

UTTLESFORD DISTRICT COUNCIL

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Leanne Palmer
Inquiries and Major Casework
The Planning Inspectorate
Room 3/J Kite Wing, Temple Quay
House
2 The Square, Temple Quay
Bristol
BS1 6PN

14th September 2023

Your ref: S62A/2023/0021

Our ref: UTT/23/1848/PINS

Please ask for Mr Lindsay Trevillian on [REDACTED]
[REDACTED]

Dear Madam,

LOCATION: MOORS FIELDS, STATION ROAD, LITTLE DUNMOW
PROPOSALS: CONSULTATION ON S62A/2023/0021 - APPLICATION FOR THE APPROVAL OF RESERVED MATTERS FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE FOR 160 DWELLINGS AND A COUNTRYSIDE PARK PURSUANT TO CONDITIONS 1 AND 2 OF OUTLINE PLANNING PERMISSION UTT/21/3596/OP

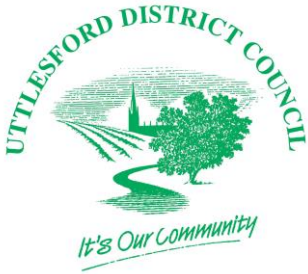
Thank you for your letter of 15th August 2023 confirming that the Planning Inspectorate has received an application for the approval of reserved matters for appearance, landscaping, layout and scale for 160 dwellings and a countryside park pursuant to conditions 1 and 2 of outline planning permission UTT/21/3596/OP at the site known as 'Moors Field, Station Road, Little Dunmow'.

The Council has now had the opportunity to review all the documentation that was submitted by the Applicant in respect to the proposals and wishes to make representations in respect of this application, incorporating comments from internal/external non-statutory consultees and including observations in respect of the way the application is to be determined.

The application was presented to Members of the Planning Committee on the 13th September 2023. In addition to the issues defined in the officers' Committee report, the main planning issues in respect of which the Council would like the Inspector to consider as part of their assessment of the proposals the following planning merits.

Background:

In March 2023 outline planning permission was granted consent under application reference UTT/21/3596/OP with all matters reserved apart from access by members of the planning committee for a residential development of up to 160 dwellings, a countryside park, up to



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100sqm of office hub floorspace, sustainable urban drainage system and associated infrastructure subject to conditions and a S106 legal agreement.

The scheme is major planning application seeking approval of the reserve matters associated with the above outline permission and has been submitted to the Planning Inspectorate (PINS) for determination.

The Council acknowledges as confirmed by the Applicant that the office hub as approved as part of the outline consent is excluded from this application and will subject to a future reserve matters application.

Pre-Applicant Engagement:

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 and that good quality pre-application discussions enable better coordination between public and private resources, and improved results for the community.

The Council would like to point out the benefits of pre-application engagement by prospective applicants which offers significant potential to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success.

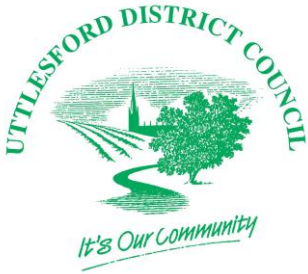
The Council promotes working collaboratively and openly with interested parties at an early stage to identify, understand and seek to resolve issues associated with a proposed development.

No formal pre-application discussion has been held with officers of Uttlesford District Council prior to the submission of this reserve matters application to the Planning Inspectorate.

Such issues as highlighted below could have been identified early and resolved to the betterment of the efficiency of the planning process if the Applicant had sought Pre-application advice prior to the submission of the application.

It is highly unfortunate that the Applicant did not seek to engaged with the Council or other statutory consultees in pre-application discussions prior to the submission of the application and Council feel that that this application has been submitted prematurely to avoid paying any pre-application fees and to save time.

The Council believe that this has and will lead to a misuse of time for all parties involved in the consideration of the application and will most likely result in the need for revised drawings/documentation to be submitted to address points of concern from both the Council and statutory consultees.



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Design:

In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at Paragraph 124 'The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve'. These criteria are reflected in policy GEN2 of the adopted Local Plan.

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.

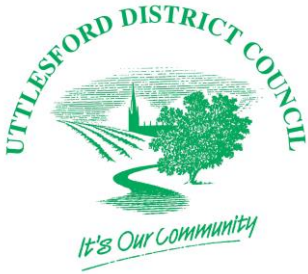
The details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission.

Condition 4 and 5 imposed on the outline decision notice requires that the reserved matters are constructed in accordance with the approved plans. Furthermore, condition 6 requires that the development shall be constructed in accordance with the details as set out within the 'Design Code' (February 2022).

The Moors Fields Design Code sets out detailed principles for the reserved matters application which aims to create a high-quality design and place making for future residents taking into consideration building for healthy life criteria and climate change.

The overriding objectives of the Design Code is to create a distinctive place for the site to ensure the layout has memorable character areas that contain a mixture of building types from small homes to larger detached dwellings with a variety of elevational interest. The Council would like to make the following comments in respect to design:

- As required by the approved 'Design Code' there is a lack of key nodal buildings at the end of vistas or on corner locations within the development and thus failing to create a memorable character with strong legibility and visual interest.
- The Design Code stipulates that all dormer windows facing the street frontage must be contained within gable roofs. The dormer windows proposed on the 2.5 storey building have flat roof types and should be revised to accord with the Design Code.
- Nine bungalows are proposed as part of the development. The location of the bungalows has not been easily identified on the 'Building Heights Plan' contained within the supporting Design and Access Statement. The bungalows should form an



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integral part to the street scene and ensure that appropriate space is provided around them to ensure that they are not heavily dominated by adjoining built form.

- Ensure that all the new homes within the development comply with the Nationally Described Space Standard (NDSS).
- Ensure that all new homes within the development conform to the requirements of the approved Design Code by ensuring that all new homes are adopted to provide appropriate mitigation to climate change as outlined within the Design and Access Statement submitted in support of the proposals.
- The layout of the built form of the dwellings should provide a greater buffer zone or separation distance from Moores Wood to avoid any loss of important trees/vegetation. It is also suggested that appropriate tree protection measures are put in place to ensure that the woodland and the root protection zones are not damaged during construction works.
- The character areas within the development could be better defined through the use of different building forms and styles, density, and spaces in and around the dwellings.

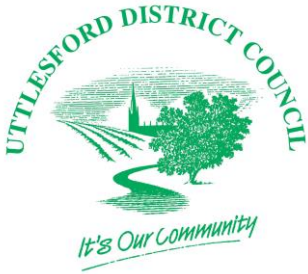
The proposals are contrary to Policy GEN2 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

Highways and Parking:

Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and encourage movement by means other than a vehicle.

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'. The Council would like to make the following observations in respect to pedestrian & cycle movements, parking for both residents and visitors, and cycle storage.

- No clarification as to the number of off-street parking spaces has been provided in detail.
- Based on the accommodation mix provided, a minimum of 348 off street parking spaces would be required. The submitted Parking Management Drawing indicates that approximately 371 off street parking spaces are provided including those with integral or detached garages.
- However, no drawings have been submitted of the proposed garages and as such it is not known as to whether the proposed garages would comply with the minimum internal dimensions to constitute as an off-street parking space. As such it is not



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known as to whether there is sufficient off-street parking across the site to meet the needs of future residents.

- The development provides a high proportion of triple tandem parking across the scheme. Tripple tandem parking tends to lead to an overspill of vehicles onto the highways which ends up resulting in unwanted traffic congestion and detrimental to the function of the highway which is main priority is form movement from point A to B and reduces the visual qualities of the street scene contrary to good place making.
- Inappropriate provision and location of visitor parking across the site.
- No off-street parking is provided for the community allotments.
- No details have been provided for secure cycle storage for apartment buildings or those dwellings without garages.
- Although indicated in the 'Pedestrian and Movement Plan' within the supporting Design and Access Statement, there is no indication or reference to a pedestrian/cycle link within the southern eastern corner of the site leading onto the Flitch Way. This is required as indicated on both the approved Development Framework Plan attached to the outline permission, Condition 25 of the outline permission, and within the approved Design Code. To promote active travel, social inclusion, and sustainable travel beyond the site to local services and facilities within Flitch Green, the Councils requests that such a link is provided.
- The refuse tracking drawings submitted in support of the proposals shows in some instances that large refuse or emergency vehicles will hit and overstep some of the kerbs in the development.

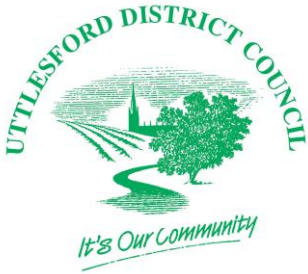
The proposals are contrary to Policy GEN1 and GNE8 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

Boundary Treatments:

The Essex Design Guide along with the approved Design Guide requires that development plots should be defined by a range of boundary treatments such as fences, walls and hedgerows to create the distinction between public and private spaces. The Council would like to highlight the following which should be rectified prior to any decision being made in respect to the application.

- The approved Design Code requires an 8m landscape buffer from the existing housing along Ainsworth Drive and the proposed housing and that this area must be fenced off so that it is not publicly accessible, and that gates must be provided so the space can be maintained as part of the management regime for the public open space. No such fencing or gates has been indicated on the boundary treatment plan and thus results in secure by design issues.

Residential Amenity:



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The NPPF requires a good standard of amenity for existing and future occupiers of land and buildings. Policies GEN2 and GEN4 of the Local Plan states that development shall not cause undue or unacceptable impacts on the amenities of nearby residential properties and within the development itself.

The Essex Design Guide provides guidance as to avoid the overlooking of rear-facing living room windows. Where habitable rooms are located at the rears of neighbouring properties and the rear facades face each other, a minimum spacing of 25m between the rears of the properties is required. Where the rears of neighbouring properties face each other at an angle of more than 30°, the minimum spacing may be reduced to 15m from the nearest corner.

Housing layouts should be designed to maximise daylight and sunlight while taking into account other factors, such as privacy and the attractiveness of the wider streetscape. Planning Permission should only be approved whereby an application will not have an adverse effect on the daylight and sunlight received by neighbouring properties. The daylight and sunlight tests are set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' and should be followed.

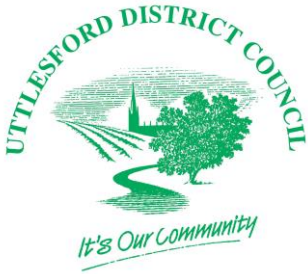
The Council thereby insists that the Inspector ensures that:

- The back-to-back distances between dwellings including those at an angle should conform to the relevant setbacks within the Essex Design Guide to avoid unwanted overlooking, visual blight and ensure adequate privacy.
- To ensure that adequate sunlight and daylight is provided to all private residential and communal gardens and habitable rooms.

Play Space:

Residential developments should normally be required to meet the need for play provision generated by the development on site, as an integral part of the design. Play area must be sited within an open space sufficient to accommodate the provision and its required buffer zone to ensure residential amenity is maintained. The Council use guidance from the 'Fields of Trust' in respect to the provision and location of play areas and this should be followed.

The Design Code stipulates that the site must provide opportunities for play in the form of a LEAP and LAP and that all dwellings must be within the recommended walking distance for one or more of these facilities. The provision of a Local Area for Play (LAP) has been provided centrally within the site. A natural play area with soft boundaries in the form of a LEAP will be provided within the countryside park. The Council would like to point out to the Inspector that:



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- Although examples of potential play and exercise equipment are provided within the supporting 'Landscape Statement' the finer details of what equipment is to be provided for the LEAP, LAP and Trim Trail have not been finalised. Prior to works commencing on the site, details of the Play areas should be provided.

Such details are required to ensure that the development provides attractive open spaces in locations that are easy to access, with activities for all to enjoy, such as play, food production, recreation, and sport, so as to encourage physical activity and promote health, well-being and social inclusion in accordance GEN2 of the Uttlesford District Local Plan 2005 as Adopted and the National Planning Policy Framework.

Utilities:

Anglian Water - Waste Water Treatment

Anglian Water has confirmed as part of the outline application that the foul drainage from this development is in the catchment of Felsted Water Recycling Centre which currently does not have capacity to treat the flows the development site. The Council request that Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore request that the Applicant contact the water authority to take the necessary steps to ensure that there is sufficient treatment capacity for the site.

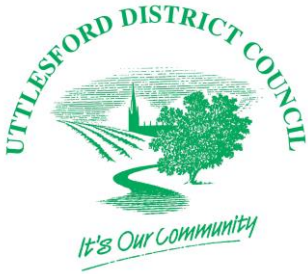
Representations

This application has resulted in a significant amount of public interest from residents of Uttlesford District Council and the Council respectfully requests that the Inspector acting on behalf of the Secretary of State takes the time to review and listen to those comments provided in the representations made by the public and all comments provided by the relevant Local Parish Councils, and statutory and non-statutory organisations.

Consultation Documentation

The following documentation is provided as part of the Uttlesford District Council's consultation response in which should form part of the Inspectors assessment of the proposals.

- Officers Committee Report
- Minutes of the Planning Committee Meeting (13th September 2023)
- Uttlesford District Council's Environmental Health Officer
- Uttlesford District Council's Conservation Officer Advice
- ECC Specialist Archaeological Advice
- ECC Place Services Ecology Officer Advice



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- ECC Crime Prevention Tactical Adviser
- ECC Lead Local Highway Authority

Summary

Based on the above, the Council Objects to the proposals in that they would be contrary to Policies Gen1, GEN2, and GEN8 of the Uttlesford District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

The Council reserves the right to review and provide additional comments if any further documentation is submitted to the Secretary of State and once all statutory or non-statutory consultation have been received during the hearing.

Planning Conditions:

Without prejudice to the Council's Statement and case put forward above, if the Inspector is mindful of approving planning permission for the proposed works, a draft list of the suggested conditions has been provided within the Committee Report. These including any other conditions suggested by statutory authorities should have full regard.

Yours Sincerely

Mr Dean Hermitage
Director of Planning &
Building Control
Uttlesford District Council.