

UTT/17/2238/FUL – (GREAT DUNMOW)

(MAJOR – This application was deferred from planning Committee on 14.3.18 for further consideration of the location and clustering of the affordable housing)

PROPOSAL: Demolition of existing bungalow and erection of 25 no. dwellings and associated infrastructure

LOCATION: Oaklands, Ongar Road, Great Dunmow

APPLICANT: Mr O Hookway

AGENT: Go Planning Ltd

EXPIRY DATE: 30 November 2017 (Extension of time granted to 21 March 2018)

CASE OFFICER: Clive Theobald

1. NOTATION

1.1 Outside Development Limits / Poor Air Quality - Within 35m of A120.

2. DESCRIPTION OF SITE

2.1 The site is located on the south side of the B184 Ongar Road between the Taylor Wimpey housing development, currently under construction on its east side and two detached bungalow properties (Brick Kiln and Tiggers) on its west side which are situated close onto the A120 and contains an occupied bungalow which stands in large grounds comprising 1.22 ha and which is set back deep within the site, behind a large frontage pond enclosed by several large specimen trees which form an attractive enclosed feature at the front of the site. The rear part of the site beyond the bungalow in contrast, is completely open in nature comprising bare grassland which falls down to the edge of the A120.

2.2 The north side of Ongar Road opposite the site extending eastwards towards Clapton Hall Lane roundabout is characterised by a long line of post-war bungalows, whilst land between the end bungalow and the A120 on the north-west side is currently being developed for housing purposes by Redrow Homes.

3. PROPOSAL

3.1 This full application relates to the demolition of the existing bungalow on the site and the erection of 25 no. dwellings comprising a mix of detached, semi-detached and terraced dwellings and bungalows, including 40% affordable housing, with associated service road, covered and hardstanding parking and landscaping.

3.2 The proposed dwellings and garages would be designed in traditional style incorporating tiled roofs and a mixture of rendered and boarded wall finishes with white uPVC windows. The service road would have a 6m porous tarmac and paved shared surface.

3.3 The application is accompanied by the following core documents:

- Design and Access Statement
- Statement of Community Involvement
- Flood Risk Assessment
- Transport Statement and Highway Safety Audit
- Noise Impact Assessment
- Ecology Survey Report
- Tree Survey
- Arboricultural Impact Assessment

3.4 The proposed housing schedule is set out as follows:

Plot Number	House type	House tenure	Storeys	Bedroom size	Amenity space	Parking spaces
1	Detached	Market	2	5	300sqm	4
2	Detached	Market	2½	5	150sqm	4
3	Detached	Market	2	4	140sqm	3
4	Detached	Market	2	5	190sqm	4
5	Detached	Market	2½	5	180sqm	3
6	Detached	Market	2	4	160sqm	3
7	Detached	Market	2½	5	170sqm	3
8	S/detached	Market	2	3	116sqm	3
9	S/detached	Market	2	3	114sqm	3
10	Terraced	Affordable	2	3	100sqm	2
11	Terraced	Affordable	2	2	82sqm	2
12	Terraced	Affordable	2	3	150sqm	2
13	FOG	Affordable	2	2	75sqm	2
14	Terraced	Affordable	2	2	100sqm	2
15	Terraced	Affordable	2	2	100sqm	2
16	Terraced	Affordable	2	2	100sqm	2
17	FOG	Affordable	2	2	75sqm	2
18	S/detached	Market	2	3	100sqm	2
19	S/detached	Market	2	3	100sqm	2
20	S/detached	Market	2	3	100sqm	2
21	S/detached	Market	2	3	100sqm	2
22	Detached	Market	1	3	180sqm	3
23	Detached	Market	1	3	150sqm	3
24	S/detached	Affordable	2	2	80sqm	2
25	S/detached	Affordable	2	2	150sq	2

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The site is considered to fall within the definition of an “Urban development project” under Section 10 of “Schedule 2” of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. However, the development does not include more than 1 hectare of urban development which is not dwellinghouse development, the development does not include more than 150 dwellings and the overall site area of the development does not exceed 5 hectares (site area = 1.22 ha).

5. APPLICANT’S CASE

- 5.1 The submitted Design & Access Statement describes the site and surrounding site context, the planning background to the current scheme, including reference to a previous preliminary enquiry submitted to the Council for the same number of dwellings but for a different site layout which identified issues concerning noise and the distribution of affordable housing, the way that the pre-application process has informed the current site layout, site evaluation, including reference to proposed access, design, scale and appearance, and reference to S106 Heads of Terms (affordable housing and education).

- 5.2 The statement concludes as follows:

“The details supplied in this design and access statement are intended to advise the reader of the design philosophy that have been adopted within the proposal and will therefore form the basis of the detailed planning application. Consideration has been made for the site in its context and the nature of the surroundings in the proposal. It is our intention to provide a high quality development which will add character to its surroundings and integrate with the locality. The site’s design has been informed by both constraints and opportunities, and the provision for 25 no. dwellings with 10 no. affordable dwellings in the form outlined have been shown to add character to the locality. The site should be brought forward to provide much needed high quality family housing which has been demonstrated as being sustainable, and is at the very heart of the NPPF’s presumption in favour of sustainable development.”

6. RELEVANT SITE HISTORY

- 6.1 None, although the proposed scheme was subject to a preliminary enquiry in 2017 when advice was given by the Council that the site was situated within a sustainable position relative to the town centre when read in the context of the approved large housing developments to the immediate east (Taylor Wimpey - “Ongar Road South”) and to the immediate north-west (Redrow Homes - “Ongar Road North”). The applicant’s attention was drawn to matters of noise given that the site’s south-western rear boundary borders onto the A120 and as this was an issue to be resolved for the Redrow Homes development, affordable housing whereby the indicative site layout submitted showed the affordable housing element clustered together at the rear of the site thereby reducing social cohesion with the market housing shown, ecology, drainage and the impact of the proposal on the established trees positioned at the front of the site.

7. POLICIES

Uttlesford Local Plan (2005)

- 7.1 ULP Policy S7 – The Countryside

ULP Policy ENV3 – Open Spaces and Trees
ULP Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
ULP Policy ENV10 – Noise sensitive development
ULP Policy ENV13 – Exposure to Poor air quality
ULP Policy H9 – Affordable Housing
ULP Policy H10 – Housing Mix
ULP Policy GEN1 – Access
ULP Policy GEN2 – Design
ULP Policy GEN3 – Flood Protection
ULP Policy GEN6 – Infrastructure Provision to Support Development
ULP Policy GEN7 – Nature Conservation
ULP Policy GEN8 – Vehicle Parking Standards

Supplementary Planning Documents/Guidance

7.2 SPD “Accessible Homes and Playspace”

National Policies

7.3 National Planning Policy Framework (NPPF)

Other Material Considerations

7.4 Essex Design Guide

ECC Highway Standards – Design and Good Practice – Sept 2009
UDC Parking Standards – Feb 2013

Great Dunmow Neighbourhood Plan 2015-2032
Policy DS1: TDA: Town Development Area
Policy DS8: Building for Life
Policy DS12: Integration of Affordable Housing
Policy DS13: Local Housing Needs
Policy LSC1: Landscape, Setting and Character

8. TOWN COUNCIL COMMENTS

8.1 Great Dunmow Town Council objects to this application on the following grounds:

- (1) Over-development of the site. UDC has allocated 13 houses to this site within the draft Local Plan - this application is for almost double that.
- (2) The site's proximity to a sharp bend in the B184 Ongar Road, along with its location between the new developments on land North and South of Ongar Road will result in heavy, fast moving traffic and an associated increased risk of accidents.

9. CONSULTATIONS

Highways England

9.1 No objection. Highways Act Section 175B is not relevant to this application. Note: Annexe A: The site may be affected by noise and fumes from the nearby A120 and the Council may wish to consider these issues before issuing a decision.

London Stansted Airport

- 9.2 The proposal has been examined for aerodrome safeguarding - the proposal does not conflict with any safeguarding criteria. Accordingly, Stansted Airport has no safeguarding objections.

Anglian Water

9.3 ASSETS

Section 1 – Assets Affected

1.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Great Dunmow Water Recycling Centre that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

3.1 Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

We request a condition requiring the drainage strategy covering the issue(s) to be agreed.

Section 4 – Surface Water Disposal

4.1 From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented.

Section 5 – Trade Effluent

5.1 Not applicable.

Section 6 – Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

Foul Sewerage Network (Section 3)

CONDITION: No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding.

ECC Highways

- 9.4 The impact of the proposal is acceptable to the Highway Authority from a highway and transportation perspective subject to highway conditions:

ECC SuDS

- 9.5 (revised comments received 17 November 2017):

We received further information which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites

Lead Local Flood Authority position:

Having reviewed the drainage strategy and associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to SuDS conditions:

ECC Infrastructure Planning

- 9.6 Thank you for providing details of the above full application for 23 new houses. Assuming that all of these units are homes with two or more bedrooms, a development of this size can be expected to generate the need for up to 2.25 Early Years and Childcare (EY&C) places; 7.5 primary school, and 4.2 secondary school places.

Please note that any developer contribution figures referred to in this letter are calculations only, and that final payments will be based on the actual dwelling mix and the inclusion of indexation.

9.7 Early Years and Childcare

The proposed development is located within the Great Dunmow South and Barnston Ward. According to Essex County Council's childcare sufficiency data published in July 2017, there are eight providers of early years and childcare in the area. Of these, two are pre-schools; five are child-minders and one is a day nursery. Overall, a total of 16 unfilled places were recorded. The data shows sufficient unfilled places to meet the demand from this proposal.

9.8 Primary Education

This development sits within the joint priority admissions area of Dunmow St Mary's Primary School and Great Dunmow Primary School. Both schools offer 60 places in each year group and at the last school census point in May both schools were full in Reception and had a combined total number on roll of 850 pupils. Demand for school places in the Dunmow area is forecast to grow and, according to Essex County Council's document "Commissioning School Places in Essex", by the academic year 2020/21 both schools will have a significant capacity deficit of 89 and 72 places respectively without action.

The contribution sought is calculated using the formula outlined in the Essex County Council Developer's Guide to Infrastructure Contributions, which sets sums based on the number and type of homes built. The contribution will thus be fairly and reasonably related in scale and kind to the development and thereby Community Infrastructure Levy regulation 122 compliant. Five obligations naming the project alluded to above have not been entered into at this time and any Section 106 agreement in favour of education is thereby also regulation 123 compliant. A project to provide sufficient school capacity is therefore proposed. The estimated cost of the project is circa £95,000 at April 2017 costs. A developer contribution, index linked to April 2017 is sought to mitigate its impact on local primary school provision.

9.9 Secondary Education

This development does not generate sufficient secondary school pupils to reach our threshold for a secondary school education contribution. A secondary education contribution will not be requested.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will not be seeking a school transport contribution. However, the developer should ensure that safe direct walking and cycling routes to local schools are available.

In view of the above, I request on behalf of Essex County Council that any permission for this development is granted subject to a Section 106 agreement to mitigate its impact on primary education. Our standard formula s106 agreement clauses that ensure the contribution would be fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

If your Council were minded to turn down the application, I would be grateful if the lack of surplus primary education provision in the area to accommodate the proposed new homes can be noted as an additional reason for refusal and that we are automatically consulted on any appeal or further application relating to the site.

ECC Ecology

- 9.10 No objections subject to conditions (1. Compliance with existing detailed biodiversity method statements, strategies, plans and schemes, 2. Restrictions on operations involving invasive non-native species, 3. Landscape and ecological management plan (LEMP)).

ECC Archaeology

- 9.11 Recommendation: Archaeological Programme of Trial Trenching followed by Open Area Excavation.

REASON: The Historic Environmental Record identifies the recent excavation of the remains of a late Iron Age and Roman settlement on land immediately to the north of the Oaklands site. On this site following trial trenching, open area excavation was undertaken on a sequence of enclosures forming a ladder field system of Late Iron Age or Roman date. Post excavation work is still underway on this site. The development area also contains the Roman road leading from Great Dunmow south-westwards towards Harlow which will be impacted by the development.

Essex Police

- 9.12 We would like to see the developer seek to achieve a Secured by Design award in respect of this proposed development. From experience, pre-planning consultation is always preferable in order that security and lighting considerations for the benefit of the intended residents and those neighbouring the development are met prior to a planning application.

UDC Housing Enabling Officer

- 9.13 No objections in principle to the affordable housing element shown for this housing scheme subject to the housing tenure being secured by a S106 agreement.

UDC Environmental Health Officer

- 9.14 **Noise**

Recommendation

No objections to the proposal subject to the imposition of recommended condition.

Comments

Thank you for consulting Environmental Health on this application.

This proposal comprises the demolition of Oaklands and the development of 25 new residential units to the north-east of the A120 and south of the B184 Ongar Road. To the east, Taylor Wimpey are currently in the process of completing a development of 99 residential units.

The application is supported by a noise impact assessment undertaken by Accon UK Environmental Consultants. This noise impact assessment is unusual in that it has been undertaken entirely by modelling with no on-site monitoring being

undertaken. Traffic volumes and make up, road surface and topography were used in a computer model to predict likely noise levels affecting the site. Whilst unusual in approach, the results from the exercise are that differing levels of mitigation will be required across for road traffic noise (glazing and barriers) and all but two of the plots will require mechanical ventilation as set out in the UDC comments included in the noise report.

With this in mind, I have no objections to the proposal subject to the following condition being placed on any grant of planning permission.

No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Accon UK Ltd report (Ref:A3035/N/001) dated 14th July 2017. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON: To protect the amenity of future occupiers of the development.

9.15 **Air Quality**

Recommendation

No objections.

Comments

Thank you for consulting Environmental Health on this application. The application site at its south-west corner is within 35m of the A120 Great Dunmow bypass, although the nearest dwelling at this corner (Plot 15) is not less than 35m from the road carriageway surface as the crow flies given the raised position of the site relative to the carriageway.

There are no known tube air quality measuring stations along this section of the A120. However, car speeds along this section of the road are known to be normally high involving free flowing traffic meaning that car engines will be performing at optimum levels thereby producing less pollutant particulates into the atmosphere. Additionally, the slightly elevated position of the site at this south-west corner to the road and the vegetated nature of the road boundary will further serve to keep air quality to acceptable levels across this lower rear section of the site whereby any pollutants will be able to be dispersed quicker.

UDC Landscape Officer

- 9.16 There are 3 veteran oak trees on the site which are the subject of a tree preservation order (TPO 04/17). These trees are shown to be retained in the development proposal. The submitted tree protection measures are considered to be appropriate.

There are a number of trees (33) which are proposed to be removed (2 Lombardy poplar, 1 walnut, 1 eucalyptus, 1 lime, 1 horse chestnut, 5 apple, 1 oak, 2 hornbeam, 2 cherry, 1 holly, 4 conifers, 1 Tree of Heaven, 1 acacia, 1 laurel, 9 Leylandii). For the greater part, these trees are either in fair or poor condition and not considered worthy of protection. 1 hornbeam and 1 lime tree proposed to be

felled are in good condition. However, they are not considered to be of significant amenity value in terms of the wider landscape. The oak tree proposed to be felled is a large specimen which has been ring-barked and as a consequence is dying.

Any approval should be subject to conditions requiring the protection measures for trees to be retained to be implemented in accordance with the recommendations as set out in the D F Clark Bionomique Ltd's Arboricultural Impact Assessment dated 24.05.2017 (rev A); and the submission for approval of a fully detailed scheme of landscaping.

10. REPRESENTATIONS

10.1 Neighbour notification period expired 5 October 2017. Advertisement expired 5 October 2017. Site notice expired 12 October 2017.

3 representations received (Object).

Summary of objections:

- This end of Ongar Road is already experienced large house building with roughly 200 new homes currently being built at Ongar Road North and Ongar Road South. The local infrastructure cannot support any more homes.
- Ongar Road has already experienced extensive loss of green space and trees due to the two ongoing housing developments. The current housing proposal for Oaklands includes the removal of several established trees from the front of the site which would be such a loss to the area and would dramatically alter the nature of the road.
- The new development will add to the many additional cars which will be using Ongar Road into town once the two adjacent developments are completed compared to the current situation with the added issue of air pollution.
- We are already experiencing problems with construction and contractor traffic using Ongar Road for the Taylor Wimpey and Redrow sites.
- Brick Kiln Bungalow: An impressive Oak tree at the front of the site which would be in the rear garden of one of the frontage properties for the proposed development has already been ringed meaning that this tree is destined to die. Subsidence issues experienced in the past and this tree could cause further issues to our property once the roots start retracting.
- Our bungalow would be overlooked by Plot 22 to the rear and the dwelling shown for Plot 25 is too close to our boundary.
- My mother who lives on her own at Brick Kiln Cottage is elderly and has dementia and will find the development of Oaklands very unsettling to the detriment of her health.
- I understand that there is also a proposal to develop Tiggers for housing on the other side of Brick Kiln meaning that if permission is granted for Oaklands and subsequently for this adjacent development then we will be completely hemmed in.

11. APPRAISAL

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

- A Principle of development having regard to sustainability principles, flood risk, impact on landscape character, noise and air pollution (NPPF, ULP Policies GEN3, S7, ENV10 and ENV13).
- B Access (ULP Policy GEN1).

- C Design (ULP Policy GEN2 and SPD “Accessible Homes and Playspace”).
- D Housing Mix (ULP Policy H10).
- E Affordable Housing (ULP Policies H9 & GEN6).
- F Parking Standards (ULP Policy GEN8).
- G Impact on residential amenity (ULP Policy GEN2).
- H Impact on trees (ULP Policy ENV3).
- I Impact on protected and priority species (ULP Policy GEN7).
- J Impact on Sites of Archaeological Importance (ULP Policy ENV4).

A Principle of development having regard to sustainability principles, flood risk, impact on landscape character, noise and air pollution (NPPF, ULP Policies GEN3, S7, ENV10 and ENV13).

Sustainability Principles

- 11.1 The application site is situated at the west end of Ongar Road from Clapton Hall roundabout before the bridge over the A120 and before two residential properties (Brick Kiln and Tiggers) which form a large land triangle in between. The site lies outside development limits for Great Dunmow in the adopted local plan and ULP Policy S7 applies to the proposal which states that the countryside will be protected for its own sake. However, it is the case that the adjacent large housing development currently under construction to the immediate east (Taylor Wimpey - Ongar Road South) was found through the planning process to be within a sustainable location relative to Great Dunmow town centre in terms of distance to bus stops and pedestrian connectivity to the town, whilst the housing development of comparative size currently under construction to the immediate north-west (Redrow Homes - Ongar Road North) was also found to meet sustainability principles in view of its location and in view of Ongar Road South.
- 11.2 The smaller site now proposed for residential development for 25 no. dwellings at Oaklands the subject of the current application effectively straddles these two larger sites and it is therefore difficult in the circumstances to argue that the site is not situated within a sustainable location when viewed in the context of these adjacent sites. It should also be noted that the site forms a large established residential curtilage rather than being either previously farmland (Ongar Road South) or parkland/ amenity land (Ongar Road North). It should be emphasised for the purposes of site location that the Great Dunmow Neighbourhood Plan (GDNP) which was “made” in December 2016 and which is a material planning document in the planning process in terms of the policies contained within it identifies that the site at Oaklands is within the Town Development Area as defined by red line on the Town Map as shown at page 16 (Fig 16) whereby Policy DS1: TDA states that the GDNP defines the Town Development Area for the purposes of “*directing future housing growth in line with allocations set out in the plan, protecting the rural setting of Great Dunmow; and containing the spread of the town by promoting infill within existing built-up areas*”, adding that all other areas will be treated as countryside.
- 11.3 One caveat placed within the GDNP at page 35 in the preamble justification section to DS1: TDA as an Important Note is under the heading “Lands North and South of Ongar Road” where this section states that “*The Town Council does not agree with the principle of these two sites being included in the Town Development Area due to the residential amenity issues relating to noise. Ongar Road North also provides important woodland habitat which the town does not wish to lose. The Plan cannot however alter the fact that there are existing planning consents on the sites and therefore the Town Development Area does include them both.* In the circumstances, the current application for 25 no. dwellings at Oaklands has to be

read against this statement where the same issue of noise is a material consideration to the proposal, which is discussed further on below in this report.

- 11.4 A detailed transport statement accompanies the application (Journey Transport Planning, August 2017) which address public transport accessibility, walking and cycling, safety considerations, accident analysis, trip distribution and assignment and also parking in relation to the proposal and concludes that the proposal *“has been developed in accordance with the aims and objectives of current national and local policy as it relates to transport and will not have a significant impact on the efficiency or safety of the local transport network”* adding that there are no substantive highway or transportation reasons why the proposal as submitted should not be permitted.
- 11.5 ECC Highways have not objected in strategic highway terms to the principle of Oaklands from being developed for residential purposes and it must be re-emphasised that the development of the site for housing has to be read in the context of Ongar Road South and Ongar Road North and, given the findings of the applicant's transport statement, it has to be concluded that there are no locational reasons in terms of highways or access to public transport provision and local services as to why the application should be refused and in this respect it is argued that the proposal would meet the objectives of the social strand, or social role of the NPPF.

Flood Risk

- 11.6 The Council is required by the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) to consider each planning application on a risk based approach to development proposals to assess the risks of all forms of flooding to and from development taking climate change into account and to inform the applicant of the sequential approach. Local Planning Authorities should apply the sequential test as laid down in the NPPG to demonstrate that there are no reasonably available sites in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed.
- 11.7 The site is zoned as being within Flood Zone 1 on the Government's flood risk map (land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (< 0.1%)) meaning that the site has a low risk of flooding from fluvial sources and surface water flooding. As such, the development of Oaklands is deemed to meet the requirements of the sequential test as the overall aim of the sequential test “should be to steer new development to Flood Zone 1” (Technical Guidance to the NPPG Section 5). The raising of finished floor levels of the proposed dwellings to a minimum of 150mm above existing ground level (levels range at the site between 70.50m AOD to the north down to 66.20m AOD along the southern boundary) is considered adequate protection from this form of flooding.
- 11.8 A Flood Risk Assessment and Drainage Strategy Report has been prepared for the development (Walker Associates Consulting Ltd, July 2017) which seeks to determine whether the development proposal would have a detrimental off-site impact which may cause or worsen flooding to other properties in the area, or create a flood risk to the proposed development itself. The report addresses issues relating to flood risk assessment, surface water discharge, foul water discharge, SuDS maintenance schedules, a summary and residual risks of the proposed development and recommendations for dealing with any residual risks resulting from the development.

- 11.9 The application is accompanied by a surface water strategy plan which shows the extent of new block paving areas within the proposed development, new storm water drainage runs, an underground surface water tank at the lower end of the site and also a small swale connecting the rear of the site with an existing watercourse running parallel with the A120 whereby surface water outflows will be restricted to greenfield rates by means of a flow control device. The surface water strategy proposes that run-off from the dwellings at the top end of the site will be discharged to the existing pond which currently is not connected to any surface water drainage systems, that all private drives will be drained by means of permeable block paving, that the internal service roads within the site will be installed using permeable tarmac and that attenuation will be provided for the 100year+40% critical storm event within the underground storage units. 1 in a 100 year storm event micro-drainage calculations have also been provided based upon the hardstanding areas shown, including for storm sewer design. The strategy report concludes that the proposed development will not have any effect on flooding within the vicinity of the site, will incorporate appropriate SuDS provision and will comply with the requirements of NPPG and other relevant planning policy as a result of the measures outlined in the report.
- 11.10 ECC SuDS comments have commented on the application who originally raised a holding objection to the proposal (05/10/2017) as the submitted Surface Water Drainage Strategy did not comply with the requirements set out within Essex County Council's Drainage Checklist and therefore the submitted drainage strategy did not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development with particular reference to the extent of calculations submitted and whether climate change had been applied to the storage calculations, "urban creep". Details were also required of how surface water would be treated before entering the pond at the front of the site so that it was not adversely affected ecologically and on how the pond had the capacity to take any flow from the site.
- 11.11 Following clarification from the applicant on the identified issues above, ECC SuDS have since reviewed the submitted drainage strategy and associated documents and have now removed their holding objective subject to conditions. The proposal therefore complies with the NPPF and ULP Policy GEN3.
- 11.12 In term of foul drainage, Anglian Water have prepared a pre-application planning assessment relating to the proposed development which has predicted that estimated flows from the site at Ongar Road via a direct connection to the public foul sewer system would result in a detriment to performance on existing sewer capacity resulting in increased flood risk downstream of the proposed connection point and that no additional dwellings can be connected without the need for a mitigation solution. A foul drainage mitigation strategy has been recommended by Anglian Water involving further hydraulic modelling to provide a solution for draining the foul flows from the proposed development whereby the topography of the site indicates that a pumped regime is required as gravity connection is not feasible. The solutions to prevent detriment to the existing sewerage network performance during a 1 in 30 year critical duration storm event would include an upsizing of existing sewers within the nearby vicinity of the site and providing off-line storage whereby these drainage strategy measures would represent a feasible solution for planning application purposes and which can be conditioned so that the measures can be agreed with the LPA in liaison with Anglian Water and where a detailed design would be required to investigate the solution further post-application stage.

Impact on landscape character

- 11.13 The site is located adjacent to two bungalows situated to the immediate west whereby the A120 cuts through at an angle to the rear of the site effectively creating a physical barrier with Ongar Road to The Rodings beyond the road bridge over the A120. The front section of the site has an attractive glazed appearance onto Ongar Road, whilst the rear section is open in its internal appearance. The slightly elevated position of the site relative to the A120 cutting would mean that the dwellings shown for the rear south-west section of the site are likely to be visible in part from the A120, although a line of thick vegetation runs along the site with the road meaning that some of the built form would be screened due to this. The frontage of Ongar Road to the immediate east is currently being developed for housing purposes (Taylor Wimpey - Ongar Road South), whilst the land to the immediate north-west is also now being residentially developed (Redrow Homes – Ongar Road North) meaning that the streetscene of this section of Ongar Road has already changed in its character because of these two previous grants of planning permission.
- 11.14 The dwellings for the proposal site at Oaklands would be set back behind and to the side of the frontage feature pond meaning that their impact would be lessened from Ongar Road because of this setting-back which would also provide a natural break along the frontage building line on the south side of Ongar Road taking into account the Taylor Wimpey development. As such, it is considered that the proposal would not have a significantly harmful impact on the rural amenities of the area and would not therefore be contrary to the countryside protection aims of ULP Policy S7 where, as previously stated in this report, it is considered that the proposal would amount to a presumption in favour of sustainable development given its location providing additional housing for the district, whilst noting from Fig.29 of the GDNP that the site does not form part of a wider “Important View” for the town.

Noise

- 11.15 Noise pollution was a material consideration for both the Ongar Road South and Ongar Road North developments, more particularly so for Ongar Road North (Redrow) whereby some of the dwellings for that nearby development were shown to run either parallel with in very close proximity to or to abut end on to the A120 boundary line with rear gardens either facing immediately onto or running parallel with the A120 embankment. By comparison, the dwellings approved for Ongar Road South were not subject to as greater noise impacts due to the nearest dwellings being positioned further away from the A120 behind a large attenuation pond. However, noise is also a material consideration for the current proposal site at Oaklands given that the revised site layout for this site shows a line of dwellings extending down the west side of the site to its south-west corner with the A120.
- 11.16 It should be noted by way of background that the indicative site layout shown at preliminary enquiry stage for Oaklands showed a more linear housing layout extending southwards with the rear gardens shown on the west side of the service road facing either towards or directly onto the A120. However, the applicant was advised by the Council that this would not be acceptable in terms of noise impact for the same reasons as were relevant to Ongar Road North. As such, the site layout for the current application now shows the site layout with the service road extending further out onto the western side of the site along the site's western boundary and then returning at right angles along the southern

boundary eastwards with the dwellings shown on the inside of the road with inward facing gardens whereby the dwellings would create a sound barrier to the sitting out areas for the occupants of these dwellings at the lower end of the site. The same noise consultants who prepared the Noise Impact Assessment for the housing development for Ongar Road North (Accon UK, July 2017) have prepared a Noise Impact Assessment for the proposed housing development at Oaklands.

11.17 Paragraph 123 of the NPPF (insofar as it relates to the current proposal) states that planning policies and decisions should aim to:

- “Avoid noise from giving rise to significant adverse impacts (see Explanatory Note to the Noise Policy Statement for England (DEFRA)) on health and quality of life as a result of new development;
- Mitigate and reduce to a minimum other adverse impacts (see Explanatory Note to the Noise Policy Statement for England (DEFRA)) on health and quality of life arising from noise from new development, including through the use of conditions.

The Noise Policy Statement for England (NPSE) aims to “through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:

- avoid significant adverse impacts on health and quality of life;
- mitigate and minimise adverse impacts on health and quality of life; and

the Planning Practice Guidance (PPG), published March 2014, provides advice on how to determine the noise impact on development, namely “Local planning authorities’ plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

In line with the Explanatory Note of the Noise Policy Statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation. The document goes on to provide a definition for the levels of noise exposure at which an effect may occur:

Significant observed adverse effect level: this is the level of noise exposure above which significant adverse effects on health and quality of life occur.

Lowest observed adverse effect level: this is the level of noise exposure above which adverse effects on health and quality of life can be detected.

No observed effect level: this is the level of noise exposure below which no effect at all on health and quality of life can be detected.

It should be noted that it is appropriate to consider other sources of advice and guidance documents when considering whether new developments would be sensitive to the prevailing acoustic environment as the PPG does not provide any

advice with respect to specific noise levels/limits for different sources of noise.

11.18 The noise consultants engaged by the applicant have liaised with the Council's Environmental Health Dept. to confirm the noise criteria for the assessment of road traffic noise from the A120 on the proposed residential development at Oaklands whereby the Council advised the consultants that noise criteria will require the following noise limits for residential properties:

- Bedrooms (night-time - 2300 hrs – 0700 hrs) 30 dB LAeq (individual noise events should not normally exceed 45 dB L_{Amax,F} by more than 15 times)
- Living rooms (daytime - 0700 hrs – 2300 hrs) 35 dB LAeq
- Gardens and terraces (daytime) 55 dB LAeq”

It was also confirmed by the Council that;

“If the internal noise limits can only be achieved with closed windows then alternative means of both whole dwelling and purge ventilation should be provided to allow residents to occupy the properties at all times with windows closed, having regard to thermal comfort. Detailed information on the construction of the building envelope should be proposed, together with supporting calculations in accordance with Appendix G.2.1 of BS 8233:2014. Accompanying this information, we would also require robust ventilation measures that will provide sufficient ventilation to all living areas, including bedrooms and living rooms to negate the need to open windows. We would expect to see mechanical whole house systems to include intake and extract ventilation at this location. In respect of external noise levels, details are to be submitted including “the position, design, height and materials of any acoustic barrier proposed, along with calculations of the barrier attenuation.””

11.19 UDC’s external noise level criterion is 55 dB LAeq,16hr. The submitted noise impact assessment assessed likely road noise from the A120 at the receptor locations (house plots) within the external garden areas of the site. The results indicated that external garden areas for the majority of the house plots would be below 55 dB LAeq,16hr when the noise levels were assessed against the external noise criteria set out in the UDC noise criteria, the exceptions being Plots 21, 22, 24 and 25 at 56 dB LAeq 16hr, i.e. at 1 dB over (56 dB).

The Noise Impact Statement by Accon states the following based upon the above findings and other noise calculations to assess the noise impact on the proposed development:

“The results of the external noise assessment indicated that the majority of garden areas would achieve the external noise criterion set by Uttlesford District Council. Environmental noise barriers have been proposed around the perimeter of the site to provide further screening to Plot 21, Plot 22 and Plots 24 and 25 to ensure that a reasonable proportion of these garden areas achieve the external noise criterion. The results of the internal noise assessment indicate that all of the habitable rooms will achieve the internal noise level criteria set by Uttlesford District Council with the provision of different glazing and ventilation specifications with increasing sound reduction properties. Consideration has also been given to the impact of ventilation on internal noise levels, particularly in respect of thermal comfort cooling, and it has been identified that a number of plots will require an alternative means of ventilation such as a PIV system. The PIV system would be designed to prevent the need to open windows in order to provide thermal comfort cooling whilst still maintaining a reasonable internal

noise level. Achievement of the target noise criteria will ensure compliance with the aims of the NPPF and the PPG in that it will avoid noise from giving rise to significant adverse impacts on health or quality of life for future occupiers of the proposed development. This assessment has utilised the principles of Good Acoustic Design as identified in the recently published document "ProPG: Planning and Noise: Professional Practice Guidance on Planning and Noise – New Residential Development, May 2017".

- 11.20 The noise findings have been examined by the Council's EHO who has advised in his consultation response that the recommended acoustic measures set out in the noise report are acceptable subject to these measures being conditioned. The proposal would therefore comply with the NPPF and ULP Policy ENV10 subject to compliance with these conditions.

Air Quality

- 11.21 The Council's Environmental Health Officer has advised that the proposed development would not be significantly impacted by air pollution from the adjacent A120 for the reasons set out in the consultation response in this report and no objections are therefore raised under ULP Policy ENV13.

B Access

- 11.22 The proposed development would have a 6.0m shared surface internal service road to serve the new dwellings and would involve the creation of a new bell-mouth junction onto the B184 Ongar Road. The application is accompanied by a Stage 1 Safety Audit which identifies the following highway observations/proposed highway measures to be incorporated into the scheme:

- A new 6.0m wide access on the southern side of Ongar Road;
- The provision of a raised table within the new access leading into a 6.0m shared surface carriageway;
- The provision of an uncontrolled pedestrian crossing facility with dropped kerbs and tactile paving on Ongar Road, east of the proposed access;
- The provision of a new 2.0m wide footway on the eastern side of the new access connecting the southern aspect of the pedestrian crossing to the shared carriageway within the development
- Associated road markings.

- 11.23 The safety audit has been assessed by ECC Highways who have not raised any objections to the audit subject to the proposed dropped kerb/pedestrian crossing point across Ongar Road shown east of the proposed site access for the development being highway conditioned where the details of this proposed crossing and other works/measures can be dealt with at detailed audit design stage. As such, there is no requirement for any of these works/measures to be subject to inclusion within a S106 Agreement. Furthermore, ECC Highways have expressed that they are happy with the tracking details supplied by the applicant showing that refuse vehicles will be able to successfully enter the site and to pass each other along the 6m carriageway within the site. Accordingly, ECC Highways have advised that the impact of the proposal is acceptable from a highway and transportation perspective subject to recommended highway conditions. The proposal therefore complies with ULP Policy GEN1.

C Design

- 11.24 The 25 dwelling scheme submitted for Oaklands would have a net housing density of 23.5 dph, compared to a net density of 30.6 dph for the Taylor Wimpey site at Ongar Road South and 23.6 dph for the Redrow Homes site at Ongar Road North. As such, the density of the site would be low compared to previously set and now unused density standards and comparable in density to Ongar Road North. The dwellings shown for the development would be a mix of single storey, 2 storey and 2½ storey height units with a predominance of 2 storey and would have traditional designs and external finishes. The scale of dwellings shown across the development is considered acceptable where the 3 no. 2½ storey height dwellings would be positioned for the front and interior of the site and where the 2½ storey dwelling shown for Plot 2 at the front would be sufficiently set back from the road behind the frontage pond at 53m depth so as to not have a dominating effect on the streetscene.
- 11.25 All of the dwellings would have rear garden amenity sizes meeting or exceeding the minimum recommended standards as set out in the Essex Design Guide and would have back to back distances exceeding 25m where this principle would need to be applied and, in the main, dwelling to boundary distances of 15m. As such, the development has a reasonably relaxed layout as demonstrated by its density figure. The applicant has stated that the road surface would be to adoptable standards, albeit that the road would not be conveyed over for highways adoption and would be privately maintained. However, dust carts and emergency vehicles would be able to access the development.
- 11.26 The proposed site layout is shown without the provision of any children's play space whereby the amenity pond at the front of the site could not be treated as such, although could nonetheless provide some site interest as an existing on-site natural asset to children on the proposed development were this provision to be properly managed.
- P71 of the GDNP discusses specifically the issue of children's play space where it states that the plan's objective is to serve Great Dunmow with *"a sufficient quantity of high quality and well-maintained play space located within easy walking distance of its populations"* stating that Great Dunmow has a deficit of 5 ha of children's play space where this should be provided at a minimum level of 0.8 ha per 1,000 population (7.3 ha deficit in the South Ward compared to a surplus of 2.1 ha in the North Ward). This section continues saying that *"It is clearly an undesirable position to be in where children need to travel across the town to reach play areas of adequate capacity, and the problem will be exacerbated as the town grows in size"*.
- 11.27 Notwithstanding the absence of on-site play provision for the proposed scheme, a LEAP is planned for the adjacent Taylor Wimpey site (Ongar Road South), whilst a "trim trail" is proposed for the Redrow site (Ongar Road North) and it is considered from this that the future existence of these nearby play facilities within walking distance of the site along Ongar Road would provide adequate local play-space and would negate the need for on-site play provision for this proposed smaller residential site scheme by way of comparison where this ought to reduce the need for children to be taken across the town to play-space facilities provided elsewhere. In addition, the rear amenity spaces shown for the dwellings, including the affordable units located to the rear are generous under EDG amenity standards relative to their bedroom sizes and therefore would offer it is contended adequate on-site play space.
- 11.28 In the circumstances, no design objections are raised to the scheme under ULP

Policy GEN2.

D Housing Mix

11.29 The development would have a good mix of housing units between 2, 3, 4 and 5 bed dwellings (2 bed x 8.no, 3 bed x 10.no, 4 bed x 2.no, and 5 bed x 5.no.). The nominated wheelchair accessible units would be the handed bungalows shown for Plots 22 and 23 towards the front of the site (25 x 5% = 1.25 units) where the applicant's agent has stated that he is happy to provide these units as a pair. The positioning of these dwellings near to the front of the site would therefore be advantageous for the future occupants of these dwellings. It is considered from this housing mix that the proposal would comply with ULP Policy H10 and be in general conformity with the latest housing needs evidence base.

E Affordable Housing

11.30 The proposed scheme is shown with a 40% affordable housing element comprising 10 affordable units (25 x 40% = 10 units). The affordable housing is shown predominantly within the south-west corner of the site, although not within totally a single cluster whereby two affordable units (Plots 24/25) are included at the very front of the site by way of contrast and two pairs of market dwellings are situated beyond the affordable units at the site's eastern end thereby effectively "bookending" the affordable section to provide more inclusiveness within the site scheme as a whole. The applicant has indicated the tenure split for the affordable housing element at 40% shared ownership and 60% rented, although the precise tenure split would be subject to future discussion with the Council/RSL's as part of any S106 agreement. No objections have been received in principle to the affordable housing element of the scheme from the Council's Housing Enabling Officer and it is considered that the proposal would comply with ULP Policy H9.

F Parking Standards

11.31 Parking for the site would be in the form of both garaged and hardstanding parking or a combination of both. The development would have the appropriate UDC parking ratio requirement per dwelling, including the affordable units, with some market dwellings exceeding the minimum parking standards, whilst all of the garages shown would be at 7m x 3m size and hardstandings would be at 5.5m x 2.9m bay size to meet ECC Highway standards. 7 no. visitor spaces are shown for the mid to lower end of the development where this visitor provision would be more desirable and meets the ECC Highway visitor parking ratio of 0.25 spaces per dwelling (25 x 0.25 = 6.25). Whilst it is noted that six plots have tandem parking, (Plots 6, 7, 8, 9, 22 and 23), these plots are not positioned on the frontage section of the internal service road, whilst two plots are situated on a spur. Given this internal site arrangement, this would not cause internal inconvenience to other users of the service road. No objections are therefore raised to the proposal under ULP Policy GEN8.

G Impact on residential amenity

11.32 The site is divided from the Taylor Wimpey site to the immediate east by a long drainage ditch and adjacent parallel bridleway whereby the proposed dwellings for the Oaklands site would be separated from this adjacent housing development by a 10m band strip running the entire depth of the site. The rear facing dwellings shown for the Taylor Wimpey site running down along this

dividing strip would be located no nearer than 25m from the nearest rear facing dwelling for the proposed development (Plot 5) with the other three dwellings shown on this side being flank facing. No amenity issues would therefore arise for the nearest occupants of the Taylor Wimpey development. The pair of two storey affordable units at the front end of the site would stand 4m away from the side boundary with Brick Kiln. However, this separation distance would ensure that any amenity loss to this adjacent dwelling would not be significant. The bungalow shown for Plot 22 would stand behind the rear garden of Brick Kiln. However, Brick Kiln enjoys a generous sized rear garden, whilst the single storey nature of the proposed dwelling for Plot 22 and appropriate boundary screening would ensure that any amenity loss to this property would also not be significant. The bungalow for Plot 22 would also stand 2.5m from the side boundary with Tiggers. However, again this separation distance would ensure that any amenity loss to this adjacent dwelling would not be significant.

- 11.33 Intra-amenity between dwellings on the development would be reasonable to good where obscure glazing is shown for those windows which could otherwise lead to overlooking and loss of privacy to adjacent occupiers. No amenity objections are therefore raised to the proposal under ULP Policy GEN2.

H Impact on trees

- 11.34 The front of the site around the pond contains a canopy of established trees with three trees being subject to a TPO whereby this tree grouping helps to define the attractive frontage setting. Some trees have been identified in the accompanying tree survey report as being in either fair or good condition, whilst others are considered to be of lesser amenity value. The survey report, arboricultural report and tree protection measures scheme have been examined by the Council's Landscape Officer who has advised that the submitted tree protection measures are considered to be appropriate and that two trees in good condition (Hornbeam and Lime) are not considered to be of significant amenity value in terms of the wider landscape. No landscaping objections have accordingly been raised to the development, subject to conditions requiring the tree protection measures for trees to be retained to be implemented in accordance with the recommendations, as set out in the D F Clark Bionomique Ltd's Arboricultural Impact Assessment dated 24.05.2017 (rev A) and the submission for approval of a fully detailed scheme of landscaping. As such, the proposal would accord with ULP Policy ENV3.

I Impact on protected and priority species

- 11.35 A detailed ecology report has been prepared for the proposal (AA Environmental Ltd, July 2017) along with a separate technical report relating to GCN's. The main ecology survey found that the site does not contain any natural habitats conducive to protected or priority species, namely bats, badgers or herpetofauna (reptiles and GCN's) and no evidence of these species was found at the site. The frontage pond has been found not to be an ideal terrestrial habitat for GCN's, notwithstanding that a low population of GCN's was recorded in the pond in 2011, hence the additional GCN report carried out to verify this latest negative finding. The report recommends various bio-diversity enhancements for the proposed scheme and also recommends that site clearance works are carried out adopting Reasonable Avoidance Measures, at the appropriate time of the calendar year under qualified supervision when GCN's are fully active, as a precautionary principle for this protected species and attaches a method statement for the works for reference.

- 11.36 ECC Ecology have commented on the submitted ecology information and have not raised any objections subject to appropriate conditions. The proposal would therefore comply with ULP Policy GEN7.

J Impact on Sites of Archaeological Importance

- 11.37 Recent archaeological excavations carried out on the Ongar Road North site have revealed the remains of a late Iron Age and Roman settlement. Archaeological remains relating to the old Roman road leading from Great Dunmow towards Harlow would also be impacted by the development. ECC Archaeology have recommended an extensive archaeological condition so that any archaeological deposits may be identified and recorded prior to any development works proceeding (ULP Policy ENV4).

12. CONCLUSION

The following is a summary of the main reasons for the recommendation:

- A** The proposal would amount to a presumption in favour of sustainable development, would not constitute a flood risk, would not have a significantly harmful impact on landscape character, external noise impacts can be mitigated by condition and air pollution would not be significant.
- B** Access arrangements for the development would be acceptable.
- C** The design of the housing scheme would be acceptable.
- D** The housing mix would be acceptable.
- E** 40% affordable housing provision would be provided.
- F** Resident parking would meet ECC and UDC parking standards.
- G** The development would not have a significant impact on residential amenity.
- H** Tree impacts would be mitigated by tree protection measures.
- I** The development would not have a harmful impact on protected species.
- J** Facilities for archaeological field research would be secured by planning condition.

13 UPDATE FOLLOWING DEFERRAL FROM PLANNING COMMITTEE 14.3.18

- 13.1 In response to the deferral of this application from Planning Committee on 14.3.18, the applicant's agent has responded by changing the clustering by swapping the affordable housing units (Plots 10 & 11) with the market dwelling units (Plots 17-23). By doing this, the applicant has reduced the amount of affordable units within the direct line of the A120. The applicant has also clarified further the noise contour issues around the protection of the garden areas of the units from noise from the A120 without the need to decrease the noise contours. A revised version of the housing schedule shown at 3.4 will be provided to members prior to the meeting.
- 13.2 The suggested conditions have also been formally changed to reflect members and officers concerns over tree issues on the site.

RECOMMENDATION – S106 Agreement APPROVAL WITH CONDITIONS

- (I) The applicant be informed that the committee be minded to refuse planning permission for the reasons set out in paragraph (III) below unless by 11 May 2018 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning**

Act 1990, as amended by the Planning and Compensation Act 1991 in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:

- (i) Provision of affordable housing**
 - (ii) Primary school education contribution**
 - (iii) Maintenance of SUDS**
 - (iv) Pay the Council's reasonable legal costs**
 - (v) Pay the monitoring fee**
- (II) In the event of such an agreement being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below.**
- (III) If the freehold owner shall fail to enter into such an agreement, the Assistant Director Planning shall be authorised to refuse permission at his discretion at any time thereafter for the following reason:**
- (i) Non-provision of affordable housing**
 - (ii) Non-payment of Primary school education contribution**
 - (iii) Non maintenance of SuDS**

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: In order to comply with Section 91 (1) and (2) of the Town and Country Planning Act 1990 (as amended).

2. Prior to the commencement of development, including ground clearance and compound set up, or any works pursuant of any other condition within this planning permission full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels [earthworks to be carried out]
- b) means of enclosure
- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained
- g) planting plans, including specifications of species, sizes, planting centres, number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details
- l) two mature oak trees

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and

environmental impacts of the development hereby permitted in accordance with ULP Policies GEN2, GEN7, ENV3, ENV7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: To ensure that the development hereby granted can be properly assimilated into the local landscape by appropriate landscape mitigation measures.

3. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with ULP Policies GEN2, GEN7, ENV3, ENV7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. Prior to the commencement of development, including ground clearance (or any works pursuant of any other condition within this planning permission tree protection measures for those trees to be retained shall be implemented in accordance with the recommendations as set out in the Arboricultural Impact Assessment prepared by D F Clark Bionomique Ltd dated 24.05.2017 (rev A).

REASON: To ensure that the important landscape features of the site are protected and not prejudiced by the development hereby approved in accordance with ULP Policies GEN2, GEN7, ENV3, ENV7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. Prior to the commencement of development, samples of materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the local planning authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

6. Prior to occupation of any dwelling, the provision of an access formed at right angles to Ongar Road, as shown in principle on drawing no. 2015-725-002 Rev F, to include but not limited to: minimum 6 metre carriageway width with a 2 metre wide footway to the east of the access tapering into the shared surface, and a clear to ground visibility splay with dimensions of 2.4 metres by 90 metres, in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interest of highway safety in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. Prior to occupation of any of the proposed dwellings, the provision of a dropped kerb pedestrian crossing across Ongar Road shall be provided east of the proposed site access, as shown in principle on drawing no. 2015-725-002 Rev E.

REASON: In the interest of highway safety and accessibility in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. No dwelling shall be occupied until the associated parking and/or turning head indicated on the approved plans has been provided. The vehicle parking and turning heads shall be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

9. The cycle parking facilities as shown on the approved plan are to be provided prior to the first occupation of the development and retained at all times.

REASON: To ensure appropriate bicycle parking is provided in accordance with ULP Policy GEN8 of the Uttlesford Local Plan (adopted 2005).

10. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with ULP Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

11. No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Discharge rates limited to 1.5l/s from the site for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event. Provision in storage should also be made for the effect of urban creep and have a suitable half-drain time.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all run-off leaving the site, in line with the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL

- and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy.

The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site, to ensure the effective operation of SuDS features over the lifetime of the development and to provide mitigation of any environmental harm which may be caused to the local water environment in accordance with the NPPF and ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

12. No works shall take place until a scheme to minimise the risk of off-site flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 and paragraph 109 states that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

13. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding in accordance with ULP Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

14. No development shall take place until a scheme for protecting the proposed dwellings from noise from road traffic has been submitted to and approved in writing by the local planning authority. The scheme shall follow the recommendations identified in the Accon UK Ltd report (Ref:A3035/N/001) dated 14th July 2017. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved details, and shown to be effective, and it shall be retained in accordance with those details thereafter.

REASON: To protect the amenity of future occupiers of the development in accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

15. 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

16. All ecological measures and/or works shall be carried out in accordance with the details contained within the Ecology Statement (AAe Environmental Consultants,

2017) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: In the interests of conserving biodiversity in accordance with the National Planning Policy Framework and ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

17. Prior to the commencement of development, an invasive non-native species protocol shall be submitted to and approved by the local planning authority, detailing the containment, control and removal Japanese knotweed on site. The measures shall be carried out strictly in accordance with the approved scheme.

REASON: In compliance with Schedule 9 of the Wildlife and Countryside Act and in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005)

18. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to occupation of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed.
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.
 - e) Prescriptions for management actions.
 - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
 - g) Details of the body or organization responsible for implementation of the plan.
 - h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

REASON: To ensure that some form of covenant is in place to ensure that the management body that takes on long-term responsibility for implementation of the LEMP (management of the ecological areas) is to do so in strict accordance with the details contained therein in accordance with ULP Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

19. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the local planning authority.

A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following completion of this work.

No development or preliminary groundworks shall commence on those areas

containing archaeological deposits until the satisfactory completion of fieldwork as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environmental advisors.

The applicant shall submit to the local planning authority a post-excavation assessment to be submitted within three months of the completion of the fieldwork unless otherwise agree in advance with the local planning authority. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum and submission of a publication report.

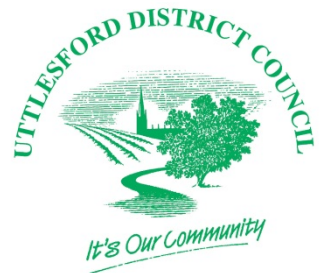
REASON: To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation in accordance with ULP Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

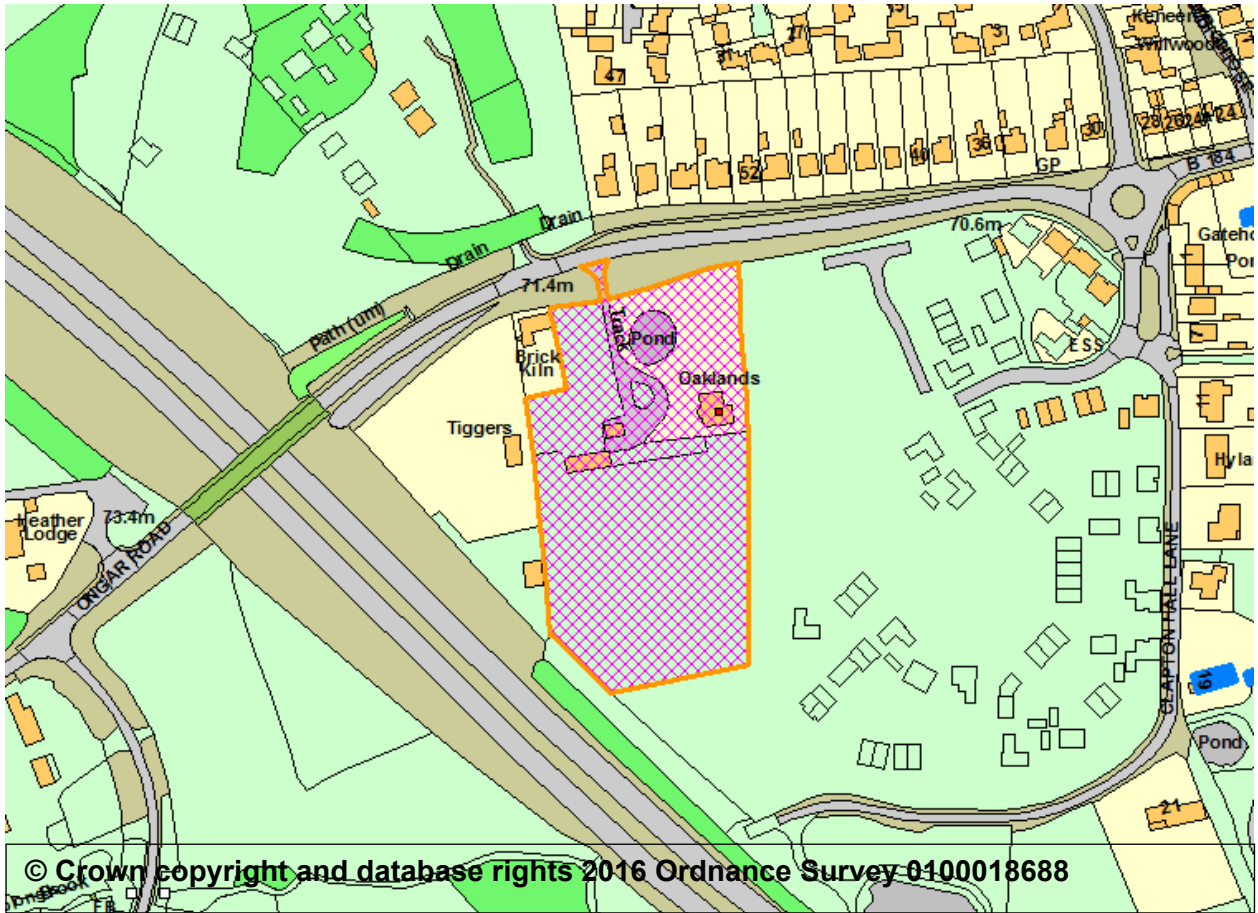
20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order) no compounds, portacabins or temporary builders' facilities shall be stationed or erected on the site prior to all works and submissions pursuant to Conditions 2 & 4 of this planning permission.

REASON: To ensure that the important landscape features of the protected and not prejudiced by the development hereby approved accordance with ULP Policies GEN2, GEN7, ENV3, ENV7 and EN Uttlesford Local Plan (adopted 2005).

Application: UTT/17/2238/FUL

Address: Oaklands, Ongar Road, Great Dunmow





Organisation: Uttlesford District Council

Department: Planning

Date: 29 March 2018