

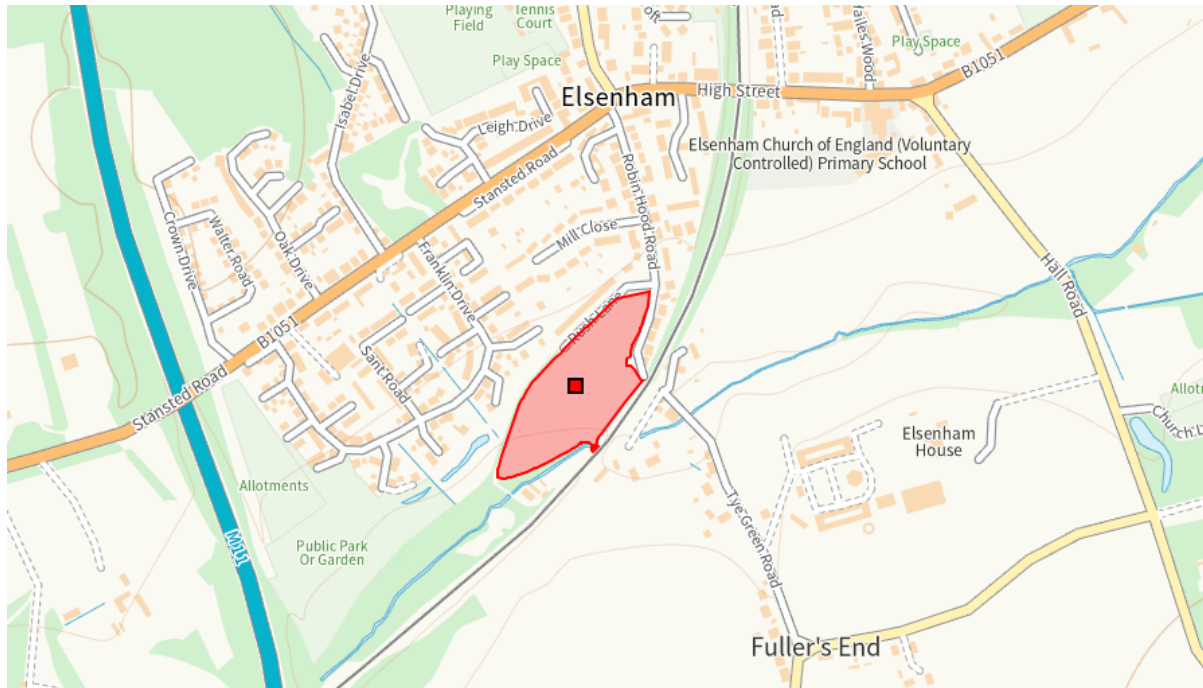
ITEM NUMBER: 6

**PLANNING COMMITTEE
DATE:** 27 August 2025

REFERENCE NUMBER: UTT/24/3150/DFO

LOCATION: Land South Of (West Of Robin Hood Road), Rush
Lane, Elsenham

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: April 2025

PROPOSAL: Details following outline application S62A/2023/0026 (UTT/23/2622/PINS) for erection of 40 dwellings- details of appearance, landscaping, layout, scale, and access for internal road and footpath details

APPLICANT: Matthew Homes Ltd

AGENT: Thrive Architects

EXPIRY DATE: 18 March 2025

EOT EXPIRY DATE: 8th August 2025

CASE OFFICER: Rachel Beale

NOTATION: Outside Development Limits.
Within Countryside Protection Zone.

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

1.1 This application seeks approval of details following the granting of outline planning under reference S62A/2023/0026 (UTT/23/2622/PINS) whereby permission was granted for:

Outline application for the erection of up to 40 dwellings with all matters reserved except for access.

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 reserved matters application being Appearance, Layout, Scale and Landscaping.

1.3 The design and appearance of the proposed scheme will secure an acceptable scheme that would take some reference from the existing settlement and provide a comfortable environment for future occupiers. The proposals include appropriate parking and amenity provision as well as connectivity with the surrounding development.

- 1.4 The proposals comply with the guidance and standards as set out within the Uttlesford District Local Plan 2005 (as Adopted), relevant Supplementary Planning Documents and the National Planning Policy Framework. It has thereby been recommended that this Reserved Matters Application relating to details concerning Appearance, Scale, Layout and Landscaping be approved in association with outline permission S62A/2023/0026.

2. **RECOMMENDATION**

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

Conditions

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The site lies to the south of Rush Lane and comprises a sloping parcel of land consisting of 2.25 ha set mainly to grass and scrub and enclosed by boundary vegetation which falls down to Stansted Brook and the London to Cambridge railway line. A public footpath runs through the site in a north-east to south-west direction linking Robin Hood Road with undeveloped land further to the south-west to the rear of the new Elsenham Vale housing development.
- 3.2 A row of modern terraced houses faces the site along Rush Lane to the immediate north. A row of further houses comprising a mixture of modern and older dwellings, including four listed buildings extends along Robin Hood Road on the site's east side leading down to the railway line which has a pedestrian level crossing to enable pedestrians to access Fullers End (Tye Green Road) and vice versa. A small development of recently constructed houses front Tye Green Road to the immediate south of the level crossing extending behind on the site of a former timber yard and small industrial estate.

4. **PROPOSED DEVELOPMENT**

- 4.1 This application relates to the reserved matters following approval of the outline planning permission for up to 40 no. dwellings under application ref: S62A/2023/0026.
- 4.2 Access to the development was approved as part of the outline permission which established one main access point from Robin Hood Road.
- 4.3 The reserved matters for consideration relate to Appearance, Layout, Scale and Landscaping.

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** UTT/19/0437/OP - Outline application for the erection of up to 40 dwellings with all matters reserved except for access - REFUSED. ALLOWED AT APPEAL.
- 6.2** UTT/23/2028/DFO - Details following outline application UTT/19/0437/OP (allowed on appeal reference APP/C1570/W/19/3242550) for erection of 40 dwellings - details of appearance, landscaping, layout and scale – WITHDRAWN.
- 6.3** UTT/23/2622/PINS - Consultation on S62A/2023/0026 - Outline application for the erection of up to 40 dwellings with all matters reserved except for access – APPROVED (**This Is The Outline Application Related To This Current Reserved Matters Application**).

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

- 7.1** Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.
- 7.2** The applicant contacted the Officer shortly before the application was submitted at which point the applicant was advised to enter into pre-app discussions with the Council prior to submission to ensure the best quality scheme came forward. The applicant stated that wasn't something they wanted to do and would rather address comments as they come in from consultees once the application is in.
- 7.3** The plans submitted were not acceptable on submission and so a meeting was held between Officers and the design team to overcome the issues. While this meeting did result in an improved scheme, Officers feel that the application would have benefited from pre-app discussions ahead of submission to achieve a better designed scheme as a whole, rather than a piece-meal revision approach each time a holding objection came in. The result is an acceptable scheme of sufficient quality with a number of conditions recommended to address the areas that are lacking within the submission.

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 condition.

8.2 Local Flood Authority

8.2.1 The drainage will be reviewed under a future consultation for condition 5 which relates to the SUDS design and associated requirements.

8.2.2 In terms of the appearance, landscaping, layout, scale, and access for internal road and footpath I have checked the information provided and have no further comments to make from an LLFA perspective. (confirmed via email dated 11/8/25)

9. PARISH COUNCIL COMMENTS

9.1 Elsenham Parish Council

9.2 Summary

9.2.1 Issues regarding natural springs on the site and heritage assets in Robin Hood Road remain unresolved from the outline application. Cycling provision is non-existent. The clustering of affordable homes does not accord with UDC guidelines. The visitor parking spaces are not dispersed through the site. A schedule of the housing is needed. The 'Natural Play' areas are pitifully inadequate. A clear specification is needed of the trees and hedges to be removed. Several of the claimed social, economic and lifestyle benefits cannot be sustained. Details as provided are incomplete in several respects. There is an unaccountable lack of contributions for health, education and a new community hall in the village. The applicants have determined on a role for the Parish Council without consultation. There are various miscellaneous errors in the Design & Access Statement, which needs updating in view of the May 2025 revisions to the application.

9.2.2 The Parish Council concludes that the application cannot be regarded as suitable for approval in its present form.

9.3 1. Natural springs

9.3.1 The outline application for the same site with access from Rush Lane noted that: The north-eastern corner of the paddock has several springs, creating flushed and boggy areas near Robin Hood Road (UTT/19/0437/OP, Tree Survey, 3.2).

9.3.2 No further mention of the springs was found in the detailed application which followed that outline application (UTT/23/2028/DFO), and no mention was noted in the outline application (UTT/23/2622/PINS, S62A/2023/0026) which preceded the detailed application now under discussion, including the Flood Risk Assessment and Drainage Strategy.

It is known locally that natural springs are to be found on the site, on the eastern side generally.

9.3.3 Parts of the site itself, within the memory of some inhabitants, were given over to water meadows. The area of Robin Hood Road nearest to the pedestrian railway level crossing is often wet - not, as sometimes assumed, through a burst water main, but from the natural springs. The issue is rendered the more pressing by the representations received from a resident at Fullers Court, Robin Hood Road, who reports that water from the springs comes up into her lounge on occasion (UTT/24/3150/DFO, Fullers Court - Comments, 20 Dec 2024).

9.3.4 The revised application, 1 May 2025, now under consideration includes the legend 'Area of springs to be investigated. Land Drain to be installed' (Engineering Layout, 3 of 3). The late recognition that natural springs are an issue is welcomed, but there is no clarity as to what action is proposed, and other areas of the site are known to be susceptible. There might, or might not, be some connection to the broken blue lines newly appearing on the Revised Site Layout, with the legend 'Existing Drainage Easement', with no further explanation.

9.3.5 Clearly a comprehensive professional study is needed as to the location of the springs, the effect of covering the area with houses and hard-standing, and whether any measures could be taken to alleviate the effects. The possibility that piled foundations would be needed has not been considered:

9.3.6 The construction of houses and associated roads, drainage and other utilities within the study site would involve the mechanical excavation of foundations and trenches, which would result in widespread impacts where these are planned. The depth of these impacts are likely to be between 500mm and 1m deep, and would be likely to severely truncate or entirely remove any archaeological remains which may be present within areas that are developed (UTT/23/2622/PINS, Heritage Statement, 5.2.5).

9.3.7 It has been assumed that the buildings will have strip foundations (UTT/23/2622/PINS, Noise and Vibration Assessment, 5.21). The assumption is obviously questionable.

9.4 2. Heritage Asset: Wells Cottages and Fullers Court

9.4.1 The heritage assets affected by the proposal include the Grade II listed Wells Cottages in Robin Hood Road, close to the junction with Rush Lane (UTT/23/2622/PINS, UDC Conservation - Comments, 3.0) and the Grade II listed Fullers Court (formerly the Robin Hood pub), on Robin Hood Road near the junction with Mill Close, situated very close to the road. It is known that the cottages have no foundations. There is much concern at the prospect of a large number of large construction vehicles threading their way at regular intervals and over an extended period

through parked cars on Robin Hood Road, creating inevitable vibration as they change gear, particularly on leaving the site and making their way slowly uphill.

9.4.2 The outline application referred to the NPPF as follows:
Paragraph 199 requires that decision makers give great weight to the conservation of designated heritage assets when considering applications that could affect an assets' significance. It also makes clear that great weight must be given irrespective of the degree of harm which would result (UTT/23/2622/PINS, Heritage Statement, 2.3.6).
However, there was nothing beyond this statement to suggest that any weight was given to the possible harm from vibration caused by construction vehicles to Wells Cottages and Fullers Court, and nothing has been found in the detailed application under discussion.

9.4.3 The situation concerning the possible effects of vibration on buildings was described in the outline application as follows:
. . . Vibration from road traffic can also be airborne. Such airborne vibration is transmitted as a low-frequency sound wave and is often perceived when the sound wave causes windows or other objects to rattle.. . In general, vibration is only perceptible in residential situations when the building is close to a railway, construction site or very close to a road that carries large and heavy vehicles (UTT/23/2622/PINS, Noise and Vibration Assessment, Appendix A).

9.4.4 The description fits the situation of Wells Cottages and Fullers Court with regard to possible construction traffic in Robin Hood Road very well. However, it is clear that the main report, prior to the appendices, was concerned with the effect of vibration on the human body, and vibration was measured only at 'Position 2', adjacent to the railway (UTT/23/2622/PINS, Noise and Vibration Assessment 3.93, 3.97, 4.13). The conclusion was: Vibration is therefore not considered to be a material constraint at the site and it is not considered further in this report (UTT/23/2622/PINS, Noise and Vibration Assessment, 5.31).

9.4.5 There is a duty to preserve the listed buildings in Robin Hood Road. There have been no other recent developments with potential impact on Wells Cottages and Fullers Court. The Parish Council considers that, should the application be considered for approval, the applicants should arrange a comprehensive, professional survey of these heritage assets before and after construction, with a commitment to make good any damage which has occurred.

9.5 3. Pedestrian and cycling access

9.5.1 It is stated that:
Walking and cycling encouraged with a well connected layout offering a choice of direct routes to all destinations (Design & Access Statement, 10.2)

9.5.2 The claim of a choice of direct routes cannot be sustained. There is nothing to show that any provision has been made for cyclists. The PRoW parallel to the railway in the south of the site is to be continued, but there is nothing to say whether it will be suitable for cyclists as well as pedestrians.

9.6 4. Affordable Homes

9.6.1 The affordable housing is clustered, predictably, along the southern boundary, which will be much the noisiest part of the site on account of the railway. It is stated that:

For dwellings with garages, each new dwelling to be fitted with a standard charge point(Design & Access Statement, 10.3)

9.6.2 Close examination of the plans shows that affordable homes are without garages, and market housing includes garages.

9.6.3 Under UDC's standards, affordable homes should be dispersed throughout the site. Under these proposals, however, they can be clearly distinguished:

- They are clustered together closest to the railway;
- They do not have garages;
- They do not have charge points.

The proposals are unacceptable.

9.7 5. Parking

9.7.1 Uttlesford parking standards call for three spaces for houses with four or five bedrooms. In the absence of a Schedule (see 6. below) it is not possible to determine whether the standards have been observed.

9.7.2 It is stated on the Key that the number of visitor parking spaces is seven (Revised Parking Plan Layout). However, inspection of the plan suggests that there are in fact nine, still short of the ten which is the requisite number for a development of forty homes. The distribution is in any event hopelessly uneven, strung out along the southern perimeter, with paltry provision in the north and west. The applicants must think again.

9.8 6. Schedule

9.8.1 It is not easy to determine, for example, exactly how many homes are proposed with each number of bedrooms. A simple table is needed, to indicate for each dwelling: Plot no; no of bedrooms; house/bungalow/maisonette; tenure; no of garage spaces; total number of parking spaces; garden size.

9.9 7. 'Natural Play'

- 9.9.1** Amongst the criticisms of the previous version was the quality of the equipment proposed in the Local Area of Play ('LAP'). The developers have answered by removing it, in favour of three small areas termed 'Natural Play', each comprising two or three logs, four or so boulders, a mound ('created from subsoil on site and subject to availability') and 'sensory planting'. The provision is paltry, repetitive and uninspiring.
- 9.9.2** The positioning of the areas means that there is no fencing, and yet fencing around a children's play area is normal. No external seating in the form of benches can be discerned, and yet a bench for adults is essential if play provision is to be taken seriously. The developers must be able to do better. They should reinstate a play area of some substance, together with reasonable items of play equipment - a swing and a slide should be regarded as minimal provision. A central green area is claimed, but this is so minuscule that it is difficult to locate on the plan.
- 9.10** 8. Trees and hedges
- 9.10.1** Trees and hedges to be removed are shown on the Tree Protection Plan in red. A schedule is needed to show for each tree its Category, A, B, C or U, and the length of hedge proposed to be removed. It is reasonable to ask for the full scale of the depredation to be given.
- 9.11** 9. Claimed benefits
- 9.11.1** Under the general heading 'Sustainability', the Design & Access Statement makes a number of claims (pp. 30-31), many of which could be contested. The most obvious examples are given below.
- 9.11.2** Social benefits
- 9.11.2.1** Creating a quality place with a new network of routes and open spaces to foster health and social well being. The 'new network of routes and open spaces' cannot be found. Providing new homes with a range of typologies and sizes to accommodate local needs. As there is nothing to suggest that the applicants have made any study of 'local needs', the statement cannot be justified. If they had cared to consult the Parish Council, they would have been advised that there is a local need for more market bungalows, to assist in downsizing from the vast amount of new housing in the village. But the applicants include only the bare minimum of bungalows that is, $5\% \times 40 = 2$, where one is affordable and one is market.
- 9.11.3** Economic Benefits
- 9.11.3.1** Promoting the delivery of development in a sustainable location, in reasonably close proximity to Bishop's Stortford town centre. Bishop's Stortford is not in reasonably close proximity, owing to the constrained nature of the local road network, particularly the main access route via

Grove Hill, Lower Street and Chapel Hill, Stansted Mountfitchet. Providing improvements to local infrastructure and community services
There are no such improvements - see 11. below regarding the cancellation of contributions towards health, education and a new Community Hall.

9.11.4 Lifestyle

9.11.4.1 Development designed to prioritise sustainable and active modes of travel including walking and cycling. Walking and cycling are certainly not prioritised - in fact there is no provision for cycling at all -see 3. above.

9.12 10. Design & Access Statement

9.12.1 The document Updated Issue Sheet - B shows that the original Design & Access Statement is to be regarded as current, and it is not marked Superseded on UDC's website (12 December 2024). But much in the Statement cannot be correct, since it includes several versions of the previous site layout, which has been radically amended. A revised version is needed. Elsewhere in these representations, it is assumed, as far as possible, that the Design & Access Statement applies. There are many respects in which detail in the Design & Access Statement is absent or incomplete, as follows.

9.12.2 Landscape & Open Space

9.12.2.1 Design & Access Statement, p. 22: 'Text to be added' There is nothing to say whether the illustrations, 'Play Along The Way', 'Grassland Area', 'Marginal Planting' and 'Live Green Wall' represent features to be included or are there for purely decorative interest on the page. From the layout as submitted, it seems that some of these features are not proposed to be included. Landscape Plan to be Added Design & Access Statement, p. 23.

9.12.3 Mitigating & Adapting to Climate Change

9.12.3.1 Design & Access Statement, p. 30

9.12.3.2 The development will incorporate a range of measures to reduce carbon emissions, mitigating the effects of climate change, and adaptation measures to ensure the long-term resilience of the development to the effects of climate change. Measures may include:
There follows a list of four bullet points. But any measures 'may' be included. What is needed is an indication of the measures which will be included.

9.12.4 Fabric First Approach

9.12.4.1 Design & Access Statement, p. 31

- 9.12.4.2** Suitable features could include:
Many bullet points follow, but, again, specificity is needed. One bullet point reads: All roofs orientated to accommodate the potential installation of Solar PV panels by owners. A 'potential installation' under the heading of features which 'could' be included is doubly conditional. Whether there is any intention that solar panels will be installed is impossible to determine. The general point to be made is that this is the detailed planning application and, as such, everything relevant should be included, not left for some future occasion.
- 9.13** 11. Lack of provision
- 9.13.1** Health and Education
- 9.13.2** The S106 agreement dated 5 February 2024 attached to the outline planning approval S62A/2023/0026 included the following provisions, amongst others: NHS Contribution, £51,850 (Schedule 2 Part 6); Education Contribution (calculated according to Schedule 3). A 'blue pencil' clause was also included in the S106, 18.1, whereby if the Inspector determining the S62A application decided that a particular provision was not CIL compliant, then it would have no effect. UDC declared that the clauses relating to the above contributions were CIL compliant in their CIL Compliance Statement 05/02/24. The S62A Hearing into the application was held on 6 February 2024. On 1 February 2024, the developers for the outline application, Phillips Planning Services Ltd, wrote to the Inspectorate to say that they objected to the provisions regarding health and education. This letter is not available on UDC's website - it can be found on the Inspectorate's website at: [Robn_Hood_Road_ELSENHAM_Planning_Obligations_Letter_01-02-24_Redacted.pdf](#) (publishing.service.gov.uk) The Inspector decided that the obligations regarding both health and education did not meet the statutory tests (S62A/2023/0026 Decision Notice and Statement of Reasons, 28, 29). The decision was surprising to UDC's senior planning officers. In Elsenham, if the nine developments of any size in the period going back to 2015 are considered, there was a provision for education on all nine (including the application UTT/19/0437/OP for the same site with access off Rush Lane), and provision for a health contribution on seven out of nine. The Parish Council invites the present applicants for the detailed application to agree that the lack of provision for health and education is perverse and unjustified.
- 9.13.3** Community Hall
- 9.13.3.1** The S106 agreement dated 5 February 2024 attached to the outline planning approval S62A/2023/0026 included: Community Hall contribution, £95,385 (Schedule 2, Part 5); UDC declared that the contribution was CIL compliant in their CIL Compliance Statement 05/02/24.

- 9.13.3.2** Phillips Planning Services Ltd did not mention the Community Hall contribution in the letter of 1 February 2024 referred to above wherein they objected to some other provisions. Elsenham Parish Council made representations to the Planning Inspectorate: https://assets.publishing.service.gov.uk/media/65a5077874ae660014738a9f/Elsenham_Parish_Council.pdf and included the Community Hall in Section 17 and the Appendix. The Chair of the Parish Council attended the Hearing, and in his address he referred to the request for a contribution to the Community Hall. Hard copy of the address was made available to all parties at the Hearing and can be found on the Inspectorate's website at: https://assets.publishing.service.gov.uk/media/65e841f408eef600155a5660/Hearing_Document_1.pdf where the Community Hall is dealt with towards the end, starting with the penultimate paragraph on p. 2.
- 9.13.3.3** The S106 provisions were discussed at the Hearing, and the Community Hall contribution was passed over with no comment from any of the parties and no questions from the Inspector.
- 9.13.3.4** The contribution was included in the S106 agreed between UDC and the applicants, it was not subsequently challenged by the applicants and UDC certified that it was CIL compliant. It was therefore a considerable surprise to find that it was rejected by the Inspector in his Decision, as follows: 27. The contribution sought towards the Community Hall is not necessary or reasonably related in this case. That is because it has not been demonstrated that there is a deficiency or lack of capacity at the community hall. Nor is it clear what the monies sought here would be specifically used for. I note the point made in respect of monies secured from another housing development nearby, but I understand that that related to a specific capital project for the community hall. On the evidence before me I cannot conclude that this obligation would pass the statutory tests in this instance.
- 9.13.3.5** The Inspector refers to 'the evidence before me', but it is clear that he has either not heeded it or misunderstood it completely. It is very clear that the contribution was towards the cost of a new community hall, not for the refurbishment or extension of an existing hall. The reference to a contribution to another housing development nearby being used for a specific capital project is wholly erroneous, and there is nothing which would bear out that interpretation.
- 9.13.3.6** The Parish Council considers that as all parties were agreed that a contribution should be made, there is still a very good case, and invites the applicants to discuss the issue.
- 9.13.3.7** With regard to all the contributions discussed in this section, health, education and Community Hall, there can be very little doubt that if the outline application had been determined by UDC's Planning Committee, then these provisions would have remained in place.

9.14 **12. Elsenham Parish Council**

9.14.1 Uttlesford District Council's Statement of Community Involvement (2021) includes: Prior to submission or during determination of an application, discussions will be held between planning officers, and applicants and representative of the parish council to discuss issues such as infrastructure, amenities and matters subject to any S106(6.8).

9.14.2 There have been no discussions with the Parish Council with regard to either the outline application or the detailed application now under review. There was a meeting on 21 October 2019 regarding the outline application (UTT/19/0437/OP), with access from Rush Lane. That is now over five years ago. Despite the lack of contact, the present applicants have made the unilateral decision that the Parish Council will be involved in the achievement of their objectives: Following installation and after transfer the landscape shall be the responsibility of and maintained in perpetuity by:

- Domestic Owners.
- Matthew Homes Limited and their appointed Management Companies (should these be contracted out).
- Essex County Council Highways.
- Elsenham Parish Council.

9.14.3 The agreement shall be set up by Matthew Homes Limited, who shall confirm in writing to the Principal Planning Officer of Elsenham Parish Council when the maintenance agreement is completed and is operative (Soft Landscape Management and Maintenance Plan, 2.3, 2.4, 12 December 2024).

9.14.4 Evidently the applicants do not consider it necessary to advise the Parish Council of the role which has been allocated to them, or to make contact with the 'Principal Planning Officer', or even to determine whether such a position exists.

9.14.5 There then follows Section 3.0 'General Maintenance Operations', which are considerable, and extend to 23 paragraphs. It seems that the applicants expect that the Parish Council will be involved. No doubt it would suit them if they were able to offload their responsibilities elsewhere.

9.14.6 Notwithstanding the applicants' wholly unjustified assumptions, the Parish Council would be prepared to engage in constructive discussions with them, in accordance with the provisions of the Statement of Community Involvement as above.

9.15 **13. Miscellaneous**

- 9.15.1** As outlined in 10. above, the Design & Access Statement is now badly out of date. There are various errors beyond those mentioned already, including:
- 9.15.2** M11 motorway
- 9.15.2.1** The village is conveniently connected to the M11 motorway, with junction 8 located roughly 5 kilometers to the southeast (p. 4). The village is not conveniently connected to the M11, owing to the constrained nature of the local road network, particularly the main access route via Grove Hill, Lower Street and Chapel Hill, Stansted Mountfitchet.
- 9.15.3** Existing access point
- 9.15.3.1** The 'Site Location Plan' includes: 7. Location of the existing access point, which will be retained and upgraded (p. 5). But there is no existing access where indicated, which is towards the north of the boundary with Robin Hood Road, and nothing has been found elsewhere regarding retention and upgrading of such an access.
- 9.15.4** Local Amenities
- 9.15.4.1** The 'Local Amenities Plan' (p. 7) includes two restaurants. There are no restaurants in Elsenham. The Crown pub is limited as to hours and menu; the outlet near the station offers a very limited service for commuters before they catch the train. The only thoroughfares marked on the Plan are notated as Laundry Lane and Horebeech Lane. There are no such locations in Elsenham - the applicants have perhaps confused Essex with Sussex.
- 9.15.5** Constraints
- 9.15.5.1** The 'key constraints' include: Existing access is provided and to be retained from Robin Hood Road (p. 8). There is no existing access from Robin Hood Road.
- 9.15.6** Opportunities
- 9.15.6.1** These are alleged to include: A habitat buffer zone will be located on the northwest boundary of the site to preserve and protect adjacent pond (p. 8). No such zone is shown on the site layout. There are natural springs in the area which make it unsuitable for development, but no adjacent pond.
- 9.15.7** Constraints & Opportunities Plan
- 9.15.7.1** The alignment of the public rights of way in the south-west is incorrect (p. 9). To summarise this section, the applicants betray a worryingly lack of familiarity with the village.

9.16 Conclusion

9.16.1 Some improvements have been made following the Parish Council's previous representations. But there is still much which needs serious attention. The outline application gave approval for 'up to' 40 dwellings. That does not mean that 40 dwellings must be provided. It is evident that 40 cannot be comfortably accommodated on the site, and therefore the applicants must think again.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

10.1.1 May 2025

10.1.1.1 The only comments in addition to those I provided previously on 20/12/24 is that the 4 x 2 bedroom houses to be provided as First Homes are 3 person rather than 4 person properties. The preference is for these to be 2 bedroom 4 person properties meeting NDSS 79 sqm.

10.1.1.2 Since the amendments to the NPPF on 12/12/24 there is no longer a mandatory requirement for First Homes to be delivered and the applicant has the option of submitting a DOV to revise the affordable housing mix within the S106 agreement to affordable rented and shared ownership should they choose to do so. Any First Homes provided need to be at or below the price cap outside of London of £250,000 after the 30% developer discount has been applied.

10.1.2 December 2024

10.1.2.1 The tenure split is policy compliant but following the December 2024 amendments to the NPPF there is now no mandatory requirement for 25% of the affordable housing provision to be provided as First Homes. The applicant therefore has the option to continue to deliver 25% of the affordable housing as First Homes (4 units) or deliver the 40% affordable housing on site as 70% for Affordable Rent (11 units) and 30% as shared ownership (5 units).

10.1.2.2 The proposed affordable housing mix will assist towards meeting the identified housing need for the district.

10.1.2.3 Please note that the accommodation schedule was not included within the Design & Access Statement (DAS). However, the plans and elevations for the affordable housing provision show that each affordable housing unit is NDSS compliant, and the garden sizes adhere to the Essex Design Guide recommendations.

10.1.2.4 Page 14 of the DAS states that EV charging points will be provided for dwellings with garages which would therefore result in them only being provided for the market homes and not the affordable ones. As it should

be tenure blind, EV charging points should be provided to all plots irrespective of tenure.

- 10.1.2.5** Two bungalows are being provided (one market and one affordable) thereby meeting the requirement for 5% bungalow provision upon the site. As the Council will have nomination rights to the affordable bungalow (plot 10) it needs to be delivered to M4(3)2b wheelchair accessible standard and therefore requires a wet room rather than a bathroom to be provided.

10.1.3 OFFICER COMMENT

- 10.1.3.1** There is a condition on the Outline Application that requires all plots to be provided with EV charging points. A condition will secure M4(3)2b bungalows.

10.2 UDC Environmental Health

- 10.2.1** No objection.

10.3 Conservation Officer

- 10.3.1** The Applicant has provided revised design information. The submission does not respond directly to my previous comments associated with design quality. However, the information provided has reviewed design features that contribute to placemaking and the logistics of new residential development.

- 10.3.2** Conclusion: My previous assessment still stands; the proposed development will not result in harm to the setting of the designated heritage assets in proximity of the Site

10.4 Place Services (Ecology)

- 10.4.1** No objection.

10.5 Landscape Officer

- 10.5.1** The following features are positive:
- Pedestrian connections – within the site and to existing PROW network.
 - Identification of several high value trees to the site boundaries. It is critically important these are retained and protected during construction.
- 10.5.2** There is still some scope for improvements to the scheme:
- Instances of triple tandem parking which goes against UDC Design Code 2024 Policy M3.11C.
 - Whilst street trees have been added since the last submission, the scheme would benefit from more street trees. Suggest one tree to

the front garden of every dwelling (where practical), which would achieve trees to both sides of all streets. For example, to the front of plots 8, 10, 24 and 39. This is especially important for the primary entry from Robin Hood Road to create a strong sense of arrival and identity.

- Many front garden areas are small, narrow and/or awkwardly proportioned, and turf has been specified in these areas. Suggest instead of turf, mixed low planting would be more appropriate, especially when there is a hedge proposed in front of the turf. This would be lower maintenance, create a more varied and attractive frontage, and support biodiversity

10.6 Essex Police

10.6.1 No objection, subject to condition.

10.7 UDC Urban Design Officer

10.7.1 July 2025:

I have commented twice previously on this application (comments dated 23.12.24 and 12.05.25). I have limited further comments to make on this application as the latest revisions relate primarily to Highways and Landscape matters. It is positive to note that the triple tandem parking has been omitted and the parking provision to plots 29-32 has been broken up with additional landscape elements.

10.7.2 May 2025

10.7.2.1 Design Code

10.7.2.1.1 There are still instances of triple tandem parking, which contravenes code M3.11C of the Uttlesford Design Code. These should be designed out as they are unacceptable. Whilst plots 34 and 25 show only a single bay in front of the garage on the plan, the reality is that there is space in front of the marked bay for another car, creating the potential for triple tandem parking.

10.7.3 Layout & Connectivity

10.7.3.1 The site layout has been reconfigured following LPA feedback. The layout has been improved by a clearer, better connected street pattern. The main route through the site now connects to form a loop. This has removed the need for a hammerhead and has improved walking and cycling options. The reconfigured layout has also improved the street pattern in the northern part of the site with a simpler arrangement of a y-shaped turning head. A new pedestrian link outwards from the site between plot 36 and 37 onto Robin Hood Road is welcome. This provides another point of entry / exit to the development for both pedestrians and cyclists.

10.7.4 Character, Identity & Streetscape

10.7.4.1 The open space with naturalistic play features now forms a focal point and is visible on arrival into the site. On entering the development, there is a group of trees in front of plot 39, as well as the open space and group of trees to the eastern edge, in front of plots 1-4. This creates a well landscaped entrance that establishes a character to the development. However, there is more landscaping required to break up the parking to plots 29-32, where there are 8 parking bays in a line without a landscaping buffer.

10.7.4.2 Plot 40 addresses Robin Hood Road and, along with plot 37 presenting an animated façade to Robin Hood Road and the inclusion of a pedestrian footpath, this helps to integrate the development into its surroundings. This is an improvement on the previous layout which was entirely introverted.

10.7.4.3 It is positive to see the inclusion of trees lining the primary street and the use of landscaped build outs with street trees between on-street visitor parking bays. Additionally, the use of hedges to form street-facing boundary treatments is welcomed.

10.7.5 January 2025

10.7.5.1 Summary

10.7.5.2 The proposal is for 40 dwellings on an undeveloped site comprising open grassland, to the southern edge of the village of Elsenham. The site is bounded by Robin Hood Road to the east and Rush Lane to the north. The site is not in a Conservation Area and contains no listed buildings.

10.7.5.3 It is noted that the site has been the subject of a previous application, UTT/19/0437/OP refused on the grounds of the site being outside of development limits in the countryside. This application was subsequently allowed at appeal. A subsequent S62A application (S62A/2023/0026) was made and granted outline permission on 26 February 2024. The main difference to this scheme being the location of the site access. The proposals within this DFO application appear to follow closely the illustrative masterplan that formed part of the outline application. However, this is not a condition relating to the consent so does not seem to be a necessary or useful starting point. This layout does not follow urban design best-practice to make further connections to the surrounding context where possible, instead providing a generic cul-de-sac arrangement. There is no clear placemaking strategy and the layout also lacks character and identity with no focal point or destination to the development, being a series of unconnected dead-end streets with an LAP (which should form a more focal point), located on the edge of the development, close to the entrance to the site.

10.7.5.4 The layout would benefit from improved connectivity and a clearer placemaking strategy. This could be achieved by linking the roads and positioning the LAP as a focal point to the development.

10.7.6.1 Design Code

10.7.6.2 There is no demonstration of compliance with the Uttlesford Design Code. The applicants are encouraged to review the Code with respect to the submitted proposals. With the scheme as submitted, there are numerous areas on non-compliance, particularly in relation to Context, Identity, Built Form, Movement as well as Nature and Public Spaces.

10.7.7 Layout & Connectivity

10.7.7.1 The cul-de-sac proposals do not integrate the development within the surrounding settlement. The proposal is set behind screening planting so does not have any significant visual connections with its surroundings, being an introspective development with a single point of vehicular entry and exit, accessed from Robin Hood Road. This creates a defensive enclave that does not integrate with the existing development on Rush Lane and Robin Hood Road. As both roads have houses fronting them, there is a missed opportunity for the new development to address these streets with active frontage, rather than turning their backs on the neighbouring houses and presenting back gardens and homezones behind the retained planting.

10.7.7.2 The road layout is excessively curvilinear leading to four dead-end cul-de-sacs, so is poor in terms of legibility and wayfinding, with no real destination or centre to the development. The access route to plot 18 is overly long and the LAP appears marginalised on the edge of the site. Open space does not seem particularly considered or usable, mainly forming edge buffers or attenuation areas with limited pedestrian and cycle access.

10.7.7.3 The primary street has some street trees but secondary streets which are shared surface / homezones do not. As these secondary streets make up most of the road infrastructure within the development, these should be tree-lined as well to provide some landscape softening to the development.

10.7.7.4 There is a paved footpath connection to Rush Lane and a retained PROW that runs along the southern edge of the site. There is limited detail provided on cycle routes or onwards active travel routes. Cycle parking appears to be in timber sheds in the garden which does not promote cycling as a priority means of travel. There are local amenities within walking and cycling distance, such as the village shop, post office and doctor's surgery, so a promotion of active travel should be prioritised with clear routes and connections to these onward amenities. For example, plots 10 to 18 must travel south first, rather than following the desire line northwards to the main entrance on Robin Hood Road.

10.7.7.5 The car parking provision appears to show numerous instances of triple tandem parking, which would not be acceptable.

10.7.8 Character, Identity & Streetscape

10.7.8.1 There should be a focal point to the development, as there is little to distinguish one part of the development from another and the landscaped area around the attenuation basin is tucked into the south-west corner of the plot with little relationship to the majority of homes.

10.7.8.2 The appearance of the houses is generic and lacks variety, with most houses looking like one another which gives the appearance of a homogenous development lacking character and identity. There is a lack of typological variety too, with most of the houses being detached with on-plot parking. The topography of the site does help create some interest to the roofscape and streetscene, but this could be improved through a clearer strategy of materials, detailing or typology which could help to create areas of distinct character and identity.

10.7.8.3 A sense of place could be better defined through a more coherent public realm with a clear destination or centre to the development and more architectural variety and character to the house types. The destination or focal point could be formed around the LAP with the use of landscaping and tree-lined streets to soften the architecture and create a clearer identity.

10.8 **Environment Agency**

10.8.1 No objection.

10.9 **MAG London Stansted Airport**

10.9.1 No objection subject to condition.

10.10 **National Rail**

10.10.1 The only comments we have as of now is that the proposed design should be changed to include a footpath link to the railway underbridge, in readiness for NR to take forward diversion of the public footpath from the level crossing to this location.

10.10.2 **OFFICER COMMENT:**

10.10.2.1 This was put to the applicant who stated: “we can provide this if the LPA would like it but this should only be done as part of the National Rail diversion of the path and closing of the railway crossing. NR had a proposal for diversion back in 2020 but this was not approved and has been put on hold with no certain date. Having a dead-end footpath

leading up to the underpass will encourage loitering and anti-social activities in this area”.

- 10.10.2.2** The Officer agrees that at this point in the development it would not make sense to construct a footpath to nowhere, however a condition has been included to secure this in the future.

10.11 National Trust

10.11.1 OFFICER COMMENT:

The National Trust has said they object to the proposal unless off-site mitigation is secured by way of a financial payment towards Hatfield Forest. As a S106 has already been agreed for this site, no further financial contributions can be secured.

10.12 Thames Water

- 10.12.1** No objection.

11. REPRESENTATIONS

- 11.1** A site notice was displayed on site; the application was advertised in the local press and notifications letters were sent to nearby properties. Two representations have been received.

11.2 Support

- 11.2.1** None.

11.3 Object

- 11.3.1**
- Construction traffic impacting listed buildings and local infrastructure
 - Not in line with Planning Policy
 - Unsuitable access
 - Flooding
 - Elsenham is overdeveloped
 - No infrastructure to support homes
 - Impact on local wildlife
 - Impact on natural spring
 - Too close to railway in terms of noise and safety
 - Loss of agricultural land
 - Lack of bungalow provision
 - Solar panels and EV charging points should be provided for every home

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 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

12.4 The Development Plan

12.4.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted January 2005)
Felsted Neighbourhood Plan (made February 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)
Ashdon Neighbourhood Plan (made December 2022)
Great & Little Chesterford Neighbourhood Plan (made February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2024)

13.2 Uttlesford District Plan 2005

- 13.2.1** S7 – The Countryside
S8 – Countryside Protection Zone
GEN2 – Design
GEN3 – Flood Protection
GEN4 – Good Neighbourliness
GEN5 – Light Pollution
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
ENV2 – Development Affecting Listed Buildings
ENV3 – Open Spaces and Trees
ENV10 – Noise Sensitive Developments
ENV14 – Contaminated Land
H1 – Housing development
H9 – Affordable Housing
H10 – Housing Mix

13.3 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Supplementary Planning Document – Accessible homes and playspace
Supplementary Planning Document – Developer’s contributions
Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)
Uttlesford Design Code

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2** **A) Whether the layout, scale and appearance of the proposal is acceptable**
B) Dwelling mix and Affordable Housing Provisions
C) Access to the Site and Highway Issues
D) Heritage
E) Landscaping and Open Space
F) Biodiversity and Protection of Natural Environment
G) Drainage
H) Whether the proposal would cause harm to the amenities of adjoining property occupiers

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

14.3.1 The scope of outline permissions and reserved matters approval is governed by Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (“the DMPO”). It limits reserved matters approval to issues of: access; appearance;

landscaping; layout; and scale. Relevant to this application, it provides the following definitions:

- 14.3.2**
- **‘layout’** means the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to buildings and spaces outside the development.
 - **‘scale’** means the height, width and length of each building proposed within the development in relation to its surroundings.
 - **‘appearance’** means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour, and texture.
 - **‘landscaping’**, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated.
- 14.3.3** The details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission.
- 14.3.4** The guidance set out in Section 12 of the NPPF stipulates that proposed development should respond to the local character, reflect the identity of its surroundings, optimise the potential of the site to accommodate development and be visually attractive as a result of good architecture.
- 14.3.5** Local Plan Policy GEN2 seeks to promote good design requiring proposals to consider the scale, form, layout and appearance of the development and safeguarding important environmental features in its setting to reduce the visual impact of the new buildings where appropriate. Furthermore, it states 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.
- 14.3.6** The Design and Access statement provides the rationale behind the proposed development though it must be acknowledged that it lacks detail and simply builds upon the indicative layout submitted with the outline rather than undertaking fresh consideration. Had pre-app discussions been held, Officers could have advised that the layout as indicated at outline would not have been supported. Whilst the Design and Access Statement touches upon topics such as sustainability and landscape, little detail is provided, with features shown as what ‘could’ be provided rather than what ‘will’ be, with the landscape section failing to provide any rationale or explanation at all. Whilst this is not acceptable, sufficient information is provided within the submitted plans to show a satisfactory scheme can be delivered.
- 14.3.7** Condition 4 on the decision notice for the outline planning permission requires that the reserve matters are constructed in general accordance

with the approved plans, these being the Site Location Plan and the Access Plan. No Parameter Plans or Indicative Plans were conditioned at outline stage and therefore the scheme was able to be designed in a way that best responded to the constraints of the site.

14.3.8 This section of the report assesses matters of layout, scale, and appearance.

14.3.9 Layout:

14.3.10 A layout shows how the main route and blocks of development are arranged and relate to one another to create streets, open spaces, and buildings. It defines the structure or settlement pattern; the grain - the pattern of development blocks and plots; and the broad distribution of different uses, and their densities.

14.3.11 Where originally the submitted layout lacked any relationship with Robin Hood Road and proposed a cul-de-sac style development with dead end roads, the layout has been reconfigured following discussions with Officers and will now provide a better-connected street pattern and improved relationship with Robin Hood Road. The main route through the site now connects to form a loop, improving walking, cycling vehicle options, with new pedestrian links proposed onto Robin Hood Road and Rush Lane, providing another point of entry / exit to the development for pedestrians and cyclists.

14.3.12 The frontages of the buildings face the internal highway, arranged to follow the curve of the road within the site, allowing for an agreeable street scene. Private gardens are situated to the rear, and car parking largely sited between houses or within garages reducing the visual impact of on-site parked cars. The layout provides an active street frontage throughout the site and the houses have been designed to overlook streets and open spaces offering surveillance. More space has been introduced between the houses since the original submission which provides for a more comfortable street scene.

14.3.13 A LAP was secured as part of the outline application, and on the original submission of the reserved matters it was proposed next to the railway line. Following discussions with Officers, this has been revised to instead propose an area of open space with naturalistic play features which forms a focal point to the development, visible on arrival into the site. In addition, there is a group of trees in front of plot 39 on entry to the site and open space and trees to the eastern edge in front of plots 1-4, all creating a well landscaped entrance that establishes a character to the development.

14.3.14 Notwithstanding the above, the layout provides for a scheme that remains relatively insular and introverted. Sufficient reference is taken from and connections provided to the surrounding settlement for it to be

acceptable. It is in general accordance with the Uttlesford Design Code and will provide for a comfortable environment for future residents.

14.3.15 Scale:

14.3.16 The proposed mix includes apartments and small and larger detached and semi-detached dwellings, as well as 2no. bungalows.

14.3.17 The majority of dwellings will be 2-storey with single storey garages, in line with what can be seen in the surrounding settlement.

14.3.18 The scale of the dwellings is appropriate in relation to the character and appearance of the surrounding area.

14.3.19 Appearance:

14.3.20 Appearance is the aspects of a building or space within the development which determine the visual impression the building or space makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour, and texture.

14.3.21 The materials used for a building affect how well it functions and lasts over time. They also influence how it relates to what is around it and how it is experienced. The scale, form, and appearance of a building influence what materials may be appropriate for its construction. Materials should be practical, durable, affordable, and attractive. Choosing the right materials can greatly help new development to fit harmoniously with its surroundings.

14.3.22 Largely the proposals appear as generic predetermined house types, lacking in variation and identity both in terms of appearance and typology. Little evidence is provided within the application to demonstrate how or if the house types have been modified to reflect the positive local character of Uttlesford, with most reference images within the DAS showing generic new build developments of similar quality to those proposed. Negotiations with Officers have seen tweaks to some of the form and positioning of house types to create less rhythmic street scenes, with more articulation and variation in ridge heights to reduce the repetitive appearance, making the scheme acceptable.

14.3.23 Rather than the architecture, materials are largely relied upon to bring distinction and character. Negotiations with Officers have resulted in the introduction of a second brick type which is welcomed as it will help break up the uniformity. Render and weatherboarding are also proposed which will help create more interest. Nonetheless, these details are to be secured by way of condition to ensure a detailed specification is provided.

14.3.24 Notwithstanding the frustrations of Officers, the scheme generally accords with the design code and will provide dwellings of an acceptable

quality, with street scenes that will provide a comfortable environment for future residents.

14.3.25 Quality of Accommodation:

14.3.26 The proposed 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 homes will function, be adaptable and cater to changing lifestyles that meet the needs of families, children, and older people.

14.3.27 Almost all residential units within the scheme have been provided with sufficient private garden sizes in line with guidance. Where the sizes don't quite meet standards, this has been discussed and agreed with Officers to ensure the most successful layout. The gardens are a good shape and sufficient size, and are therefore considered acceptable.

14.3.28 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. The applicant has provided vague details in relation to sustainability, with the DAS stating features that 'could' be achieved rather than 'will' be achieved. On that basis a condition has been recommended to secure appropriate sustainability measures, should planning permission be granted.

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 the 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 63 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 legal agreement attached to the outline planning permission specifies that no less than 40% of all housing units are to be affordable housing. The scheme will deliver 16 affordable homes, equating to 40% of the total (40 dwellings) provision on site. This is consistent with the requirements of the legal agreement and local planning policy.

14.4.3 Of the affordable units proposed, 4 will be First Homes, 10 units will be Affordable Rent tenure and 2 units Shared Ownership. This is in compliance with the legal agreement. Notwithstanding, the Housing Officer did advise the Council would prefer to see the First Homes provided as affordable rent or shared ownership with National Policy no longer requiring First Homes provision, but the applicant wanted to retain the first homes.

- 14.4.4** Officers would have preferred the affordable units to be better situated around the development, rather than all the affordable rented properties located closest to the railway line, but the layout as proposed is acceptable bearing in mind the tenure blind appearance.
- 14.4.5** Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2- and 3-bedroom market dwellings. Since the policy was adopted, the Council in joint partnership with Braintree District Council have issued the 'Housing for New Communities in Uttlesford and Braintree (ARK Consultancy, June 2020)'.
- 14.4.6** The study recommends appropriate housing options and delivery approaches for the district. It identifies that the market housing need for 1 bed units is 11%, 2-bedunits 50%, 3-bed units 35.6% and 4 or more bed units being 3.4%
- 14.4.7** Of the 24 market dwellings proposed, 3 are 2-bed properties, 5 are three-bed, 14 are four-bed and 2 are 5-bed. Whilst more 2 and 3-bed properties would have been welcomed; the mix of dwellings is acceptable.

14.5 C) Access to the Site and Highway Issues

14.5.1 Access:

- 14.5.2** The details of vehicle access to the site were approved as part of the outline permission. The main access road enters the site off Robin Hood Road. It is paved on both sides until it splits into a shared surface.

14.5.3 Pedestrian and Cycling Movement:

- 14.5.4** The shared surface areas form the main movement network through the Scheme, with pedestrian connections to both Robin Hood Road and Rush Lane, as well as a connection through to PROW 13.

14.5.5 Parking:

- 14.5.6** 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.
- 14.5.7** The Adopted Council Residential 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. All parking spaces are to be of a minimum

of 2.9m x 5.5m with detached garages having internal dimensions of 3m x 7m.

- 14.5.8** Based on the accommodation mix provided, a minimum of 92 off street parking spaces would be required across the residential element of the development, plus visitor and cycle.
- 14.5.9** The site layout submitted in support of the proposals indicates that the proposals provide 107 spaces. This demonstrates that sufficient parking will be provided, with each dwelling provided with the required off street parking provision dependent on its size and mix.
- 14.5.10** The adopted parking standards requires a minimum of 1 visitor parking space for every 4 residential units. A total of 10 spaces have been provided and are appropriately spread across the site.
- 14.5.11** Regarding cycle parking, 1 x secured, covered cycle parking space per dwellings should be provided, in accordance with Uttlesford District Council's Parking Standards. In plots where a garage is provided, cycle storage will be provided as part of the garage. On plots where garages are not proposed, cycle storage will be provided in the rear garden in the form of a shed. This will be secured by way of condition should planning permission be granted.
- 14.5.12** Refuse:
- 14.5.13** A Refuse Plan has been submitted in support of the application that demonstrates appropriate, safe, and convenient collection of refuse and in compliance with local policy.

14.6 D) Heritage

- 14.6.1** The Site does not contain designated heritage assets and is not within a Conservation Area. The site does sits adjacent listed buildings.
- 14.6.2** NPPF paragraph 135 highlights the importance of good design, and that developments should be sympathetic to local character. Paragraph 203(f) is also relevant, stating that new development should make a positive contribution to local character and distinctiveness.
- 14.6.3** The Conservation Officer has stated the design principles are acceptable to satisfy housing supply, but the proposed design is indistinctive. The Application includes information to illustrate the general characteristics of the proposed buildings, however, lacks information that communicates the quality of architecture and the spaces between. 2D street elevation drawings have been provided, but supporting visualisations in 3D would have been beneficial to show how the proposal relates to its context, and to illustrate the character of the development. Information within the 'Appearance' chapter of the Design and Access Statement and on drawing 'Dwelling Building Material

Layout DBML.01' is generic and does not confirm the actual materials to be utilised. In addition, no details for the materiality of doors, windows, rainwater goods etc. have been provided. These elements form a significant part of the architecture and should be a key detail when considering character and distinctiveness.

- 14.6.4** The Conservation Officer concludes the overall proposal will not result in harm to the significance and setting of the nearby listed building but does recommend a condition that secures the materials in detail.

14.7 E) Landscaping and Open Space

14.7.1 Landscaping:

- 14.7.2** A soft landscaping scheme has been proposed and is appropriate in that it will help soften the built form of the development and reflect its wider setting. The Council's Landscape Officer has advised more street trees would enhance the proposal, particularly at the entrance to the site and in parking dominant areas. In the latest iteration, more trees have been provided.

- 14.7.3** A section of open space has been provided centrally which will include natural play equipment instead of a traditional LAP, something that is supported by Officers as it provides for an overall higher quality environment. This space will act as a focal point within the scheme and is welcomed.

- 14.7.4** The surface finish materials have not been provided and therefore a condition has been recommended should planning permission be granted.

- 14.7.5** Whilst the overall landscaping scheme is not considered to be of a significantly high standard and lacking in detail, the proposal is acceptable subject to condition and would likely result in a pleasant environment that will integrate into the existing settlement.

14.8 F) Biodiversity and Protection of Natural Environment

- 14.8.1** 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.

- 14.8.2** The application site itself is not subject of any statutory nature conservation designation.

- 14.8.3** As part of the outline application the principle of the proposals to develop the site was deemed to be appropriate in that no harm would occur to either protected or priority species or their habitats.

- 14.8.4** A number of amendments have been submitted in order to address a number of holding objections from Place Services ecologists. In their latest response, the only outstanding matter was ensuring a fence-line was provided to the rear boundaries of properties along the northern boundary to ensure occupants did not have access to the priority hedgerow. The plans have been amended to provide this, but on the date the committee report was due, Officers are yet to receive confirmation from Place Services that they are now content with the proposals. Assuming this is provided ahead of committee, this is to be reported to Members verbally at committee.

14.9 G) Drainage

- 14.9.1** Policy GEN3 of the Local Plan requires there to be no increase in the risk of surface water flooding from a new development and that the incorporation of SuDS as a first measure in the management of surface water should be provided.

- 14.9.2** As part of the outline consent, Condition 5 as imposed on the decision notice requires that prior to the commencement of the development the applicant is required to provide a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development.

- 14.9.3** Essex County Council who are the Lead Local Flooding Authority confirm that they will review details relating to drainage as part of the submission to discharge the condition and that following a review, they have no comments to make in relation to this application and therefore, it is considered acceptable.

14.10 H) Whether the proposal would cause harm to the amenities of adjoining property occupiers

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

- 14.10.2** The layout has been designed as such the proposal would not result in a significant degree of overlooking, overshadowing and would neither be visually intrusive nor overbearing when viewed from adjoining properties within the development or in relation to existing dwellings. The degree of separation between the proposed housing would ensure that the amenities of these properties will be largely protected.

- 14.10.3** In relation potential impacts at the construction stage, particular in relation to air quality, noise and vibration, a condition attached to the outline consent requires a Construction Environmental Management Plan (CEMP) which would address these points when the details are submitted.

- 14.10.4** 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.

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 accords with plans granted permission under the outline application. The layout, size and scale of the proposals is considered appropriate in relation to the characteristics of the site and its wider context. It would sufficiently integrate with the surrounding built form and the natural environment whilst providing a pleasant environment for future occupiers. The proposed landscaping and open space including street frontage is considered to be appropriate. The proposal therefore accords with Policy S7 and GEN2 of the Local Plan.

- 16.2** The proposed affordable housing meets the requirements of the S106 agreement and is therefore acceptable. The mix across the development is appropriate, in accordance with Policy H10 of the Local Plan.
- 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. The proposal provides pedestrian and cycle links to the surrounding settlement. The proposal therefore accords with Policy GEN1 and GEN8 of the Local Plan.
- 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, in accordance with Policy GEN2 of the Local Plan.
- 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 and the National Planning Policy Framework. It is thereby recommended that this reserved matters application relating to details concerning Appearance, Scale, Layout and Landscaping be approved in association with outline permission, 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** Prior to works above slab level, a Sustainability and Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall include full details of the measures to be incorporated into the development to achieve high standards of sustainable design and construction, including (but not limited to) energy efficiency, renewable energy generation, water efficiency, sustainable drainage, and biodiversity enhancement. The development shall

thereafter be carried out in full accordance with the approved Statement, and no dwelling or building shall be occupied until all approved measures serving that dwelling or building have been installed, tested, and made operational. All measures shall be retained and maintained in working order for the lifetime of the development.

REASON: To ensure that the development incorporates appropriate sustainability measures, in the interests of reducing carbon emissions, promoting resource efficiency, and supporting climate change adaptation, in accordance with Policy GEN2 of the Uttlesford Local Plan (2005).

- 4** The development shall include provision for a pedestrian link from within the site to the railway underbridge. Prior to works above ground level, details of the location, alignment, width, surfacing, gradients, and boundary treatments of the pedestrian link shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

REASON: To ensure the development facilitates the future diversion of the public footpath from the existing level crossing to the railway underbridge, in the interests of pedestrian safety, sustainable travel, and integration with the wider footpath network, in accordance with Policy GEN2 of the Uttlesford Local Plan (2005).

- 5** No development above slab level shall take place until full details and samples of the materials to be used in the external surfaces of the buildings and all hard landscaping areas have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include specifications, colours, finishes, and, where applicable, the manufacturer's product references. The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure a high-quality appearance to the development in the interests of visual amenity and to accord with Policy GEN2 of the Uttlesford Local Plan (2005).

- 6** Prior to the development above slab level a Crime Prevention Statement shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Essex Police Designing Out Crime Officers. The Statement shall demonstrate how the principles and specifications of Secured by Design (SBD), as set out in the most recent Secured by Design Commercial guide, will be incorporated into the development to reduce the risk of crime and anti-social behaviour. Thereafter the development shall be carried out in accordance with the approved details, and all security measures shall be installed prior to first occupation and thereafter retained and maintained for the lifetime of the development.

REASON: To ensure that the development incorporates crime prevention measures to reduce opportunities for crime and anti-social behaviour, in accordance with the principles of CPTED (Crime Prevention Through Environmental Design), the guidance set out in Secured by Design, and in the interests of community safety. Also, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF (2024).

- 7** The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been provided. The vehicle parking area and associated turning area 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.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety. This condition is required to ensure that the development accords with the National Planning Policy Framework (NPPF) 2024 and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1 and GEN8, also Uttlesford Residential Parking Standards (2013).

- 8** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity. This condition is required to ensure that the development accords with the National Planning Policy Framework (NPPF) 2024 and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1 and GEN8, also Uttlesford Residential Parking Standards (2013).

- 9** All bungalow units within the development hereby permitted shall be constructed to meet the requirements of Building Regulations Approved Document M4(3)2(b) (wheelchair user dwellings – adaptable).

REASON: To ensure the provision of housing to meet the needs of wheelchair users, in accordance with [insert relevant local plan policy numbers/titles] and the National Planning Policy Framework and Uttlesford Local Plan Policy GEN1 and GEN2.

- 10** No part of the development (including construction equipment i.e. cranes) should exceed 15 metres in height (AGL, based on current ground levels), in order to have no harmful impact on aerodrome safeguarding surfaces at Stansted Airport.

REASON: Flight Safety - To ensure adequate separation between aircraft and ground-based structures. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002

- 11** Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill.

Reason: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport, in accordance with Policy GEN2 of the Uttlesford Local Plan (2005). In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002.

- 12** During construction, robust measures to be taken to prevent birds being attracted to the site. No pools of water should occur and prevent scavenging of any detritus.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002.

- 13** In the interests of aviation safety, measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, including demolition and excavation, in accordance with the advice of Stansted Airport and the Civil Aviation Authority.

REASON: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers. In accordance with Circular Guidance - The Town and Country Planning (safeguarding aerodromes, technical sites and military explosives storage areas) Direction 2002