

**ITEM NUMBER:** 6

**PLANNING COMMITTEE DATE:** 12 March 2025

**REFERENCE NUMBER:** UTT/25/0101/PINS and S62A/2024/0075

**LOCATION:** Land North of Knight Park, Thaxted Road, Saffron Walden

**SITE LOCATION PLAN**



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Organisation: Uttlesford District Council      Date: 25 February 2025

**PROPOSAL:** Consultation on S62A/2024/0075 - Reserved matters (appearance, landscaping, layout and scale); pursuant to outline planning permission ref: S62A/2023/0031 for the erection of up to 55 dwellings, associated landscaping and open space, with access from Knight Park

**APPLICANT:** M. Sumner, Saffron Walden LLP

**AGENT:** T. Dodkins, Phase 2 Planning & Development Ltd

**EXPIRY DATE:** 20 March 2025

**EOT EXPIRY DATE:** N/A

**CASE OFFICER:** Genna Henry

**NOTATION:** Within Development Limits and partially outside development limits

**REASON THIS APPLICATION IS ON THE AGENDA:** This is s report in relation to a major planning application submitted to the Planning Inspectorate (PINS) for determination.

Uttlesford District Council (UDC) has been designated by Government for poor performance in relation to the quality of decision making on major applications.

This means that Uttlesford Planning Authority has the status of consultee and not the decision maker.

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**1. RECOMMENDATION**

That the Strategic Director of Planning be authorised to advise the Planning Inspectorate that Uttlesford District Council recommend planning permission be granted subject to relevant conditions.

**2. SITE LOCATION AND DESCRIPTION:**

**2.1** The proposed application site is located to the to the northeast of Thaxted Road, Saffron Walden. The site is approximately 4.32 hectares in size and its topography consists of a modest slope falling from the southeastern corner to the northwestern corner. The site is formed by a single distinct field currently in arable production and free of any established built form. Mature vegetation is the form of established hedgerows and medium size trees are located along the boundaries of the site.

- 2.2** Immediately adjacent to the southern boundary is Knights Park Retail Park which includes a several commercial units, a supermarket, a café, hotel, and a recycling centre. To the north, an approved residential development for the construction of 150 dwellings by Bellway is near completion. Modest size arable fields used for agriculture are located to the south and east.
- 2.3** In terms of local designations, due to its irregular shape, the site is defined as being outside of the settlement boundary of the Town of Saffron Walden, but the site is partially within development limits being located adjacent to the Retail Park and thereby partially located within the countryside. The Environmental Agency Flood Risk Maps identifies the site lying within 'Flood 1'. The site does not fall within or abuts a conservation area, and there are no other heritage assets near the site. There are no local landscape designations within or abutting the site.
- 2.4** This site was previously included in the draft allocation for the Emerging Local Plan as a commercial development site, given its access and proximity to the commercial development at Knight Park. Following the approval of the outline application, this application site no longer comprises part of the Emerging Local Plan has subsequently been removed.

### **3. PROPOSAL**

- 3.1** This s62a application seeks reserved matters permission for up to 55 dwellings with associated landscaping, open space with the main vehicle access to the site from Knight Park retail site. As the principle of the development has been established at outline stage along with access details; matters relating to appearance, layout, landscaping and scale are now under consideration.
- 3.2** The portion of land directly to rear of Retail Park is proposed to be developed with the adjoining northwestern portion reserved for as an attenuation basin for sustainable drainage purposes only.
- 3.3** The site plan indicates a number of character areas are proposed with a mix of house types and housing tenures are proposed. The proposed site plan clearly marks out the location of affordable housing units. A full range of house types are proposed from flatted accommodation, terraced houses, semi-detached and detached properties.
- 3.4** The proposal will include the following housing tenure mix:
- Private Sales 60% (33 Units)
  - Affordable 40% (22 Units inc. Tenure Mix of Rent 16 Units (70%) / Shared Ownership 6 Units (30%))

3.5 The proposed housing tenure includes the following:

<b>Affordable</b>				
House Type	Bedrooms	Nett (sqft)	Units	Total Area (sqft)
1B Apt Aff - M4(3)	1	562	2	1,124
2B Apt Aff	2	707	6	4,242
T236B1 Aff	2	827	1	827
M242B1 Aff	2	855	5	4,275
T352B0 Aff	3	1,012	6	6,072
M362B1 Aff	3	1,113	2	2,226
<b>Totals</b>			<b>22</b>	<b>18,766</b>

<b>Sales</b>				
House Type	Bedrooms	Nett (sqft)	Units	Total Area (sqft)
1B Apt Sales - M4(3)	1	562	1	562
2B3P Apt Sales	2	689	3	2,067
2B4P Apt Sales	2	707	4	2,828
M241B1	2	855	2	1,710
M351B1	3	1,031	4	4,124
M354B0	3	1,172	5	5,860
M461B0	4	1,297	1	1,297
M472B0	4	1,349	3	4,047
T466B0	3	1,397	1	1,397
M467B0	4	1,481	5	7,405
T581B1	5	1,774	4	7,096
<b>Totals</b>			<b>33</b>	<b>38,393</b>

<b>Grand Total</b>			<b>55</b>	<b>57,159</b>
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3.6 The accommodation schedule extracted below;

Dwelling Type	Number	Percentage
1-bed apartment	3	11
2-bed apartment	13	31
2-bed house	8	38
3-bed house	18	38
4-bed house	9	16
5-bed house	4	4
<b>TOTAL</b>	<b>55</b>	<b>100%</b>

3.7 The application includes a Design & Access Statement and Planning Statement in support of the application to illustrate the process that has led to development proposal and explain and justify the proposal in a structured way.

3.8 Also included within the application:

- Covering letter

- A range of plans
- Drawing Issue Sheet
- Accommodation Schedule
- Drainage Technical Note
- Concept Levels Strategy Landscape Strategy
- Landscape Management Plan

**4. ENVIRONMENTAL IMPACT ASSESSMENT**

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

**5. RELEVANT SITE HISTORY**

5.1	Reference	Proposal	Decision
	UTT/23/3112/PINS	S62A/2023/0031 - Outline application with all matters reserved except for access for the erection of up to 55 dwellings, associated landscaping and open space, with access from Knight Park	Approved.

**6. PREAPPLICATION ADVICE AND COMMUNITY CONSULTATION**

6.1 Full details of the applicant's engagement and consultation exercises conducted is discussed in section 5 of the Planning Statement.

**7. SUMMARY OF STATUTORY CONSULTEE RESPONSES**

7.1 All statutory consultees are required to write directly to the Planning Inspector (PINS) (and not the Local Planning Authority).

7.2 Accordingly, it should be noted that a number of consultations/advice normally obtained from statutory consultees to assist the Local Planning Authority in the consideration of a major planning application have not been provided and thereby not included in this report.

7.3 It is noted no statutory consultee comments have been received.

**8. PARISH COUNCIL**

8.1 These should be submitted by the Parish Council directly to PINS within the 21-day consultation period.

8.2 Comments have been received from Saffron Walden Parish Council, but these have also been sent directly to the Planning Inspectorate. No objections raised, but comments in relation to Flooding, Site Drainage,

and appropriate compliance with ULP Policy GEN1 regarding traffic and vehicle access to the site and Policy SW12 of the Saffron Walden Neighbourhood Plan.

## **9. CONSULTEE RESPONSES**

### **10.1 UDC Conservation**

10.1.1 No comment received.

### **10.2 UDC Design**

10.2.1 No objections, but suggestions to improve the overall scheme have been made.

### **10.3 UDC Environmental Health**

10.3.1 No objection, subject to conditions

### **10.4 UDC Health / Waste**

10.4.1 No comment received

### **10.5 UDC Landscaping**

10.5.1 No objection, subject to conditions.

### **10.6 Place Services (Ecology)**

10.6.1 No Objection.

### **10.7 Place Services (Archaeology)**

10.7.1 No objection, subject to conditions.

### **10.8 Crime Prevention Officer**

10.8.1 No comment received

### **10.9 Essex Police**

10.9.1 We strongly recommend that the developer seeks to achieve the relevant Secured by Design accreditation detailed within the current Secured by Design Homes guide for the development, (<https://www.securedbydesign.com/guidance/design-guides>).

### **10.10 Highways England**

10.10.1 No comment received.

**10.11 NHS**

**10.11.1** No comment received.

**11. REPRESENTATIONS**

**11.1** The application was publicised by sending letters to adjoining and adjacent occupiers and by displaying a site notice. Anyone wishing to make a representation (whether supporting or objecting) are required to submit their comments directly to PINS.

**11.1** UDC has no role in co-ordinating or receiving any representations made about this application. It will be for PINS to decide whether to accept any representations that are made later than 21 days.

**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.

**12.4 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 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)



### 13. **POLICY**

#### 13.1 **National Policies**

##### 13.1.1 National Planning Policy Framework (2024)

#### 13.2 **Uttlesford District Local Plan 2005**

13.2.1	S7	The Countryside
	GEN1	Access
	GEN2	Design
	GEN3	Flood Protection
	GEN4	Good Neighbourliness
	GEN5	Light Pollution
	GEN6	Infrastructure Provision
	GEN7	Nature Conservation
	GEN8	Vehicle Parking Standards
	H9	Affordable Housing
	H10	Housing Mix
	ENV4	Ancient Monuments and Sites of Archaeological Importance
	ENV5	Protection of Agricultural Land
	ENV7	The Protection of the Natural Environmental Designated Sites
	ENV8	Other Landscape Elements of Importance for Nature Conservation
	ENV10	Noise Sensitive Development and Disturbance from Aircraft
	ENV11	Noise Generators
	ENV12	Groundwater Protection
	ENV13	Exposure to Poor Air Quality
	ENV14	Contaminated land
	H9	Housing Mix
	H10	Affordable Housing
	E2	Safeguarding Employment Land
	SW5	Thaxted Road Employment Site
	SW6	Safeguarding of Existing Areas

#### 13.3 **Saffron Walden Neighbourhood Plan (Oct 2022)**

- 13.3.1
- SW1 – Housing Mix on New Development
  - SW2 – Affordable Housing
  - SW3 – Design
  - SW4 – Parking on New Development
  - SW12 – Promoting Walking and Cyclist
  - SW13 – Travel Planning
  - SW14 – Improving Provision of Public Transport
  - SW15 – Vehicle Transport
  - SW17 – Open Space For Informal Recreation

- SW18 – Public Rights of Way
- SW19 – Landscape Value to the Natural Environment

#### **13.4 Supplementary Planning Document or Guidance**

- 13.4.1** Uttlesford Local Residential Parking Standards (2013)  
 Essex County Council Parking Standards (2009)  
 Supplementary Planning Document – Accessible homes and playspace  
 Supplementary Planning Document – Developer’s contributions  
 Essex Design Guide  
 Uttlesford Interim Climate Change Policy (2021)  
 Uttlesford Design Code (2024)

#### **14. CONSIDERATIONS AND ASSESSMENT**

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

- 14.2**
- A) Whether the layout, appearance, scale of the proposal is acceptable**
  - B) Landscaping**
  - C) Highways, Access and Parking**
  - D) Affordable Housing and Dwelling Mix**
  - E) Residential Amenity**
  - F) Flood risk and Site Drainage**
  - G) Planning Obligations**
  - H) Other Matters**

**14.3** **A) Whether the layout, appearance, scale 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:

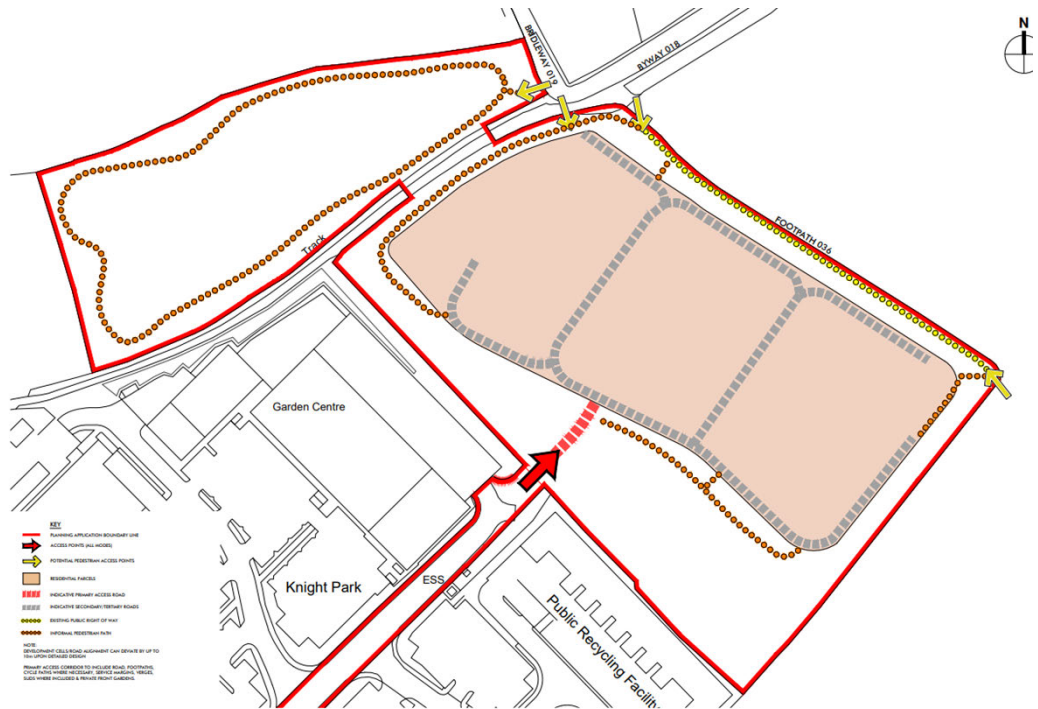
- 14.3.2**
- ‘layout’ means the way in which buildings, routes and open spaces within the development are provided, situated, and orientated in relation to each other and to buildings and spaces outside the development.
  - ‘scale’ means the height, width and length of each building proposed within the 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 and includes:

- 14.3.3** (a) screening by fences, walls or other means;  
(b) the planting of trees, hedges, shrubs or grass;  
(c) the formation of banks, terraces or other earthworks;  
(d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and  
(e) the provision of other amenity features.
- 14.3.4** The details of the reserved matters application must be in line with the outline approval, including any conditions attached to the permission.
- 14.3.5** Where outline planning permission has been granted such as in this case, reserving care should be taken in assessing the interrelationship between (a) such details granted and (b) whether the details submitted for reserved matters’ approval constitutes a material departure from the former within the context of the nature of the development (its site and surroundings), as part of the planning judgement of the decision maker.
- 14.3.6** As the outline application only approved the principle of development with matters relating to layout, appearance, scale and landscaping reserved for later determination, there are no conditions attached to the decision notice that had compelled the development to comply with any plans, other than the broad location and site plan. Since the determination of the outline consent Uttlesford District Council has published the ‘District-Wide Design Code’ (hereafter referred to as the ‘Design Code SPD’)(July 2024).
- 14.3.7** The Design Code SPD (2024) seeks to shape places that we all want to live, work and visit by delivering more accessible, sustainable and beautiful developments. The submitted Design Code for Land North East of Thaxted Road sets out detailed principles for the reserve matters application and ensures the development framework delivers the sustainability and place-making aspirations thereby creating a high quality environment.
- 14.3.8** The original Design Code submitted with the outline application provides plans and principles relating to the Access, Movement, Parking (including Cycle Parking), Character Areas, Waste Recycling, Legibility, to name a few.
- 14.3.9** This section of the report assesses matters of layout, scale, and appearance, whilst matters of landscaping is addressed further below in Section B.
- 14.3.10** **Layout**

**14.3.11** A layout shows how routes 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.

**14.3.12** Figure 1 below shows the indicative site layout plan that was approved.



**14.3.13** The indicative site plan primarily demonstrates the vehicle access to the site but also highlights the developable area which is situated central to the southeastern portion of the site with no development areas proposed in the north western portion of the site. Due to the nature of the site being located to the rear of an existing and established retail/commercial park there is limited vehicle access into the site as the surrounding sites to the north and east are characterised by open arable fields. Thus the vehicle access will form the main ingress and egress point for vehicles, as per the indicative layout, with other secondary and tertiary roads extending from the main vehicle access to the residential units. The developable area has been generally subdivided into parcels separated by internal highways.

**14.3.14** As referred to above, the new development should be in accordance with the approved details and the submitted Design Code and plans contained within. The Framework Masterplan within the Design Code from the outline application is extracted below in Figure 2;

14.3.15 Figure 2



Figure 2: The Framework Masterplan contained with the Design Code under outline application S62A/2023/0031

14.3.16 In light of the above plans, the proposed development ought to be constructed in accordance with these plans. The Design Code reflected three Character Areas that are broadly consistent with the host submitted Design Code.

14.3.17 The proposed site plan for the current s62a application is extracted below in Figure 3:

**14.3.18** Figure 3



**14.3.19** *Connectivity*

**14.3.20** The Council's Urban Design Officer has commented on the proposals and the overarching view was that the development is of a typical suburban development and in general compliance with the consented Design Code with areas that could be improved due to a small degree of non-compliance. Overall, it was highlighted the proposed site layout fails to encourage onward connects for pedestrians, cyclists or vehicles, although Officers acknowledge the principle of residential has already been approved in this location and, in terms of connecting to sites that have not yet come forward for development, the applicant is limited at this stage to provide tangible routes to adjoining sites.

**14.3.21** Notwithstanding the above, connectivity from the development site to the open space of the northwestern parcel is quite limited. The Framework Masterplan contained within the Design Code demonstrates greater connectivity than what is proposed on the current site plans. With that being said, the approved Indicative Site Plan does not feature the same degree of connectivity to the adjacent space and represents a missed opportunity to ensure the overall development does not become an isolated development area. Under section 'Movement, Access and Connectivity' of the submitted Design & Access Statement (see page 23) there is effective use of the existing Public Right of Way running along the northern boundary although the proposed development is characterised by a series of dead-ends and connectivity to the adjacent public footpaths will, as a result, become somewhat disjointed as the overall links within

the development could be improved for better wayfinding. Despite such reservations regarding the proposed layout and its limited connectivity, Officers are of the view that the overall layout is not severe enough to warrant a formal objection.

**14.3.22** *Parking Layouts*

**14.3.23** A number of the plots contain triple tandem parking layouts which is not in accordance with Policy M3.11C of the Uttlesford Design Code SPD, although the applicant acknowledges, at page 29 of the Design & Access Statement, that a number of plots with the triple parking layouts are contrary to Council's Design Code but deems it necessary to accommodate 4bed+ units and also to ensure the schemes viability. The Council's Urban Design Officer suggests there is a possibility to review the overall layout and reconsider garden sizes as these are generally above the Design Code guidelines, however, Officers are of the view that reducing garden sizes to realign parking layouts would not be ideal as there are also genuine benefits of larger gardens to future occupant. While triple tandem parking is not ideal, this is not characteristic of the whole development; namely this would affect plots 55, 54, 53, 29, 28, 27, 26, 12, 11, 10 and 9 (11 plots in total i.e. 20%) and Officers do not consider the proportion of triple tandem parking proposed to be severe enough to warrant a formal objection.

**14.3.24** In addition, there are also concerns with the parking layouts to the rear of the proposed flatted accommodation. To access the car park designated to the flats, users will need to walk through an enclosed area to the rear of the flats. The apartment blocks would have limited habitable rooms to the rear to provide natural surveillance and, thereby, contrary to M3.4C of Design Code SPD. The Urban Design Officer has suggested that details of suitable lighting details ought to be provided to the car courts to ensure users with a feeling of safety without causing a nuisance to surrounding neighbours. In light of this, Officers view that a suitably worded lighting conditions could be added to address matters.

**14.3.25** *Open Space*

**14.3.26** As per the outline consent, areas of public open space have been provided within the site boundaries which are consistent with the approved indicative plan. The Design & Access Statement indicates that 49% of the site would be allocated as Public Open Space with an additional 1% designated as a Locally Equipped Areas of Play (LEAP) which equates to 2.10ha and 0.04ha respectively.

**14.3.27** A landscape strategy has been submitted which clarifies the ground surfaces, grass types and the layout of trees and shrubs throughout and around the perimeter of the site. To the northwest corner of the developable area, a gravel path has been provided from a dead end serving the drive of plot 51 and it is assumed to this will connect to the adjacent open space and public right of way, but details are limited as this

would be outside the red line boundary. The existing hedgerow will be maintained so access to the adjacent open space, where the attenuation basins are located, will mainly be through the gravel footpath provided. Officers would have preferred increased connectivity through the developable area of southeastern parcel to the open space of the western portion of the site, however, accessible routes have been provided albeit limited. The Council's Design Officer has commented that additional trees could be proposed throughout the internal layouts of the site, rather than focusing on the peripheral areas, while this could be improved, the LPA consider there are some trees that are planted within internal streets that do not consider this a significant point of concern.

**14.3.28** *Waste Layout*

**14.3.29** A Refuse Strategy Plan has been submitted which indicates the location of storage bin areas in relation to the respective collection locations. It is stated that storage bins will be situated in relation to the garden gates. Given that most properties are detached or semi-detached this enables direct access to rear gardens for bin collections. This is not the case for the proposed terraced dwellings, however, clear routes have been marked out the Refuse Strategy showing provision have been made so there are outdoor routes for the terraced properties for bin collections.

**14.3.30** The apartment block will have integrated waste storage areas which will limit visual impacts within the development. The Refuse Strategy provided demonstrates the routes for refuse collection vehicles and an associated 'Visibility and Tracking Plan' (ref: 2404920-ACE-WW-00-DR-C-00 Rev B) has been submitted which demonstrates that the refuse vehicles can access relevant roads and manoeuvre appropriately. No comments have been received from the Council's Waste Team, but the details submitted do appear appropriate and demonstrates safe vehicle access can be obtained.

**14.3.31** *Housing and Tenure Mix*

**14.3.32** In terms of the range of properties proposed, a Housing Mix Plan has been submitted which shows a range of 1-2bed flats and 2-5bed houses and Officers consider the dwelling mix has been distributed well throughout the site. The apartment blocks are centred at the front of the site and acts as focal point into the site from Thaxted Road.

**14.3.33** The distribution of affordable housing throughout the site is also deemed appropriate. An extract of the tenure mix can be viewed in paragraph 3.5 above. Apartment block A to the front of the site would comprise of affordable rent while apartment block B would be a private sales block. Shared ownership housing would be well integrated within the scheme as terraced dwellings. The applicant has provided pre-application discussions contained in the appendix of the Planning Statement between UDC Housing Officers stating the housing mix is appropriate for both



private sales and affordable housing types and Officers have no further comment on matters.

**14.3.34** Scale

**14.3.35** The Design Code limits building typologies to up to up to 2.5 storeys for both the apartment blocks and proposed house types blocks to 2.5 storey in height. Generally, the proposed dwellings range are 2 storeys, some with single storey detached garages, which is broadly consistent with the Design Code submitted with the outline application. The proposed apartment blocks are not considered to be of significant height in relation to the houses and would and would not appear over dominant in relation to the other proposed house typologies proposed.

**14.3.36** Notwithstanding this, the scale of the proposed apartment blocks are approximately 11.3 metres in height and these building act the focal points leading into the development site. Officer do consider there is a likelihood the flats may appear over prominent when viewed from the Thaxted Road, retail park. Furthermore, as the flats exceed the heights of the dwellings immediately adjacent by approximately 2.3 metres with the potential to appear overly prominent as the active frontage from Thaxted Road.

**14.3.37** However, it is noted from the Design Code and the Indicative Masterplan, the apartment buildings are broadly in similar locations to the suggested focal buildings. Although, Officers do not consider that focal buildings should necessarily be synonymous with increased storey heights as there is potential for buildings to appear overly prominent when entering the site from the vehicle access into the site, nonetheless, such matters are not severe enough to warrant a formal objection.

**14.3.38** Elsewhere within the development site most of the dwellings are 2 storeys in height which is considered appropriate given there is limited sensitive residential receptors in close proximity and, more importantly, does not preclude development in the surrounding sites that are formally allocated in the emerging local plan.

**14.3.39** In light of the above, the scale and layout of the buildings appropriately frame the internal spaces, including highways, and are typical of the built form in the locality and thus helping to contribute positively to the local character.

**14.3.40** The proposals generally adopt typical building forms, compositions, articulations, and proportions in the locality and thus the scale and form of the proposals are deemed appropriate.

**14.3.41** Appearance

**14.3.42** 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.

- 14.3.43** 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.
- 14.3.44** To complement the existing local vernacular, the different house types have been designed with a range of architectural detailing as referred to the Design Code.
- 14.3.45** The dwellings are more contemporary in design with elements of traditional detailing. There are three-character areas proposed Knight Park, Internal Character Area and Rural Edge Area. The materials proposed are in accordance with the principles outlined in the Design Code. Notwithstanding this, the Council's Design Officer had commented there is little distinction between the Knight Park Area and the Rural Edge Character Area in terms of the house types proposed and the variety in materials palette. To ensure the development does not appear monotonous in appearance and in order to increase the visual interest within the site, Officers are of the view the materials palette could be varied to a better degree to enhance visual amenity within the site and when viewed from the surrounding areas. To overcome such matters, Officers consider that a suitably worded planning condition could be added to approve details of materials within the Knight Park and Rural Edge Character Areas, if the application were approved.
- 14.3.46** Notwithstanding the above, the overall appearance of the house types proposed are considered appropriate and the proposals seek generally represents a good quality development with a good distribution of house types throughout the development site to provide visual interest. The vernacular, architectural detailing and features will respond and contribute to local character.

#### **14.4. B) Landscaping**

- 14.4.1** All larger development should be designed around a landscape structure. The landscape structure should encompass the public open space system but should also provide visual contrast to the built environment and constitute a legible network based, where appropriate, on existing trees and hedgerows.
- 14.4.2** Existing mature vegetation along the boundaries of the site have where possible been retained and are used to enhance the public open space areas throughout the development to achieve a better sense of wellbeing and place making for future occupiers within the development.

- 14.4.3** Hedge planting has been provided to the front gardens of most plots to soften the boundaries and encourage residents to maintain these. The hedging along with the various tree types proposed throughout the site will aid visual interest.
- 14.4.4** The general landscape throughout particularly that of the plot landscaping has been designed to help enhance the overall character and appearance of the development and creates a pleasant environment to live in.
- 14.4.5** The Landscape Strategy submitted (E0027\_LXX\_PL\_001 rev PL2) demonstrated that the existing hedgerow between the developable area of the site and the open space to the north appears to have limited accessibility through the two areas. As discussed above, residents of the development site and pedestrians would be encouraged to access open space using the gravel path adjacent to plot no. 51 which proposes a limited access. Notwithstanding this, the LPA acknowledge the hedgerows between the two portions of the site are existing and some form of access has been proposed between to the two areas of the site.
- 14.4.6** With regards to boundary treatments, the Council's Urban Design Officer has commented on the extent of hard landscaping i.e. boundary treatments. Of particular concern was the extent of the boundary 1.8m brick walls/timber fencing adopted within some of the plots as it was stated they would appear visually harsh and that hedges to garden boundaries would be preferable as these would be more attractive and effectively soften the boundary treatments. Although, these comments are appreciated, however, the arrangement of most plots within the development mean that there are limited boundary treatments that are visually prominent around the development site. 1.8m timber fencing is mostly proposed between plots for privacy purposes and brick walls are only proposed in locations were the gardens flank internal streets. Notably plot no.44 would be the most visible at the front of the development site, but Officers do not consider that the extent of brick walls or timber fencing to be excessive throughout the development site.
- 14.4.7** Open Space and Play Areas
- 14.4.8** Extensive grassed areas will be provided around the development area, but there is limited landscaping within the development site itself. Notwithstanding this, the occupants of the development would have ample access to open space and within reasonable walking distances. Moreover, the landscaped areas of the development site are broadly consistent with consented Indicative Site Layout and the Framework Masterplan.
- 14.4.9** The Design Code stipulated that a landscape buffer should provide open space and play opportunities and that the proposed development should provide a Local Equipped Area of Play (LEAP) children's play area which could complement the wider recreational facilities. It was stipulated that

the children's play area should be situated within a focal area of public open space well-overlooked with built in durable materials fit for purpose.

**14.4.10** The proposed LEAP has been designated to the southeastern end at the front of the development site fronting plots numbers 1 – 4 which provides some natural surveillance. A Landscape Management Plan, as required by the s106, has been submitted which details how the open spaces (including LEAP) will be managed, and these are generally regarded as sufficient also in accordance with Policies SW17 the Saffron Walden Neighbourhood Plan (2022).

**14.4.11** In addition to the above, Place Services (Ecology) have stated their support of the planting specifications and schedules outlined within the Landscape Strategy and the aftercare measures set out in the Landscape Management Plan.

## **14.5 C) Highways, Access and Parking**

### **14.5.1** Access

**14.5.2** The details of vehicle access to the site were approved as part of the outline permission ref. S62A/2023/0031.

### **14.5.3** Parking

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

**14.5.5** The Adopted Council Parking Standards recommends that a minimum of 1 vehicle spaces should be provided for 1bed units, 2 space for 2-3bed units and 3 spaces for 4bed+ units along with additional visitor parking provisions. Provisions should also be made for 1 secure cycle covered space.

**14.5.6** A total of 14 visitor parking spaces have been allocated throughout the developable area of the site and cycle storage areas have been situated in most of the rear gardens of the proposed houses. The flats will be designed with two cycle storage spaces integrated on ground floor level and provides 16no. cycle spaces (8 spaces within each block).

**14.5.7** Based on the accommodation schedule provided, a minimum of 120no. off street parking spaces would be required across the residential scheme proposed. The supplied 'parking layout plan' indicates that 104 spaces would be distributed through the site. All 4-5bed dwellings are allocated a garage but the layouts comprise of a triple tandem format which is not ideal and as stated above, contrary to the Council's Design Code (2024) SPD. Thus, the Council does not advocate triple tandem layouts, although this parking arrangement only affects 20% of properties on site and not

considered to create significant harms to highway safety and/or significant congestion or overspill onto on-street parking.

**14.5.8** In regard to parking provisions, the submitted parking layout plan demonstrates sufficient off-street parking for the proposed residential units in accordance with the aims of the adopted Uttlesford Parking Standards and ULP Policy GEN8. It is noted that 14 visitor parking spaces have been provided which is in accordance with the Essex Parking Standards.

**14.5.9** The Highway Authority have been consulted as part of this application and they are required to submit their comments directly to PINS.

#### **14.6 D) Affordable Housing and Dwelling Mix**

**14.6.1** 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. 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 creates sustainable, inclusive, and mixed communities.

**14.6.2** At para. 7.21 of the Planning Statement, the applicant maintains that as a result of pre-application discussions with UDC Housing it had emerged the Council's preference for the market housing mix to reflect the need as set out in the Council's latest Local Housing Needs Assessment (LHNA).

**14.6.3** The affordable housing mix, including tenure, has also been informed by discussions with UDC Housing Officers and, as discussed above, Officers welcome the distribution of the affordable housing units and the various tenure types throughout the development but also the proportions of affordable housing proposed.

**14.6.4** The S106 agreement attached to the outline planning permission specifies that no less than 40% of all housing units are to be affordable housing units with a tenure mix of 70% affordable rented and 30% shared ownership units which the proposal complies with.

**14.6.5** A total of 22 residential units are provided as affordable housing with an appropriate split between affordable rented and shared ownership. Furthermore, 15 of the dwellings proposed are affordable units and the clusters within the development are generally well spread across the site. The proposed affordable housing provision meets the requirement of the S106 and is therefore acceptable in this instance.

**14.6.6** The S106 Legal Agreement attached to the outline permission also requires that 5% of dwellings shall be built in accordance with the requirements of M4(3) (wheel chair user dwellings). 5% of 55 amounts to a need of 3 units across the site to be built to M4(3) standards. The applicant states in the Planning Statement that 3 apartments have been

provided to M4(3) standards in accordance with Uttlesford Local Plan Policy GEN2 'Accessible Homes and Playspace' (2005) (SPD). Although Officers note that the ground floor, 1bed apartments, have been designated to comply with M4(3) standards only.

## **14.7 E) Residential Amenity**

### **14.7.1 Quality accommodation**

**14.7.2** All the proposed dwellings have been designed to provide a layout that has been designed to ensure attractive residential environments for new residents.

**14.7.3** Considering this, the new homes comply with the Nationally Described Space Standard (NDSS). Each of the new homes will meet internal space standards and 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 persons.

**14.7.4** The 'Proposed Parameter Plans Garden Amenity Plan' (ref. 24.1966.2250 rev B) and the submitted Full Accommodation Schedule' indicate the proportions of private amenity space allocated for each unit. For the proposed dwellings, these all exceed the minimum quantities for private amenity spaces, as required by the Design Code SPD (2024).

**14.7.5** Likewise, as with the apartments, those provided with balconies these exceed the minimum guidelines which is welcomed by Officers. Conversely, from the Garden Amenity Plan submitted indicates that 179sq.m have been allocated to the front of the apartment blocks as communal garden area for the flats. However, Officers do not consider this allocation of community space as appropriate since this space would be situated directly opposite the access road from Thaxted Road which undermines the quality of this communal area. For these reasons, this communal area would be contrary to H2.6C and H2.7C of the Urban Design Code, however, occupants would have direct access to open space within the application site.

**14.7.6** The development site is surrounded by arable open fields and, thus, there will be limited impacts to overlooking neighbouring sites. Within the development, the plots are well space with sufficient garden depth to minimise a cramped layout and loss of privacy. The rear of the apartment blocks face the car park area which is also adjacent to parking garden plots no. 32 and 24. The layout of the car park adjacent to the flats is not ideal, but there would be limited overlooking to the nearby residents as habitable rooms are not generally facing these residential gardens.

**14.7.7** The applicant has stipulated within their supporting Design & Access Statement that the proposed residential units will include measures to maximise energy efficiency, through their siting design and orientation. It

is further maintained that the development will adhere to nationally recognised hierarchy of:

- Reducing energy demands in the first instance ('Be Lean');
- Before using energy efficiency and cleanly ('Be Clean'), and only then;
- Using renewable and low carbon technologies (Be Green'), where possible.

**14.7.8** In addition to the above, it has also been stated that the buildings will be constructed with a 'fabric first' approach to energy efficiency, which exceeds the Building Regulations with regards to energy consumption. Solar Photovoltaic (PV) panels, electrical charging points sustainable surface water drainage system is proposed throughout the site and forms part of the proposed extensive open space, as part of the wider development. It is further maintained this will ensure the water run-off within the development is appropriately managed.

**14.7.9** It is suggested that a suitable worded planning condition should be imposed if permission is granted for the applicant to provide details prior to the construction of the dwellings how the proposals will meet the required standards set out in the Interim Climate Change policy and the approved Design and as suggested by the Design & Access Statement.

**14.7.10** Environmental Health

**14.7.11** Environmental Health has been consulted on the current application and it was noted that a Noise Impact Assessment was carried out at outline stage, but the details were limited due to the nature of the application. Thus, it was suggested that as the proposed internal layouts indicate habitable/sensitive rooms facing the retail park and recycling centre, it was suggested a detailed noise assessment ought to be undertaken in line with the relevant industry guidelines and secured through appropriately worded condition(s). Given the sensitivity, of the location of the site and the plots that front the development site, Officers consider relevant conditions appropriate in this instance.

**14.8. F) Flood Risk and Site Drainage.**

**14.8.1** The adopted Development Plan Policy GEN3 requires development outside flood risk to avoid increasing the risk of flooding through surface water run-off. Also, Policy SW3(14) of the Saffron Walden Neighbourhood Plan requires developments to minimise Flood Risk in accordance with the NPPF (2024).

**14.8.2** As part of the outline consent allowed by the Inspector, Condition 5 as part of the decision notice required the applicant to submit SuDS details for the LPA to approve prior to commencement. Condition 21 also requires the development to be carried out in accordance with the

approved Flood Risk Assessment and its recommended mitigation measures.

**14.8.3** In accordance with condition 5, A Drainage Technical Note, prepared by Ardent Consulting Engineers (ref. 2404920-02-B), although these details ought to be dealt with under an appropriate discharge of conditions application. With that being said, at the time writing, not comments have been received regarding the SuDS details.

**14.8.4** The Lead Local Flood Authority (LLFA) have been consulted as part of this application, and they are required to submit their comments directly to PINS.

#### **14.9. G) Planning Obligations**

**14.9.1** Paragraph 56 of the NPPF (2024) sets out the planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind of development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations.

**14.9.2** The Section 106 Legal Agreement to permission S62A/2023/0031 specifies several obligations/requirements in which proposals need to comply with. The proposals have been checked against the S106 agreement and it is confirmed that the proposals have been designed to facilitate the necessary obligations/requirements as highlighted in the S106 agreement.

#### **14.10.1 H) OTHER MATTERS**

### **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 application relates to the reserved matters following a decision made by the Planning Inspectorate (PINS) to allow outline planning permission will all matters reserved except for means of access for a residential development of up to 55 units with associated landscaping and open space under S62A/2023/0031.

**16.2** The scheme is a reserved matters (major) planning application and has been submitted back to PINS for determination. This means that Uttlesford District Council Planning Authority is not the decision maker but rather a consultee whereby the Council may submit comments to PINS.

**16.3** The application consulted statutory and non-statutory consultees, however, at the time of writing, limited formal comments have been made available.

**16.4** As such, without all the available information from relevant statutory consultees, one cannot firmly conclude at this stage whether the proposals amount to an acceptable scheme regarding to layout, scale, appearance, and landscaping of the residential scheme.

**16.5** Nevertheless, it is concluded at as a minimum, that as part of the Uttlesford District Council's consultation response to the Secretary of State, advice should be given to the details outlined within this report and the suggested planning conditions appended below if PINS are minded to approve the application.

## **17. CONDITIONS**

**17.1** Below is a list of conditions that will be suggested to the PINS if they are mindful to approving this reserved matters scheme. Subject to these suggested conditions meeting the required planning tests, they should be imposed, or amended where necessary, to any decision.

**1** The development hereby permitted shall be begun before the expiration

of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2** The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

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

- 3** The planting proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the council. All planted materials shall be maintained for five years and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

REASON: To ensure that the appearance of the development is satisfactory in accordance with Local Policy GEN2 Uttlesford Local Plan Adopted (2005) and the National Planning Policy Guidance.

- 4** Prior to commencement of the development hereby approved, measure of renewable energy/climate control and water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, all approved measures shall be implemented prior to the occupation of the development and thereafter retained.

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV13 and GEN2, of the Uttlesford District Council Local Plan as Adopted (2005), the National Planning Policy Guidance, as well as Uttlesford District Council's Interim Climate Change Policy document (2021) and the Uttlesford Climate Change Strategy 2021-2030

- 5** Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan 2005.

- 6 No development above slab level development shall commence until details/samples of the materials proposed for the exterior of the development within character areas 'Rural Edge' and 'Knight Park' (as defined on plan no. 24.1966.2200 rev B), hereby approved have been submitted to, and approved in writing by , the Local Planning Authority. Thereafter the development shall be constructed in accordance with the details approved.

REASON: In the interests of the appearance of the development and to accord with Policy GEN2 of the Uttlesford Local Plan 2005.

- 7 No development shall commence on site until a detailed scheme, informed by noise assessment Cass Allen, reference: RP01-23338-DRAFT-R1, dated: December 2023 has been submitted to and approved, in writing, by the Local Planning Authority. The scheme itself shall be designed, specified and constructed so that the sound insulation performance of the structure and the layout of the dwellings are such that the indoor ambient noise levels do not exceed the values detailed in Table 4 of BS 8233:2014 and the and that the individual noise events do not exceed 45 dB LA,max,F more than 10 times a night. Where opening windows will lead to an internal noise level increase of 5dBA or greater above BS 8233:2014 recommended internal levels, the scheme shall include provision of alternative mechanical ventilation with minimum performance equivalent to a mechanical heat recovery (MVHR) system with cool air bypass as an alternative means of cooling and ventilation.

Noise from the system should not result in BS8233 internal levels being exceeded. Thereafter, the development shall not be carried out other than in accordance with the approved scheme which shall be completed before any part of the accommodation hereby approved is occupied.

REASON: To safeguard residential amenities, in accordance with the adopted Uttlesford Local Plan Policies GEN2, GEN4, and the National Planning Policy Framework (2024).

- 8 An acoustic assessment covering all noise sources of a commercial or industrial nature (in line with the methodology of BS 4142:2014) shall be submitted to the local planning authority for approval prior to the development commencing, along with a scheme of mitigation to ensure that:

- 1) At any time the plant rating level calculated according to BS4142:2014 shall not exceed the measured typical day and night-time LA90 background levels at the proposed noise sensitive receptor, and additionally, Once approved the scheme of mitigation shall be implemented in full prior to the use commencing and

permanently maintained thereafter to ensure compliance with the noise levels.

REASON: To safeguard residential amenities, in accordance with the adopted Uttlesford Local Plan Policies GEN2, GEN4, and the National Planning Policy Framework (2024).