

Planning Application
Land South of Bedwell Road, Elsenham
Planning Inspectorate Reference: S62A/2024/0049
Uttlesford District Council Reference: UTT/24/1618/PINS

Representations from: Elsenham Parish Council and Ugley Parish Council

By email to: section62a@planninginspectorate.gov.uk

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The application site is in Ugley parish, adjacent to the boundary with Elsenham. The two parish councils have considered the documents relating to the application, and wish to make objections as below.

1. Noise and affordable housing

The site is surprisingly noisy, on account of the M11 motorway, and the noise carries over some distance, no doubt because the motorway is elevated. The intervening trees must have some baffling effect, which will be lessened in winter, after leaf-fall.

1.1 Affordable housing

The applicants' intentions with regard to affordable housing are clearly stated:

To create an 'integrated community' where affordable housing will be indistinguishable from open market dwellings (*Design and Access Statement*, p. 2).

The affordable housing will comprise both apartments and houses. All the affordable housing units and are designed to be tenure blind to create an 'integrated community' where it will be indistinguishable from open market dwellings (*Planning Statement*, 4.26).

This aspiration has not been realised. The affordable dwellings are all too obviously the three-storey block of flats at the north-west of the site, positioned in order to provide a buffer against noise from the M11, to the advantage of the remainder of the site. The presence of a block of three-storey open market flats to the south of the affordable dwellings is not sufficient to achieve the objective of a truly integrated community.

The proposed strategy was not endorsed by the Planning Inspector in deciding the appeal into the outline application (UTT/20/2908/OP; APP/C1570/W/22/3311069). The layout was regarded merely as an illustration. The Inspector provided in Conditions 3 and 4 that a layout acceptable to the District Council should be provided, and Uttlesford District Council has clearly indicated that it is not acceptable.

Reference should be made to the application by Gladman for 220 dwellings to the north of Bedwell Road (UTT/19/2266/OP; APP/C1570/W/21/3274573), which was refused by UDC Planning Committee on 15 April 2021 and refused at appeal on 25 October 2021. The Inspector commented:

Arguments were presented that people buying the properties would be aware of the noise conditions of the site prior to purchase, and people's sensitivity to noise levels differs widely. I agree. However, 40% of these properties would be affordable, and these future occupants would have less choice over their future housing than market dwelling purchasers – especially those who would be housed in the social rented dwellings. The [*sic*] seriously concerns me (36).

This argument applies with greater force to the present application, where all of the affordable dwellings are on the side of the site towards the motorway to the west. The strategy of placing habitable rooms looking east is not likely to prove satisfactory. It means that kitchens are on the side of the flats looking towards the motorway, and therefore it will not be possible to open kitchen windows without being subjected to excessive noise.

1.2 External areas

Amenity space generally is obviously inadequate. Public amenity areas on the motorway side of the flats will be unavoidably noisy. These areas include the inadequate gesture towards a children's play area which is the 'trim trail', and the front entrances to the flats. Another

observation by the Inspector who refused the Gladman application for 220 north of Bedwell Road is relevant:

Likewise, talking to neighbours in the street would also be problematic as noise levels are likely to be higher in public spaces. . . . This would not encourage community cohesion nor social wellbeing and the quality and value of the public space around the development would be diminished by the noise levels, such that I fail to see how they would be actively and continually used (31).

1.3 Three-storey flats in Elsenham

The applicants wish to point out that three-storey blocks have been erected elsewhere in Elsenham. That is true, but on nothing like the scale now proposed.

Three-storey blocks of flats were proposed on the site to the north of Stansted Road, 155 dwellings, by David Wilson Homes (UTT/14/3279/DFO), detailed application agreed in May 2015. The Parish Council argued strongly that they were inappropriate, and was successful to the extent that it was eventually agreed that the ridge height should be reduced so that the second-storey flats are partly in the roof space. The blocks were therefore regarded as 2.5 storeys.

On the approved site for 350 dwellings by Bloor Homes now under construction (UTT/21/3269/DFO), there are two three-storey blocks each of nine flats, on the lowest part of the site. There are six flats on the second floor, amounting to 1.7% of the whole. On the approved site also by Bloor Homes for 200 dwellings (UTT/23/2063/DFO), there is one block of three-storey flats, with three on the second floor, which is 1.5% of the whole.

Elsewhere in Elsenham, the Parish Council has argued strongly against three storeys, and none are included in any of the following:

165 dwellings south of Stansted Road (UTT/15/2632/DFO);
42 dwellings at Elsenham Nurseries (UTT/17/0335/DFO);
99 dwellings off Isabel Drive and off Stansted Road (UTT/ 21/2461/DFO);
130 dwellings west of Hall Road (UTT/19/0462/FUL);
40 dwellings off Rush Lane (UTT/19/0437/OP; APP/C1570/W/19/3242550).

The present proposal, by contrast, is for nine second-floor flats out of 50 dwellings, a percentage of 18%, and far in excess of anything elsewhere in this rural settlement. It must be noted that the outline approval does not mean that three storeys must be provided.

1.4 Uttlesford District Council Planning Committee

The application was considered by Uttlesford District Council's Planning Committee in their role as consultees at their meeting on 24 July 2024. Extracts from the comments of different councillors follow:

If you can't afford one of our houses, you can go in that block, and make it more pleasant for those who can buy.

Use of monolithic blocks of flats works on Westway in London, but not here. It is inappropriate as a design layout in a rural corner of Uttlesford.

The worst application I've seen in the past year.

The most controversial application we've seen for a long time.

It is disgraceful to use affordable flats as a sound barrier to market housing. I've never known anything like it [from the member of Planning Committee with the longest period of service].

The proposal to recommend objection was carried unanimously.

2. Bungalows

It is stated by UDC:

The applicant is proposing that all 14 of the affordable rented properties are flats which does not match the mix identified as being required within the LHNA May 2024. The proposal includes 1 affordable 2 bed bungalow and 5 first homes which meets the Council's policy (*Addendum List 24.7.24, UDC website 23 Jul 2024, Item Number 8, p. 4*)

The Parish Council cannot find the one affordable 2-bed bungalow on the documents as provided. A 'Height and Massing' plan is included (*Design & Access Statement, 6.4*). If it is compared with the *Planning Layout*, it is evident that all the single-storey structures are garages, and that there are no single-storey dwellings anywhere in the proposals.

The requirement for 5% of dwellings to be provided as bungalows has been UDC's policy since 2021:

There is a shortage of bungalows within the district for both market purchase and affordable rent. It is a requirement for 5% of properties to be bungalows upon new housing developments and this applies to both the affordable and the market sale housing upon the site (*Housing Strategy, 2021-2026, p. 15*).

From this it is evident that both affordable and market provision must include bungalows at 5% of the whole. There are 20 affordable dwellings; $5\% \times 20 = 1$. There are 30 market dwellings; $5\% \times 30 = 1.5$, rounded up to 2. Thus there should be one affordable bungalow and two market bungalows. The site layout needs to be revised accordingly.

It should be noted in this context that a ground-floor flat is not sufficient to meet the policy regarding bungalows.

3. Garden sizes

Garden sizes should conform to the *Essex Design Guide*, that is, 50 sq m for one-bed and two-bed dwellings and 100 sq m for three-bed dwellings and above.

Nothing has been found to indicate the sizes for each dwelling. However, the following statement is included:

The quantum of private amenity provide are as follows:

- 1 bed apartment (25 sq. m)
- 2 bed apartments (25 sq. m)
- 2 bed houses (50 sq. m)
- 3/4 bed houses (75 – 120 sq. m) (*Design & Access Statement, 6.8*)

Gardens below 100 sq m for three- and four-bedroom houses are inadequate.

4. Miscellaneous

The applicants are clearly not familiar with the area, and therefore make a number of erroneous statements, including:

Elsenham is a village of just over 2000 people (just over 850 households) (*Design and Access Statement, 2.1*)

The number of households according to the 2011 census was 980. The following table shows the number of households when applications which have proceeded at least as far as outline approval are included:

Reference	Date of Approval	Description	Number	Status
2011 Census		Number of households	980	
UTT/2166/11/DFO	15 Aug 2012	Orchard Crescent	53	Complete
UTT/12/6116/FUL	7 Feb 2014 (appeal)	Old Goods Yard	10	Complete
UTT/13/2917/FUL	23 July 2014	Hailes Wood	32	Complete
UTT/15/1121/FUL	9 Dec 2015	Hailes Wood, additional	3	Complete
UTT/14/3279/DFO	1 May 2015	North of Stansted Road	155	Complete
UTT/15/2632/DFO	5 Feb 2016	South of Stansted Road	165	Complete
UTT/17/0335/DFO	6 July 2017	Elsenham Nurseries	42	Complete
UTT/17/2542/DFO	22 Dec 2017	North of Leigh Drive	20	Complete
UTT/19/0462/FUL	6 Nov 2019	West of Hall Road	130	Commenced
UTT/19/0437/OP	4 Sep 2020 (appeal)	South of Rush Lane	40	Detailed application submitted
UTT/21/3269/DFO	1 June 2022	North-west of Henham Road	350	Commenced, c. 95 occupied
UTT/21/2461/DFO	5 April 2023	West of Isabel Drive	99	Commenced, c. 6 occupied
UTT/22/2760/PINS UTT/23/2063/DFO	11 April 2023	East of Elsenham Station ¹	200	Detailed application approved
UTT/22/2174/PINS S62A/2022/0007	14 June 2023	South of Henham Road	130	Detailed application awaited
Small schemes	Various	Various	36	
TOTAL			2,445	

The vast discrepancy is important, for it indicates that the applicants are very far from understanding the extent to which infrastructure in Elsenham has not kept pace with development.

Anglian rail line serves Elsenham station with services to Bishop's Stortford, Harlow, Stratford, Stansted Airport and Liverpool Street to the south and Cambridge to the north (*Design and Access Statement, 4.4*).

There is no rail service from Elsenham to Stansted Airport.

The site is well located for access to the strategic road network (*Design and Access Statement, 4.2*)

Road links to Elsenham are surprisingly poor, given that there is a railway station.

Elsenham is also within easy reach of J8 of the M11 motorway providing an easy connection by road to Stansted Airport (*Design and Access Statement, 4.4*)

The M11 does not provide a connection to Stansted Airport. Elsenham is not within easy reach of either the M11 motorway or Stansted Airport. The most direct route by road is via the constrained route through Stansted Mountfitchet, where congestion and unexpected delays occur frequently.

Conclusion

The applicants state their intentions:

The intent for the new development is to create an attractive development that will enhance the character of the village and create a sense of place that will reinforce civic pride and promote a community spirit (*Design & Access Statement, 1.2*)

This is an empty statement. The developers have entirely failed in their purpose, particularly with regard to the Ugley fortress of the affordable block, but also concerning bungalows and garden sizes.