyed by adjoining residential property occupiers and

that the proposal would comply with Local Plan Policies GEN2, GEN4 and ENV11.

14.10 H) Planning Obligations

14.10.1 Paragraph 56 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations. The following identifies those matter that the Council would seek to secure through a planning obligation, if it were proposing to grant it permission.

14.10.2 The Section 106 Agreement to permission UTT/17/2832/OP specifies a number of obligations/requirements in which proposals need to comply with. The proposals have been checked against of the S106 agreement and it is confirmed that the proposals have been designed to facilitate the necessary obligations/requirements as highlighted in the S106 agreement.

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 proposed layout of the site generally accords with the approved indicative masterplan that was granted permission under the outline application. The layout, size and scale of the proposals is considered appropriate to reflect the character and appearance of the characteristics of the site and its wider context. It would integrate well with the surrounding built form and the natural environment whilst at the same time pricing a sense of well-being for future occupiers. The proposed landscaping and open space including street frontage is considered to be appropriate.
- 16.2** The proposed affordable housing meets the requirements of the S106 agreement and is therefore acceptable and on balance it is considered that the mix of one, two, three and four bedroom home across the development is appropriate.
- 16.3** It is concluded that the proposed development would cause no harm in relation to highway safety. In addition, appropriate parking provision has been incorporated into the scheme that will meet the needs of future occupiers including visitor parking.
- 16.4** The living conditions of future occupiers of the new dwellings would be appropriate and the proposals would not lead to excessive harm upon the amenities of adjoining property occupier surrounding the site.
- 16.5** The proposals comply with the guidance and standards as set out within the Uttlesford District Council's Adopted Local Plan (2005), relevant supplementary planning documents, the Saffron Walden Neighbourhood Plan, and the National Planning Policy Framework. It is thereby recommended that this reserve matters application relating to details concerning Appearance, Scale, Layout and Landscaping be approved in association with outline permission reference UTT/17/2832/OP subject to the conditions outline below.

17. 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 carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

- 3** The external finishing materials of the buildings hereby approved shall be constructed in accordance with the details as set out in drawing reference 2154.03 Rev K (Materials Plan) unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interest of visual amenity and quality of the street scene and locality in accordance with Policy GEN2 of the Adopted Local Plan and the National Planning Policy Framework.

- 4** Dwellings shall not be occupied until such time as their associated vehicle parking area indicated on the approved plans, has been 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 other purpose other than 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 on the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance DM8 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford District Council Adopted Local Plan 2005 and the National Planning Policy Framework.

- 5** Dwellings shall not be occupied until cycle parking has been provided in accordance drawing ref: 2154-09-H (Parking Plan) as per the Essex Parking Standards (Design and Good Practice) September 2009. The approved facilities shall be secure, convenient, covered and provided prior to the occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interests of highway safety and that appropriate parking is provided in accordance DM8 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN8 of the Uttlesford District Council Adopted Local Plan 2005 and the National Planning Policy Framework.

- 6** Prior to the occupation of the 80th dwelling, the bus stops as shown in principle in drawing number 2012-515-SK021 REV F shall be provided.

The bus stops shall comprise (but not limited to) the following facilities: shelters, seating, raised kerbs, but stop markings, poles and flag type signs, timetable casings.

REASON: In the interest of reducing the need to travel by car and promoting sustainable development and transport in accordance with DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford District Council Adopted Local Plan 2005 and the National Planning Policy Framework.

- 7 Prior to first occupation, a timetable for the provision of the pedestrian crossing as shown in principle in drawing number 2012-515-SK021 REV F shall be agreed with the Local Planning Authority. The crossing shall thereafter be implemented in accordance with the approved timetable.

REASON: In the interest of reducing the need to travel by car and promoting sustainable development and transport in accordance with DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford District Council Adopted Local Plan 2005 and the National Planning Policy Framework.

- 8 A foot/cycleway of a minimum width of 3.5m to the eastern boundary of the site as shown in principle in drawing number 2454.01 REV L shall be provided. The developer shall not cause there to be any legal or physical barriers to impede the passage of pedestrians or cyclists along the footway/cycleway either at the boundaries of the land or any point on the land within the ownership of the developer.

REASON: To provide safe and convenient walking and cycling access in accordance with Policy DM1 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford District Council Adopted Local Plan 2005 and the National Planning Policy Framework.

- 9 The carriageway, footway and foot/cycleway between Plots 33 and 36 as shown in principle in drawing number 2425.01 REV L shall be provided right up to the southern boundary of the site. The developer shall not cause there to be any legal or physical barriers to impede the passage of pedestrians or cyclists along the footway/cycleway either at the boundaries of the land or any point on the land within the ownership of the developer.

REASON: To provide safe and convenient walking and cycling access in accordance with Policy DM1 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the

Uttlesford District Council Adopted Local Plan 2005 and the National Planning Policy Framework.