

AGENDA ITEM NO 6

PART A

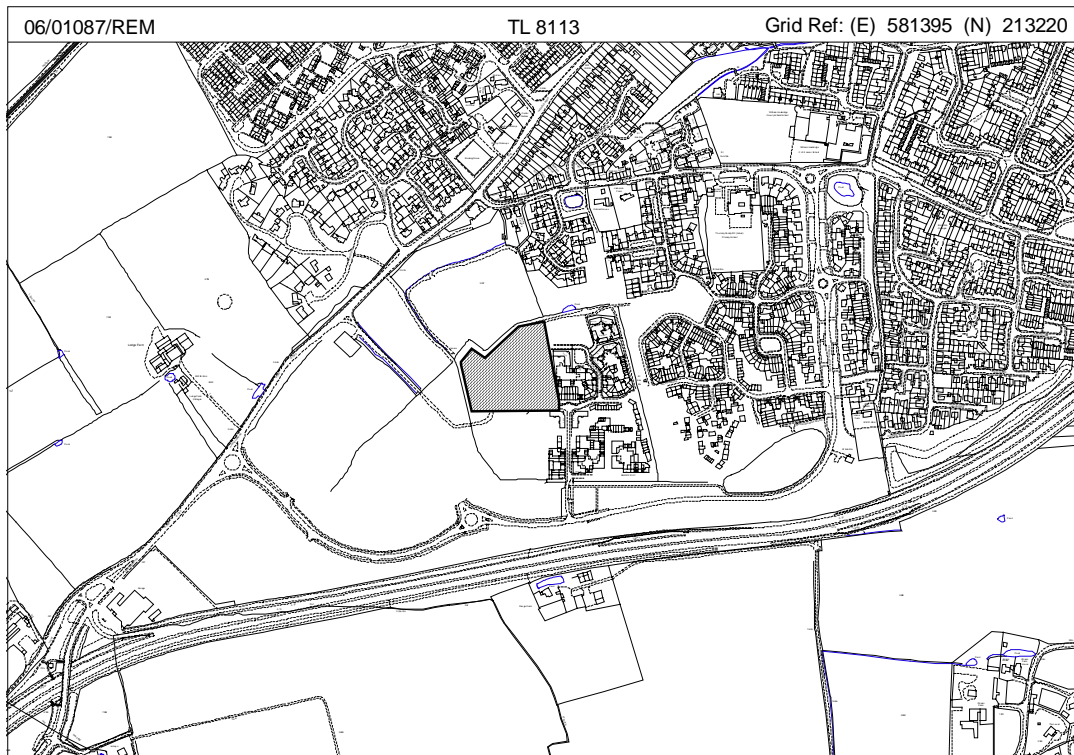
APPLICATION NO : 06/01087/REM **DATE VALID :** 24.05.06

APPLICANT : Barratt Eastern Counties Limited
6-8 Richmond Road Chelmsford Essex CM2 6UA

AGENT : Nigel Chapman Associates Ltd
Kings House Colchester Road Halstead Essex CO9 2ET

DESCRIPTION : Erection of 90 no. 1-4 bedroom dwellings including
associated groundworks - Land Parcel 12

LOCATION : Pondholton Farm Maltings Lane Witham Essex CM8
3HU



SITE HISTORY

91/01563/POWS	Erection Of Approx. 800 Dwellings, Business Park, Primary School, Neighbourhood Centre, Community Facilities	PER106	08.08.2000
06/01143/OUT	Erection of approx. 268 Dwellings, B1 business park, primary school, neighbourhood centre, community facilities, open space, landscaping and ancillary infrastructure	PCO	

POLICY CONSIDERATIONS

Essex and Southend-on-Sea Replacement Structure Plan

CS1	Achieving Sustainable Urban Regeneration
CS2	Protecting the Natural and Built Environment
CS4	Sustainable New Development
BE1	Urban Intensification
BE2	Mixed Use Developments
H2	Housing Development – The Sequential Approach
H3	Location of Residential Development
H4	Development Form of New Residential Developments
T3	Promoting Accessibility
T6	Walking and Cycling
T8	Improvements to the Primary Route Network
T12	Vehicle Parking

Braintree District Local Plan Review

RLP3	Development within Town Development Boundaries and Village Envelopes
RLP7	Housing and Mixed Use Sites
RLP9	Design and Layout of Housing and Mixed Use Areas
RLP10	Residential Density
RLP50	Cycleways
RLP51	Cycle Parking
RLP56	Vehicle Parking
RLP62	Development Likely to Give Rise to Pollution or the Risk of Pollution
RLP65	External Lighting
RLP67	Flood Risk in Undeveloped Areas
RLP69	Sustainable Drainage
RLP70	Water Efficiency
RLP71	Water Supply, Sewerage and Land Drainage
RLP73	Waste Minimisation
RLP74	Provision of Space for Recycling
RLP76	Renewable Energy
RLP77	Energy Efficiency
RLP80	Landscape Features and Habitats
RLP81	Trees, Woodlands, Grasslands and Hedgerows
RLP90	Layout and Design of Development
RLP93	Public Realm
RLP137	Open Space Standards
RLP138	Provision of Open Space in New Housing Developments

Government Guidance

PPS1	Planning Policy Statement 1: Delivering Sustainable Development
PPG3	Planning Policy Guidance Note 3: Housing

INTRODUCTION

The application is for the approval of reserved matters, relating to the site of approximately 1.625 hectares in size, situated on the western side of the Maltings Lane development. The area has been allocated the title of LP12 in the Maltings Lane Master Plan. The application proposes the erection of 90 no. 1-4 bedroom dwellings.

CONSULTATIONS

The Environment Agency has issued a holding objection to the proposed development on the grounds that no Flood Risk Assessment has been submitted with the application. Officers and the Developers are currently in discussions with the Environment Agency over this issue and an update will be provided at the Area Committee.

The County Council's Urban Designer originally raised concerns in respect of some aspects of the proposed development. However, these concerns have now been withdrawn following negotiations between the local planning authority and the developer.

Essex County Council Highways raised no objections to the proposals, subject to suitable conditions.

Environmental Services raised no objections to the proposal subjected to suitable conditions.

Housing Services have raised no objections.

Anglian Water has been consulted on the proposal, however no response has been received.

REPRESENTATIONS

Witham Town Council raised no objections to the proposed development.

One letter of representation has been received from the resident at 55 Pitt Avenue, who has objected to the proposed development, raising concern that Anglia Water has been unable to handle sewage at Blackwater Lane. Concerns were also raised within the letter in respect of the subsequent impact upon the health of local residents, the impact upon their human rights and the impact upon property valuation.

REPORT

1. Principle of Development

The site has the benefit of Outline Planning Permission granted in August 2000. This application is for the approval of reserved matters relating to the siting, design and access. The proposal is required to be judged against

the terms of the outline planning permission, master layout plan and the design statement for this phase of the development.

Furthermore, the site is located on an allocated site, within the Town Development Boundary for Witham wherein the principle of residential development is accepted subject to compliance with other development plan policies. Specifically, Policy RLP3, RLP9 and RLP90 of the Local Plan Review states inter alia that planning permission will only be granted for new development where it satisfies amenity, design, environmental and highway criteria and where the layout, height, siting, bulk form and design of any new building would be in harmony with existing surrounding development, be of a high standard, reflect local distinctiveness, and could take place without detriment to the existing character of the settlement. In addition, proposals for new development must also be sensitive to the need to conserve local features of architectural, historic or landscape importance and respect neighbouring amenities.

In addition to the abovementioned policy criteria, the design and layout of new development will be expected to be in accordance with the Essex Design Guide for Residential Areas to create a visually satisfactory environment, compatible with the character and appearance of the site, its surroundings and the locality. The importance of good design is also outlined within government guidance, and specifically in PPS1 (Delivering Sustainable Development) and PPG3 (Housing) along with the policies contained within the Essex and Southend on Sea Replacement Structure Plan and the Adopted Braintree District Local Plan Review.

Accordingly, it is considered that the proposals are satisfactory in principle providing that the development also satisfies the abovementioned criteria and other policies of the Development Plan.

2. Design and Layout

In formulating the detailed proposals for this phase of the Maltings Lane development, the developer's architect has had to take into account: the site's context in relation to the approved plans for the surrounding land parcels; the need to provide strategic accessibility to the existing roads and pedestrian routes to local amenities; the need to create a high quality, mixed accommodation environment reflecting and enhancing the density, form and character of the existing developed residential area; and the need to preserve the adjoining landscape vegetation of the new adjacent residential development.

The proposed layout plan would create a gateway entrance into this new phase of the development, from the central distributor road, Holst Avenue. The entrance would be characterised by three storey focal buildings. A traffic-calming table would be provided along Holst Avenue at the junction to the 20mph zone. The roadway from the gateway will then link to the adjoining Land Parcel 10, forming a loop-road. The layout and design of the development would allow for a high level of permeability with the loop-

road and the proposed cycleway and footpath linkages. The loop-road also passes through a central urban housing square, which is the main focal point within the development. The housing square has been designed to provide a sharp contrast with paved areas and feature tree planting in contrast to the greensward along the main Maltings Lane spine road.

The layout and design of the development also successfully manages to reinforce local identity by reflecting the built form and design features adopted on previous phases of the development which have been designed to reflect the typical vernacular of the Essex village street, where continuous street frontages align the road, with the houses sited close to the highway, with reduced front gardens. This built form also allows for natural surveillance from properties both on street frontages and in rear courts. Similarly, the design has sought to promote a high level of formality and symmetry both in the design of the layout and disposition of dwelling types throughout the development. This is also provided for in the design of the individual houses and the materials proposed to enhance the appearance of the street scene and highlight the focal buildings within the development.

As such, it is considered that the scale, density, height and massing of buildings proposed would reflect and enhance local distinctiveness and that the elevational design would create a visually satisfactory development in accordance with the abovementioned policy criteria.

3. Sustainability Issues

The application statement includes details on how the proposals seek to respond to the sustainability requirements contained within the approved Master Layout Plan. The developer has stated that the dwellings will be developed in compliance with the new part L Building Regulations that were introduced in April 2006. Principally, this will involve greatly increased insulation standards and more efficient heating systems, thereby reducing CO₂ emissions against previous building standards on the development. In addition to the above, the developer also proposes a range of other sustainability measures. These are summarised below: -

Energy efficient buildings with SAP ratings of 80-100 compared with the current Building regulation standards which will permit SAP ratings as low as 65;

Provision of rear garden space for two wheelie bins and two waste bins with kitchen areas for waste separation and recycling;

Provision of compost bins as standard, to encourage the recycling and reuse of organic kitchen waste;

Provision of water butts as standard for garden irrigation;

Surface water run-off to be collected in a balancing pond so that the flow from the pond into existing watercourses can be controlled and a wildlife habitat created in accordance with the principles of sustainable urban drainage;

Incorporation of footpaths and cycleways to enhance linkages with the development as a whole and the local network, to encourage travel by sustainable means such as walking and cycling;

Provision of cycle parking in secure stores;

Car parking spaces to be limited and parking areas to be located as directly as possible behind or between built frontages;

Building timber to be sourced from managed renewable sources and certified where practical by a recognised body such as the Forestry Stewardship Council;

Planting of native trees, shrubs and flora and the use of peat free soil where applicable;

The use of natural flooring materials such as 100% wool carpets will be encouraged and offered to purchasers as an upgrade;

The provision of sanitary ware to encourage water conservation. WCs will have dual flush facilities.

High standards of roof and wall insulation, which will be CF and HCFC free.

However, in addition to the above, and as Members will be aware, Policy RLP76 of the Braintree District Local Plan Review states that: 'proposals for renewable energy schemes and the integration of renewable energy generation into new developments, will be encouraged and permitted where no demonstrable harm is caused to landscape, nature conservation, or historic features with or immediately adjacent to the site'. In the case of the current application, officers are mindful that this is a reserved matters application, and the provision of renewable energy sources was not specified on the original outline planning permission (91/01563/POWS refers). In light of this, officers are somewhat restricted over the extent to which requests can be put to the developer for the provision of renewable energy sources. However, through negotiations with the local planning authority and in an effort to further the sustainability objectives of the scheme, the developer has agreed that solar hot water renewable energy sources could be offered to purchasers of suitable identified properties as an option when purchasing the property. This option would extend to 43 out of the 90 plots proposed. The developer has determined that the plots excluded would not be suitable due to the orientation and difficulties with mixed tenure installation and management.

4. Amenity

The majority of garden sizes are commensurate with the adopted standards of the district council and the design and positioning of the houses are laid out in accordance with the guidance contained within the Essex Design Guide. However, due to the design and layout of the development proposed and specifically the need to provide continuous street frontages along the road and to locate car parking within rear parking courts, some of the garden sizes would fall below the standards of the local planning authority.

5. Open Space

A central urban square would be provided and would be the focal point within this new phase of the development. Two and three storey residential blocks would front onto and overlook this space and give it an adequate sense of enclosure. Open space is also indicated along the northern boundary, adjacent to the footpath and cycleway links.

6. Car Parking

Car parking provision within the site has been designed in accordance with the standards of the local planning authority and current government policy. An average of 1.5 car parking spaces per dwelling would be applied throughout the site. The car parking provision would be located within central parking courts, behind the streets, enabling cars to be screened from view in order to enhance the appearance of the street scene. Provision is also indicated for cycle parking throughout the development. A storage shed to accommodate two cycles would be provided for each unit, that does not have a garage. Separate provision for visitor cycles would be accommodated within other strategic locations throughout the development to encourage cycle use.

7. Response to Letter of Representation

In response to the objection received, it is considered that the concerns raised specifically in respect of the concerns in respect of sewage, it is considered that these concerns have already been addressed by the provision of a fully designed drainage infrastructure which has been approved by the local planning authority under planning conditions imposed on the outline planning consent. It is therefore considered that an objection on this basis cannot be substantiated.

The letter of objection also included correspondence sent directly from Anglian Water in respect of this issue. The letter which was dated 18th May 2006 stated that Environmental Health officers have been working closely with Anglian Water on this issue and are aware of the odour issues within the area of the treatment works. It also indicated that following meetings with the Environmental Health Officer, changes have been implemented which have included the pumping station from Hatfield Peverel being chemically closed and monitored by the supplier and sewerage network

along Maldon Road leading to the site has been surveyed. Anglia Water also indicated within their letter that the odour issues had existed before the arrival of the extra housing in Witham.

8. Response to the Consultation response from the Environment Agency

The local planning authority, along with the developer is currently in discussions with the Environment Agency over this issue. The application has been recommended for approval on the basis that the grounds of objection can be overcome. An update on this matter will be provided at the Area Committee.

CONCLUSION

In summary, while the concerns raised within the letter of representation are noted, it is considered that the proposal would not have a detrimental impact upon the locality and complies with the policies of the Essex and Southend on Sea Replacement Structure Plan and the Braintree District Local Plan Review.

RECOMMENDATIONS

It is RECOMMENDED that the following decision be made;
Application GRANTED subject to the following conditions and reasons :-

- 1 The development hereby permitted shall be carried out only in accordance with the approved plans and specifications as shown on Drawing Nos. 01/401/200, 01/401/LS12, 01/401/LP12/100, 01/401/LP/101, 01/401/LP12/102, 01/401/LP12/103, 01/401/LP12/104, 01/401/LP12/105, 01/401/LP12/106, 01/401/LP12/107, 01/401/LP12/108, 01/401/LP12/109, 01/401/LP12/110, 01/401/LP12/111, 01/401/LP12/112, 01/401/LP12/113, 01/401/LP12/114, 01/401/LP12/115, 01/401/LP12/116, 01/401/LP12/117, 01/401/LP12/118, 01/401/LP12/119, 01/401/LP12/120, 01/401/LP12/121, 01/401/LP12/122, 01/401/LP12/123, 01/401/LP12/124, 01/401/LP12/125, 01/401/LP12/126, 01/401/LP12/127, 01/401/LP12/128, 01/401/LP12/129, 01/401/LP12/201, 01/401/LP12/202/1, 01/401/LP12/202/2, 01/401/LP12/202/3, 01/401/LP12/202/4, 01/401/LP12/203, 01/401/LP12/204/1, 01/401/LP12/204/2, 01/401/LP12/204/3, 01/401/LP/204/4, 01/401/LP12/205/1, 01/401/LP/12/205/2, 01/401/LP12/205/3, 01/401/LP12/205/4, 01/401/LP12/206/1, 01/401/LP12/206/2, 01/401/LP12/206/3, 01/401/LP12/206/4, 01/401/LP12/207 unless otherwise agreed in writing by the local planning authority.
- 2 Prior to the occupation of the development visibility splays with dimensions of 2 metres by 20 metres as measured from and along the nearside edge of the carriageway shall be provided on both sides of the accesses for properties 47 and 48. The area within each splay shall be kept clear of any obstruction exceeding 600mm in height at all times.

- 3** Prior to the occupation, each vehicular access a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary, shall be provided on both sides of each vehicular access. There should be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
- 4** No unbound material shall be used in the surface finish of the driveway within 6 metres of the highway boundary of the site.
- 5** Before the development is commenced, details of the estate roads and footpaths (including layout, levels, gradients, surfacing and means of surface water drainage) shall be submitted to and approved in writing by the local planning authority.
- 6** The carriageway of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months (or three months in the case of a shared surface road or a mews) from the occupation of such dwelling.
- 7** The combined footpath/cycleway shown on the submitted plans shall be a minimum of 3.25 metres in width. All independent footpaths should be provided a minimum of 2 metres wide, may need to be drained but will have to be lit, in accordance with further particulars to be submitted to and approved in writing by the local planning authority.
- 8** Any trees proposed within the highway must be agreed with the Highway Authority and sited clear of all underground services and visibility sight splays and must be laid out to complement the street lighting scheme.
- 9** Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any Order revoking and re-enacting that Order) no enlargement, of the dwelling-house nor the provision of any building within the curtilage of the dwelling-house with the exception of one shed/building of not more than 10 cubic metres, as permitted by Class A and Class E of Part 1 of Schedule 2 of that Order shall be carried out without first obtaining planning permission from the local planning authority.
- 10** Within three months of the date of this permission details of the external lighting to the site including position, design, height, levels of luminance, hours of use and energy efficiency shall be submitted to the local planning authority for approval. Such scheme as approved shall thereafter be implemented and so maintained. No additional lighting shall be installed at any time without the prior approval of the

- local planning authority.
- 11 The parking areas for the development hereby approved shall be constructed in accordance with the approved plans and completed prior to the first occupation of the dwellings.
 - 12 No development shall take place until there has been submitted to and approved in writing by the local planning authority a scheme of landscaping. Such scheme shall incorporate a detailed specification including plant/tree types and sizes, plant numbers and distances, soil specification, seeding and turfing treatment, colour and type of material for all hard surface areas and method of laying where appropriate. All planting, seeding or turfing contained in the approved details of the landscaping scheme shall be carried out in the first planting and seeding seasons after the commencement of the development unless otherwise previously agreed in writing by the local planning authority. All hard surface areas agreed as part of the scheme shall be carried out before the first occupation of the buildings or upon the completion of the development whichever is the earlier. Any trees or plants which die, are removed, or become seriously damaged, or diseased within a period of 5 years from the completion of the development shall be replaced in the next planting season with others of a similar size and species unless the local planning authority gives written consent to any variation.
 - 13 Prior to the commencement of development details of all meter cupboards to be positioned on the dwellings shall be submitted to and approved in writing by the local planning authority.
 - 14 No development shall commence until details of the location and design of the refuse bins and recycling materials separation, storage areas and collection points has been submitted to and approved in writing by the local planning authority. Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form thereafter.
 - 15 The development hereby approved shall be implemented in accordance with the sustainability measures as detailed within the "Summary of Measures" within the Design and Sustainability statement received 24/05/2006 and the supplementary "Renewable Energy Statement" and attached plot schedule received 02/08/2006, further particulars of which, including additional information such as design and proposed areas for siting shall have been submitted to and approved in writing by the local planning authority prior to the commencement of development.
 - 16 A minimum of 50% of all timber and timber products used in the development shall originate from a Forestry Stewardship Council approved source.

REASONS

- 1 To ensure that the development is satisfactory in accordance with

- Policies CS1, BE1 and H4 of the Essex and Southend on Sea Replacement Structure Plan and RLP3, RLP9 and RLP90 of the Braintree District Local Plan Review.
- 2 To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the access having regard to policy T8 of the Essex and Southend on Sea Replacement Structure Plan.
 - 3 To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access having regard to policy T8 of the Essex and Southend on Sea Replacement Structure Plan.
 - 4 To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with policy T8 of the Essex and Southend on Sea Replacement Structure Plan.
 - 5 To ensure roads/footways are constructed to an acceptable standard. In the interests of highway safety in accordance with policy T8 of the Essex and Southend on Sea Replacement Structure Plan.
 - 6 In the interests of highway safety in accordance with policy T8 of the Essex and Southend on Sea Replacement Structure Plan.
 - 7 To protect public safety and amenity in accordance with policy T3 of the Essex and Southend on Sea Replacement Structure Plan.
 - 8 To protect services and highway safety in accordance with policy T8 of the Essex and Southend-on-Sea Replacement Structure Plan.
 - 9 In order that the local planning authority may exercise control over any proposed future extensions or the provision of any buildings in the interests of residential amenity as the exercise of permitted development rights is likely to reduce private amenity space below the standard normally considered acceptable by the local planning authority and to comply with Policy H4 of the Essex and Southend on Sea Replacement Structure Plan and Policies RLP3, RLP9 and RLP90 of the Braintree District Local Plan Review.
 - 10 To safeguard the amenity of the area to minimise pollution of the environment in order to comply with Policies NR1, BE6 and BE7 of the Essex and Southend on Sea Replacement Structure Plan and Policies RLP36, RLP62, RLP65 and RLP90 of the Braintree District Local Plan Review.
 - 11 In the interest of highway safety and to comply with Policy T3, T6, T8 and T12 of the Essex and Southend on Sea Replacement Structure Plan and Policy RLP56 of the Braintree District Local Plan Review.
 - 12 In order to enhance the character of the development and to comply with Policy H4 of the Essex and Southend on Sea Replacement Structure Plan and Policy RLP9 and RLP80 of the Braintree District Local Plan Review.
 - 13 In the interests of visual amenity and to comply with Policies CS2, H4, HC3 and BE1 of the Essex and Southend-on-Sea Replacement Structure Plan and Policies RLP3, RLP9 and RLP90 of the Braintree District Local Plan Review.
 - 14 To meet the district council's requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of

amenity and sustainability and to comply with Policies BE7 and WM1 of the Essex and Southend on Sea Replacement Structure Plan and Policies RLP73, RLP74 and RLP90 of the Braintree District Local Plan Review.

- 15 In the interests of environmental sustainability and to comply with Policy RLP69, RLP70, RLP73, RLP74, RLP76, RLP77 and RLP90 of the Local Plan Review.
- 16 In the interests of environmental sustainability and to comply with Policy RLP77 and RLP90 of the Local Plan Review.

INFORMATION TO APPLICANT

- 1 Because of the emerging disposal and storage implications for surface water run off, the Applicant should specify, in broad terms the drainage proposals for the site.
 - 2 The areas directly adjacent to the carriageway in which the trees are to be planted should not be less than 3 metres wide, exclusive of the footway and the trunks of the trees should be no nearer than 2 metres to the channel line of the road. The same dimensions should be used in situations where the footway is located adjacent to the carriageway.
 - 3 Prior to the occupation, each dwelling shall be served by a system of operational street lighting between the dwelling and an existing highway which shall thereafter be maintained in good repair.
 - 4 Steps should be taken to ensure that the Developer provides sufficient turning and off loading facilities for delivery vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.
 - 5 Headroom requirements at the entrance to parking courts should be a minimum of 2.5 metres and may be reduced to 2.1 metres provided fire tender access is not required.
 - 6 In respect of Condition 14 you are advised the details should include provision for the storage of three standard sized wheeled bins for each new dwelling with a collection point no further than 25 metres from the public highway.
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