

UTT/13/1043/OP (Great Dunmow)

PROPOSAL: Outline planning application with the details of external access committed. Appearance, landscaping, layout (including internal access), and scale reserved for later determination. Development to comprise: between 600 and 700 dwellings (Use Class C3); up to 19,300 sq m gross of additional development (including the change of use of existing buildings on site where these are retained) for Use Classes: A1, A2, A3, A4, A5 (retail); B1(a)(offices); C2 (residential institutions care home); D1, D2 (leisure and community uses); car parking; energy centre; and for the laying out of the buildings, routes, open spaces and public realm and landscaping within the development; and all associated works and operations including but not limited to: demolition; earthworks; and engineering operations.

LOCATION: Land west of Great Dunmow, Stortford Road, Little Easton

APPLICANT: L S Easton Park Investments Ltd

AGENT: Barton Willmore LLP

EXPIRY DATE: 12 August 2013

CASE OFFICER: Mrs A Hutchinson

APPLICATION TYPE: Major

1. NOTATION

1.1 Outside Development Limits, Airport Safeguarding, Preferred Mineral Site

2. DESCRIPTION OF SITE

2.1 The application site comprises some 138ha of predominantly agricultural land to the west of Great Dunmow in Essex. The application site forms part of the Easton Park estate and extend up to Park Road in Little Easton to the north, and are bounded by woodland to the west. The southern boundary follows a valley which delineates the boundary between the application site and the farm land to the south which is currently proposed to be allocated as Great Dunmow Policy Area 1 in the Consultation on Proposals for a Draft Local Plan 2012.

2.2 High Wood ancient woodland and SSSI abuts the application site at the south west corner. The eastern boundary is defined by existing hedgerows and trees and follows an irregular line. The site is separated from the eastern bypass by existing fields that area outside the site while Hoglands Wood, a further ancient woodland and Local Wildlife Site, is located within the south east corner. The site contains a number of buildings associated with Ravens Farm including three residential properties, semi-enclosed stables, garages and barns.

- 2.3 The application site generally slopes upwards from east/south-east to west, rising to a plateau in the north and western part of the site. There are three Public Rights of Way (PROW) within the site which extend from Little Easton in the north, two converging at Ravens Farm buildings and continuing south east into Great Dunmow and the other running along the western boundary of the site.
- 2.4 The application site boundary also extends out to the west to provide access and includes part of the haul road for the adjacent mineral extraction site which takes access from the junction of the A120 and the B1256.

3. PROPOSAL

- 3.1 Outline planning permission is sought with all matters reserved except for access. The application is accompanied by a Development Parameter Schedule and Plans which set the maximum extent of development, the land uses and minimum and maximum floorspace proposed.
- 3.2 The Development Parameters and an Illustrative Masterplan state that the proposals include the following:
- 1) Up to 600-700 dwellings, with an overall density not exceeding 35 dph.
 - 2) Provision of 40% affordable housing.
 - 3) 3,300 sqm residential institution to provide sheltered accommodation/care home. (Class C2)
 - 4) 10,000sqm Class D1 to allow for the potential inclusion of a primary school.
 - 5) 1000sqm Class D2 to provide a community hall with changing facilities to support the sports facilities provided across the site.
 - 6) Allotments.
 - 7) 6000sqm (Class A1, A2, A3, A4 & A5) retail floorspace.
 - 8) 2000sqm Class B1(a) commercial accommodation to provide job opportunities within the development.
 - 9) New tree planting, habitat creation and ecological improvements.
 - 10) Formal and informal open space, parks, walking trails etc for both new residents and existing residents of Great Dunmow.
 - 11) Opportunities to accommodate local groups, such as the relocation of the Great Dunmow Tennis Club from its existing site at Foakes Hall, Great Dunmow, and, in conjunction with the tennis club's move, the opportunity to enhance the remaining Foakes Hall site for the benefit of the wider community.
 - 12) The opportunity for Essex County Council to utilise land at the Application Site for secondary school/sixth form/ higher educational purposes within the development.
 - 13) The potential for Combined Heat and Power system (CHP) and other measures to promote energy efficiency, the use of 'clean' energy and the use of renewable technologies.
- 3.3 The application is accompanied by a Design and Access Statement which explains the rationale behind the Development Parameters. This explains the selection of the areas for development through analysis of ground levels, building footprint and maximum height, recreation and ecology, visual ecological mitigation and open space and the primary movement corridor.
- 3.4 The resulting illustrative Masterplan shows the main area of development located primarily in the south east area of the site abutting the land to the south (the proposed

allocation site at Great Dunmow Policy 1) and separated from parts of this site and the bypass by Hoglands Wood. The local centre and the potential education provision are shown in, and close, to the area currently occupied by the farm building at Ravens Farm with one of two central green areas adjacent.

- 3.5 Land to the west of the housing area, is shown as meadow land which is to incorporate a natural area for ecological habitats as well as cycle, pedestrian routes and mitigation areas whilst to the north, the development would be bordered by an area of tree planting and visual mitigation. Further north, between the new tree planting and Park Road, the illustrative layout shows a wide area of farmland which is referred to as Easton Farm and to incorporate additional ecological and natural landscapes areas, wildlife habitats and mitigation areas.
- 3.6 Access to the site is proposed via an access corridor which runs from the existing junction with the A120 and serves the minerals site to the north east. The access as proposed would follow the haul route and curve eastwards, entering the main part of the application site to the north of High Wood. A secondary access point is shown to the north along the existing farm access onto Park Road whilst a further potential access point is shown to the south of the site, linking it with the proposed allocation site.
- 3.7 The application is accompanied by an Environmental Impact Assessment (EIA) which covers Construction, Landscape and Visual Amenity, Ecology and Nature Conservation, Transport and Access, Air Quality, Noise and Vibration, Water resources and Flood Risk, Cultural Heritage, Socio Economics, Agriculture and Soils, Ground Conditions and Contamination and Waste. The EIA assesses the where there will be an environmental effect and the significance of those effects, breaking them down into three categories;
 - Major
 - Moderate
 - Minor
- 3.8 In addition, the EIA considers whether effects are adverse or beneficial and takes into account cumulative effects arising from the potential development of Woodlands Park, Ongar Road North and South and Stansted Airport. It also takes into account the potential development of 1150 dwellings which could arise from the Draft Local Plan allocations at Great Dunmow 1 and 2.
- 3.9 The EIA provides an assessment of two potential Scenarios for the way the proposed development could be built. The scenarios relate to whether land adjacent to the southeast of the application site (Great Dunmow Policy 1) will be developed simultaneously with the proposed development or not:
 - Scenario 1 refers to a situation where Great Dunmow Policy 1 does not come forward in parallel with the proposed development.
 - Scenario 2 relates to a situation where Great Dunmow Policy 1 does come forward in parallel with the current application proposals.
- 3.10 The nature, scale and amount of development is the same for both scenarios, with the only differences between the two being the assumptions made for the duration of the construction period (Scenario 1 will run from 2014 until 2022, and Scenario 2 will run from 2014 until 2024); the schemes assessed cumulatively; the direction of construction build out (from north to south for Scenario 1 and from south to north under Scenario 2); and the access arrangements.

- 3.11 In addition to the EIA, the application is supported by a number of other reports including a Planning Statement and a Design and Access Statement, a Statement of Community Involvement, Utilities Report, a Sustainability Statement, a Framework Travel Plan, a Landscape and Biodiversity Management Strategy and a Bird Strike Hazard Appraisal.

4. APPLICANT'S CASE

- 4.1 UDC cannot demonstrate a 5-year housing supply. Therefore the NPPF encourages developers to submit "speculative" planning applications to make up the shortfall and LPAs to approve these without delay where they represent sustainable development.
- 4.2 The application proposal represents an appropriate scale of development in response to the need and will not fundamentally impact on the housing strategy for the LPA. The emerging Local Plan housing strategy is not at an advanced stage and significant objections have been made to it in respect of the under allocation of sites to meet need over the plan period.
- 4.3 The application proposals represent an appropriate form of development adjacent to an area identified for residential development as an urban extension to Great Dunmow in the emerging Local Plan. Granting planning permission for this speculative proposal now will not only meet immediate housing shortfall but will also assist in identifying new allocations that Land Securities consider will inevitably be needed as a result of the Examination into the emerging Local Plan.
- 4.4 The proposals will provide significant quantities of amenity space for the local community as well as new community facilities, such as local retail, a primary school, community hall, sports changing facilities as well as contributions to enhance off site education facilities.
- 4.5 The Application Site is proposed to be developed at a density that local people support (average of not more than 35 dph) and reflects the surrounding character. The site does not suffer from significant viability constraints and so is able to deliver the full 40% affordable housing requirement.
- 4.6 The Application Site has no abnormal site constraints and, as a consequence, development can happen very quickly following the granting of a planning permission.
- 4.7 The outline planning application (as contained in the application booklet) supported by the Design and Access Statement, Environmental Statement (including technical studies and assessments) and other technical assessments and the Statement of Community Involvement represent an appropriate and robust proposal designed to enable the site to deliver much needed housing and to benefit the community as a whole. An appropriate mitigation package is offered as part of the proposal.
- 4.8 The applicants consider the loss of agricultural land is outweighed by the need for housing, lack of 5 year housing supply, and sustainable characteristics of the site and proposed development. As a consequence, planning permission should be granted.

5. RELEVANT SITE HISTORY

- 5.1 No relevant Planning History in relation to the majority of the application site but the proposed access is shared with the haul road for the adjacent Highwood Quarry. Highwood Quarry was granted planning permission in March 2011 for mineral extraction for a period of 16 years.

6. POLICIES

6.1 National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

Policy S1 – Development limits for Main Urban Areas

Policy S7 - The Countryside

Policy GEN1 - Access

Policy GEN2 – Design

Policy GEN3 – Flood Protection

Policy GEN6 - Infrastructure Provision to Support Development

Policy GEN7 - Nature Conservation

Policy GEN8 - Vehicle Parking Standards

Policy ENV5 – Protection of Agricultural Land

Policy H9 - Affordable Housing

Policy H10 - Housing Mix

Policy LC3 – Community Facilities

Policy LC4 – Provision of Outdoor Sport and Recreational Facilities Beyond Development Limits

Policy RS2 – Town and Local Centres

Supplementary Planning Document - "Accessible Homes and Playspace"

Essex Developers' Guide to Infrastructure Contributions (Adopted as Essex County Council Supplementary Guidance).

7. PARISH COUNCIL COMMENTS

7.1 Little Easton Parish Council – Strong Objection

7.2 The proposed development does not comply with local or national planning policy and would cause significant and unsustainable harm to the environment and the character of the district.

7.3 The 3 access roads have such a detrimental impact on the sustainability of the development that the application should be refused. The lack of connectivity with the town, roads through buffer zones and wildlife corridors and effectively creating a new Dunmow by-pass road through Little Easton all compound the damage otherwise caused by this intrusion into the countryside.

7.4 Approval of this application would amount to a new strategic planning policy for Uttlesford but without the required prior public consultation.

7.5 Responses to the applicant's public consultation were overwhelmingly negative, especially for environmental issues. LEPC's own resident consultation in May 2013 received a 70% response with 96% opposed to the development (summary attached).

1. COALESCENCE AND STRATEGIC LOCAL POLICY

Placing the development within the Little Easton parish is contrary to UDC's Draft LDF, which requires development to be "distributed over a number of settlements with most development in the two main towns and key villages". Little Easton is a "type B" rural settlement. There would be coalescence with Gt Dunmow and the loss of Lt Easton as a distinctive village. The importance of the gap between Gt

Dunmow and Lt Easton was recognised in the appeal dismissal APP/C1570/A/11/2146338 in August 2011.

The proposed road linking Policy Area GD1 would run through the sensitive wildlife corridor, giving reason to refuse the GD1 application for being environmentally unsustainable and cause UDC to consider alternative housing strategy to replace GD1.

The proposed site could act as a seed for further development and the creation of a new town on Easton Park, a concept which was rejected in 1993 by the Local Plan Inspector and has been consistently been considered and discounted by UDC to be “unsuitable” in SHLAA reviews since 2008 and most recently in January 2013. As UDC says of new town sites GtCHE7 and ELS8are “the most suitable locations... because of the potential for the use of modes of transport other than the car... Easton Park is also reliant on road transport and a second runway at Stansted could have a significant impact.”

2. LOCAL PLANNING POLICY

The proposal does not comply with the saved Policy S7 (The Countryside), which seeks to protect the countryside for its own sake, and no very special circumstances have been demonstrated to outweigh the harm to the countryside. GEN1 (Access) and GEN6 (Infrastructure provision): The proposal is non-compliant because it would encourage car use and has made no provision for road improvements to the road network from Park Road. There is no railway station close-by and other public transport is infrequent.

GEN2 (Design) sets out criteria that it “safeguards important environmental features in its setting” whereas this proposal would result in the High Wood SSSI being surrounded on all sides by the roads and housing. The development would extend residential development into the open countryside and into the historic Easton Park. The development would be unduly prominent and would have an adverse impact on the character and visual amenities of the area.

The application is non-compliant with GEN7 (Nature conservation) because the LoWSs and SSSI are irreplaceable whereas alternative locations for housing development are available. ENV7 (Designated Sites) is particularly relevant as it seeks to protect the natural environment for its own sake, particularly for its biodiversity and agricultural, cultural and visual qualities, along with ENV5 (Protection of Agricultural Land) and ENV8 (Other Landscape Elements of Importance for Nature Conservation) which seeks to protect “networks or patterns of locally important habitats” which clearly cannot be met when the applicant has located major access roads through the main environmental corridors.

3. NATIONAL PLANNING POLICY FRAMEWORK

The proposal is not sustainable with respect to the negative impacts on the environment, social cohesion, retail and small business in the town, encouraging car use, visual effects and character of the district. Alternative sites have not been considered and the loss of up to 140 hectares of high grade agricultural land, without the prior marketing of the land for agricultural purposes make the proposal contrary to the NPPF.

3.1 ACCESS AND VISUAL EFFECTS

The choice of access roads is unsustainable; there is a marked lack of connectivity between the town and amenities such as the Town Park and commercial premises.

Of particular concern to LEPC is the proposed access onto the village's Park Road. It would bisect the proposed woodland "buffer zone" rendering it less effective as a visual screening.

The applicant's Transport Assessment reports conclude that no highway improvements are justified by the development but LEPC would assert substantial investment is required to upgrade the village roads to handle the applicant's estimated 174% increase in volume.

LEPC also doubts that only 18 to 24% of all traffic movements from the development will use Park Road because the applicant itself submits that the majority of people travelling to work by car will commute within Uttlesford, for whom the A120 access is of limited use. The availability of the Park Road access onto the B184 will be the new Dunmow by-pass, rather than Woodside Way.

LEPC disagrees with the understatement of impacts in the Environment Statement and in particular 16.4 which alleges "major beneficial effects on views and landscape character" and that there would be "minor effects from road traffic noise".

Further harm would be added by the inclusion of a gas stack and biomass heat generators would have a negative visual impact and encourage regular heavy vehicle movements for bio-fuel distribution in the surrounding road network.

3.2 ENVIRONMENT

The proposal should be rejected for its environmental unsustainability in its removal of high grade agricultural land, harm to the SSSI and local wildlife sites, especially with regard to air pollution in the SSSI High Wood. The ecology appraisal notes the level of nitrogen dioxide impacting the SSSI already exceeds the recommended maximum load, and that the extra output produced by the development's additional traffic should therefore be ignored. LEPC disagrees.

The ecology report does not give sufficient weight to cumulative impacts as would arise from the development of GD1. Natural England has not considered these cumulative impacts or the full use of the road access.

Ecological surveys, on species such as great crested newts, are considered insufficient by Natural England. The impact on individual species has been explored in detail by the Essex Wildlife Trust and should be fully taken into account when considering this application.

The developer's proposed mitigation of harm identified in the Environmental Impact Assessment is completely undone by the proposed three access roads that would cut across the wildlife corridors linking the woodlands. The east/west wildlife corridor would be degraded and bisected by a road. Ancient woodland would suffer impacts from noise, light pollution, increased trampling and disturbance due to increased use by the public and increased predation by cats.

LEPC notes the Environment Agency's concerns that excavations for the development could result in the drying out of the woodlands, including the SSSI. Hydrological effects should be fully considered, as they were in the conditions of the 2011 planning consent for Highwood quarry, with 78 conditions including the

“picture-framing” of the quarry to protect against contamination and separate boreholes to mitigate the hydrological impacts of the 16-year extraction term.

The cumulative impacts on ecology of the two developments have not been sufficiently addressed. The 2 developments in combination would be a disaster for wildlife, with both ancient woodlands being isolated, degraded and disturbed, while the valuable interlinking habitat between them would be destroyed or damaged beyond repair.

The application is non-compliant with the NPPF, which promotes “conserving and enhancing the natural environment and reduce pollution. Allocations of land should prefer land of lesser environmental value”.

3.3 LOCAL ECONOMY AND SOCIAL IMPACT

Lack of connectivity with the town and competition created by this stand-alone development make the proposal unsustainable on economic grounds. Increased competition from the new units in this proposal would have a negative impact on existing business. The access roads lead the prospective residents away from the local shops in the town and no case has been made for introducing commercial and employment units to replace the agricultural use of the land.

There is no supporting evidence of an employment need and no suitably skilled and available pool of labour for construction of the development or future tenancy of the commercial units. Industrial estates in Gt Dunmow and Bishops Stortford have had empty units for a considerable period of time.

There is no supporting evidence for the construction of a care home in this location, in competition with the substantial investment in premises at The Moat House in Great Easton and the existing provision in Gt Dunmow.

Little Easton is part of the wider rural community, linked with its neighbouring villages of The Five Parishes in an historic rural setting. Gt Dunmow is a thriving market town and a disproportionate expansion of the town, compared with other parts of the district, would destroy the character and sense of community in the town. The new settlement would be socially unsustainable, having no community cohesion with the neighbouring settlements.

4. CONCLUSION

The NPPF should “take account of different roles and character, promote vitality of urban areas... recognise the intrinsic character and beauty of the countryside and support thriving communities within it”. The application fails to meet the sustainability criteria set out in Clause 7 of the NPPF and no mitigation could compensate the harm that would be caused to the environment and existing communities.

Great Dunmow Town Council: Objection.

- 7.6 The proposal fails to meet any of the three dimensions to sustainable development as defined in Clause 7 of the NPPF. Economic Role: the development fails to provide adequate infrastructure both on and off the site as well as increasing the traffic flow rate through the town centre;

Social Role: the site does not provide for any additional health facilities or secondary school facilities both of which will be needed in the near future if the proposed development is allowed;

Environmental Role: the proposed development will disrupt an ecological system that supports protected species such as bats and crested newts. The development would also mean higher levels of carbon emissions as a result of the additional traffic generated by the future occupants of the development. It would also increase the risk of possible flooding in the area and increase waste generated by the occupants.

- 7.7 In addition, the development fails or is contrary to other NPPF policies. These include Policies 9, 17 Core Planning Principles, 18, 23, 27, 32, 35, 39, 42, 50, 55, 56, 58, 64, 66, 69, 72, 95, 102, 103, 109, 111, 112, 118, 123 and 131.
- 7.8 The development is also contrary to policies within the UDC Local Plan 2005. It is contrary to Policy S7 – The Countryside and contrary to the Development Limits.
- 7.9 The development is contrary to policies in the UDC Draft Local Plan as it is not identified as a policy site for development. This site would be in addition to the allocated housing numbers which have been arrived at after a sustainability appraisal and negotiations with developers.
- 7.10 The development is contrary to the sites identified within the SHLAA
- 7.11 The proposal and Environmental Statement provide no evidence as to the health issues likely to be faced or the proposed mitigation. The application ignores the clear need for an obligation to meet the burden that the development will impose on the already near or at capacity facilities within Dunmow. NHS Property Services have objected to the development and require funding for the provision of additional floorspace for doctors. By stating that the space will be withdrawn if not taken up by the time the 600th dwelling is completed, the proposal fails to meet the criteria in the NPPF.
- 7.12 The infrastructure in Dunmow and its locality lacks the capacity to accommodate further development without significant investment. Strains already exist in expanding primary schools, the secondary school which needs modernisation, health facilities, water supply and waste water treatment. The proposal makes space and intimates financial provision for a primary school, however it is not clear whether this is a viable and practical proposition. No provision is made to address the deficit in waste water treatment.
- 7.13 Other consultees have raised objections or not provided comments which suggests that the application is premature and should be refused.
- Broxted Parish Council: Objection
- 7.14 The size of the development is totally inappropriate in a rural area. It would more than double the size of Little Easton and totally destroy its character and setting.
- 7.15 The lack of employment opportunities in the area would lead to a huge increase in commuting. With no railway station within five miles and a poor public transport system this would lead to massive increase in journeys by car on an inadequate road system. The congestion that this would cause at the Birchanger roundabout on the A120 and M11 would be considerable.

- 7.16 Broxton would be surrounded by new housing, given the planned and suggested developments at Elsenham and Henham.
- 7.17 Most importantly, this development would fuse together the small village of Little Easton with the town of Dunmow, fundamentally destroying the character of each. Such coalescence must not be allowed to happen. It should be a primary concern of the Council to allow ancient settlements such as these to retain their distinctive character, and not be part of an ugly urban sprawl.

Great Easton and Tilty Parish Council: Objection.

- 7.18 The Parish Council is totally opposed to the planning application for the following reasons:
1. 600/700 houses are completely out of proportion to the area of land in question.
 2. The second phase of Woodlands Estate has not yet been built.
 3. This new development would eventually join up the village of Little Easton to Great Dunmow creating a massive urban sprawl.
 4. There would be a total loss of the village and community life of Little Easton, also completely spoil the market town of Great Dunmow.
 5. There would be major erosion of Green belt land and also the rural infrastructure.
 6. There would be increased pressure, which is already creaking with increased housing in the area, on local services, e.g. schools, doctors surgeries, fire services etc. The prospect of a further 2000 plus residents would also cause concern for local employment possibilities.
 7. The immediate area would suffer from a significant increase in road traffic and Dunmow has not railway station or indeed any easy access to rail services for mortgagees to travel to their work-place.
 8. Looking at the entire area owned by Land Securities it is obvious that if this application covering a small section within it is granted, then development of the remainder would follow at some stage, The Parish Council would urge the District Council to take these observations into account when making a decision on this application.

8. CONSULTATIONS

ECC Highways:

- 8.1 More information required. Checklist provided to applicant and requirements include information on the accesses to the site (including safety Audits); connectivity of the site by sustainable transport to local facilities, other developments and Great Dunmow; further work on the junctions and an approach to mitigation agreed; information on minimising the impact on Public Rights Of Ways.

Environment Agency

- 8.2 Objection: Insufficient information provided to demonstrate that the risks of pollution posed to surface water quality and possible impacts to groundwater are fully understood and can be adequately managed. Recommend that planning permission is refused on this basis.

ECC Schools

Natural England

- 8.3 Objection in respect of protected species due to lack of ecological information and associated uncertainty with regards to mitigation. Additional reports expected on badger, birds, great crested newt, reptile, dormouse and water vole.

ECC Ecology

- 8.4 Objection on insufficient information. The site has suitable habitat for a number of priority and protected species. The following surveys have been identified as necessary but have not been provided; – these include the above reports identified by Natural England and also reports on barn owl, brown hare, invertebrate scoping survey and botanical assessment of woodland. In addition, the surveys that have been provided for Bats, Great Crested newts and reptiles from adjacent sites do not cover the entire application site and the reptile and bat surveys are considerably out of date.
- 8.5 ECC Ecology also raise concerns regarding information provided in relation to the impacts upon High Wood SSSI; the specific impacts of the new access road have not been taken into account and to issues about the potential future planting of trees.

Essex Wildlife Trust

- 8.6 Objection: Adverse impacts on wildlife, BAP priority habitats and species, important wildlife corridors, lack of consideration of cumulative impacts, insufficient/out of date ecology survey information, inadequate data search, lack of detailed development proposals to inform ecological assessment.

ECC Archaeology

- 8.7 The Historic Environment Record and the Historic Environment Characterisation study indicate that the proposed development lies within a potentially sensitive area of heritage assets. The information included within the desk based assessment is accurate but there are a number of areas within the desk based assessment where more detailed work would have been beneficial. Requires a programme of Archaeological Evaluation to be undertaken prior to a planning decision being made. Any evaluation work needs to be undertaken as part of the EIA to provide a clear understanding of the impact of the proposed scheme on the historic environment.

ECC Minerals and Waste

- 8.8 Objection: The site is within a Mineral Safeguarding Area for sand and gravel. No Minerals Resource Assessment is provided. The planning application details and the EIA are deficient as additional information is required on traffic and access, noise, air quality, visual and landscape impacts, hydro geological/land stability and cumulative effects.

NATs Safeguarding

- 8.9 No objections

Airside OPS Ltd

- 8.10 Recommend that conditions be attached relating to the submission of a landscaping scheme, submission of SUDs details and the submission of a Bird Hazard Management Plan.

Stansted Airport Ltd

8.11 Noise – No objections

Access – concerns that there is no transport assessment that reflects the permitted development of the airport as granted by the G1 planning permission. Principal concern relates to the effects that the development, along with other known planned and committed development, will have on M11 Junction 8 which is currently operating above practical capacity at peak times.

Oil and Pipelines Agency

- 8.12 The Government Pipeline and Storage System (GPSS) apparatus will be affected by the proposals. The pipeline wayleave must remain as a grass strip through any development. Consent will only be granted for essential road and service crossings which must be kept to a minimum. OPA will object to any planning application in which the pipeline wayleave is not treated as a grass strip.

Sport England

- 8.13 Objection: The level of outdoor sport provision has not been confirmed the application proposals have used national standards to inform provision rather than the local standards.

NHS Property Services

- 8.14 Holding Objection. The development is likely to have a significant impact upon the NHS funding programmed for the delivery of healthcare provision in the area and specifically within the health catchment of the development. NHSPS would expect these impacts to be fully assessed and mitigated by way of developer contribution secured through Section 106 agreement. Additional floorspace will be required at two surgeries and a contribution of £220,800 will be required towards the capital cost for provision of additional healthcare services. It is noted that provision for a health centre site has been included as part of the proposed development. This prospective offer is inconsistent with NPPF and CIL guidance and would not mitigate the impact arising.

Sustrans

- 8.15 The application does not properly provide for the needs of non-motorised users and does not clearly state how existing Public Rights of Way will be preserved and incorporated into the scheme. Under the present government guidelines there is need to provide the necessary facilities for walking and cycling on new developments from places of residence to places of employment, education, shopping and leisure. This can be achieved by enhancing existing Public Rights of Way to provide Bridleway routes to areas adjoining the scheme and providing routes for cycling and walking within the development. These facilities will assist cohesion with adjacent communities. Sets out measures to assist with these objectives.

Access and Equalities Officer

- 8.16 Dwellings will need to meet the requirements of the Lifetime Homes Standard and 5% of the dwellings will need to be compliant with the Wheelchair Accessible Homes Standard Appendix 2 of the Supplementary Planning Document Accessible Homes and Playspace.

ECC Education

- 8.17 Development of this size can be expected to generate the need for up to 93 Early Years and Childcare (EY & C); 210 primary school and 140 secondary school places. New education facilities will be needed to serve these pupils and the applicant has recognised in paragraph 6.7 of their Planning Statement that both land and financial contributions are required to deliver this infrastructure.
- 8.18 Essex County Council has undertaken a Land Compliance exercise to investigate the suitability of the land that the applicant has indicated for education use. The study has concluded that, with some modifications to the indicative plan provided, the site can be rendered suitable. Specific Section 10g requests regarding provision of education land.
- 8.19 In addition to land, the developer contributions to design and build the new primary school and EY&C facilities are required. The level of the contribution should be based on the cost of the notional 210 place primary school with 56 place EY&C provision costing circa £4.9M at April 2013 costs (precise costs to be confirmed). Since the demand for EY&C places from the development may exceed the provision delivered with the school an additional off-site contribution, based on the number of required places in excess of 56 is sought. The cost per place that should be used in the Section 106 Obligation agreement is £11,865 (index linked to April 2013 costs) and the appropriate pupil product formulas are set out in ECC's Developer Guide to Infrastructure Contributions (2010).
- 8.20 On current forecasts (not including this development but including housing in Uttlesford District Council's published housing trajectory) additional secondary places will be needed in the District for pupils joining year seven in September 2016. Demand for places at Helena Romanes School & Sixth Form Centre is likely to exceed the number available prior to this. Although the applicant's Planning Statement alludes to the provision of land for the school, ECC is minded only to formally request a financial contribution. In the event that Helena Romanes sees merit in the offer of land they are, as an Academy, able to negotiate directly with the applicant. The cost per place that should be used in the Section 106 agreement is £15,839 (index linked to April 2013 costs) and the appropriate pupil product formulas are set out in ECC's Developer's Guide to Infrastructure Contributions (2010).
- 8.21 The estimated maximum total education contribution, based on 700 qualifying houses with two or more bedrooms and the employment land uses outlined in the application would amount to just under £7.6M (index linked to the indicated dates using PUBSEC).
- 8.22 I have one further developer contribution request to draw to your attention from ECC's Youth service. The area has limited social opportunities for older children and two pieces of infrastructure are suggested to serve this development. Firstly a youth shelter should be provided in location in the public eye, but away from conflicting/noise sensitive occupants. Secondly, skate boarding facilities would be a welcome amenity for children that have outgrown traditional play area facilities.
- 8.23 Councillor Davies Objects strongly to the application.
1. If these proposals go ahead then the communities of Great Dunmow and Little Easton will be merged into one conurbation when neither community has expressed any wishes for this to happen. In fact both communities are dead against such an outcome.

2. The proposed 700 or so houses are likely to be the forerunners of a much bigger block of houses that Land Securities could build here in the future. At present they are only proposing building their 700 houses on the 30 hectares of the 138 ha that they own in the vicinity. (They still own 700 ha in the general area) Developers are not known for their altruism, and once they get their foot in the door in Dunmow, the Easton13/d even Takeley, the whole area will be submerged in commuter housing completely spoiling this pretty and precious corner of Essex.
3. There will be significant domestic vehicular traffic generated at the roundabout/junction of the new development with Stortford Road, especially in the morning. This will be exacerbated by the traffic generated by the proposed Care Home, the 1000sqm food retail store, the 1000sqm non-food stores, 2000 sqm of offices and 1,000sqm school. The school alone will generate copious amounts of traffic in the mornings.
4. It is by no means certain that businesses and shops will not suffer significant loss of trade once the new development is established. This is precisely what happened several years ago when the Tesco Superstore came to Dunmow. Several shops had to close at once due to the competition from Tesco and it is true to say that even now the High Street in Dunmow is in a parlous state.

9. REPRESENTATIONS

- 9.1 A total of 354 letters of objection have been received many of which were standard letters based upon the Town Council's objections in relation to the NPPF. The objectors raised the following issues;
- The Application does not meet the definition of sustainability set out in the Localism Act 2012, or the NPPF or of any other definition.
 - The application fails to meet the any of key guidance principles set out in the National Policy Planning Framework.
 - Fails to meet the three dimensions to sustainable development as defined by Clause 7 of the NPPF.
 - The development is contrary to Clauses 9, 18, 23 and 27, 32, 35, 39, 55, 58, 64, 66, 72, 102, 118, 123 and 131 of the NPPF
 - It does not meet with the provision of the Uttlesford Local Plan 2005.
 - The Development is outside the current development limits for Great Dunmow as set out in the Uttlesford Development Plan.
 - Extra housing not needed. There is already a large part of Woodlands Park that is undeveloped and houses are not selling.
 - The existing proposals to develop land to the west of the current Tesco site have been identified as having a poor sustainability score compared with other schemes in Uttlesford and as such the proposal simply seeks to impose further unsustainable development on to Great Dunmow and the surrounding area.
 - The number of incomplete units on the Woodlands Park development demonstrates the disproportional nature of the Land Securities proposal
 - The development proposals are a step closer to convergence with Little Easton. The consultation information suggests that this will create a definitive boundary for Dunmow. However, Land Securities own much of the land in this area and it is considered that the applicants would carry out further development if they could secure a profit.
 - The application suggests that up to 16,218 homes could be built at Easton Park between now and 2028.
 - Land Securities are simply a business seeking to make the maximum profit.

- The Outline proposal includes an access road via Park Road, Little Easton, effectively joining the development to Little Easton which would eventually be swamped, changing its rural character for ever.
- There are only 182 households in Little Easton and this would completely swamp the settlement.
- Proposed new route onto the new A120 roundabout is entirely unsuitable for a development of this size.
- The main bypass will take vehicles from B184 to West Dunmow so there will be limited drive by business in Dunmow.
- No mention of provision of bridleways for horse riders. Bridleways can be used by all users (walkers/cyclists and riders) and should be included in the plans.
- No new railway station has been mentioned or to be developed for Dunmow. There will be no co-ordinated public transport bus links and only a bus service is proposed for the area.
- Dunmow has poor transport links - no trains, few buses
- There must be at a minimum, 6 to 800 new cars driving in the local vicinity.
- Traffic generation will lead to traffic congestion on the roads.
- There is already unacceptable pressure on roads, station parking and commuter trains. Junction 8 of the M11 could not cope with such an increase in traffic.
- Any extra traffic using Park Road and driving through Little Easton is totally unacceptable and likely to cause accidents given the poor visibility many old houses have in turning out on to the roads in the village.
- Object to the access on to Park Road as this is the only place people can safely walk, cycle, jog and horse ride. It is a quiet country dead end lane and is used by people from Woodlands Park who walk the footpaths across the fields .
- Park Road suffers annually during the Countess of Warwick weekend, when visitors attend the local country show. To have this level of traffic daily would be impossible. The road infrastructure is not sufficient to cope with such volume.
- Environmental effects in this area would be catastrophic.
- Pollution impact through more cars and therefore more CO2 emissions. The water treatment waste plant may produce smell pollution i,e The Felsted / Flich development. More street lighting (at a minimum for road safety) would more light pollution.
- Local infrastructure cannot cope
- Need for a Doctors' Surgery – the current 2 in the town are insufficient for the size of the town and surrounding area.
- What extra Schools primary and secondary will be actually built?
- The effective doubling of the size of Dunmow will put existing facilities under significant pressure and will have the long term effect of the loss of the character of this currently unspoilt town. We do not want another facsimile town the like of Bishops Stortford which has slowly but surely lost all of its charm
- There are not enough jobs to support this number of people.
- Given the nature of employment in the area, these homes would be for commuters and will only bring additional numbers to the area and will not serve existing residents. The absence of a railway station in the vicinity will place a significant additional burden on the current road network.
- The houses would be bought by commuters as there are not enough local jobs.
- Loss of woodland and inevitable damage to flora and fauna. The SSSI will be damaged.

- Loss of attractive countryside and green belt
- No evidence that Dunmow has a requirement for even more social housing.
- It is not clear what an energy centre is or where they will be located.
- There will be increased likelihood of flooding as water pours down the valley.

10. APPRAISAL

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

- A The principle of development of this site for residential development (ULP Policies S1, S7 and GEN2)**
- B Access to the site and highway issues (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)**
- C Visual Impact and Impact upon the Countryside. (ULP Policy GEN2 & ENV5)**
- D Residential Amenity (ULP Policy GEN2)**
- E Infrastructure provision to support the development (ULP Policy GEN6)**
- F Mix of Housing and Affordable Housing (ULP Policies H9 and H10)**
- G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)**
- H Drainage (ULP Policies GEN3 and GEN6)**
- I Loss of Agricultural Land and Mineral Resources (ULP Policy ENV5)**
- J Other material considerations**
- K Whether the Environmental Impact Assessment meets the tests set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011**

A The principle of development of this site for residential development (ULP Policies S1, S7 and GEN2)

10.1 The application site comprises a large area of land located within the open countryside between Great Dunmow and Little Easton. The site is outside the development limits for the two settlements as defined by the Proposals Map and Policy S1 of the Local Plan and is therefore located within the countryside where ULP Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. It is not considered that the development would meet the requirements of Policy S7 of the Local Plan and that, as a consequence, the proposal is contrary to Policy S7 of the 2005 Local Plan.

10.2 The Council has commissioned a Compatibility Assessment which confirms that Policy S7 is partly consistent with the NPPF in that the protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development but that the NPPF takes a positive approach, rather than a protective one. It is considered that whilst Policy S7 is still relevant to the consideration of this application, there is also a presumption in favour of sustainable development as set out in Paragraph 14 of the NPPF.

- 10.3 Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 10.4 The applicants have submitted that the Council has a significant shortage of housing land supply and that the policies set out in the National Planning Policy Framework should apply. The Council has accepted that it does not have a five year supply of housing land and is currently preparing the Draft Local Plan which seeks to identify additional future development sites for the period 2013 to 2028. As a consequence, the Council does not have an up to date Local Plan under Paragraph 49 and there is therefore a presumption in favour of housing development that is sustainable.
- 10.5 The 2012 Annual Monitoring Report records the average annual completion rate to be 334 dwellings, compared with the average annual completion rate required by the East of England plan of 430 dwellings. The current level of delivery on deliverable sites for the 5-year period is therefore 78% which equates to 3.9 years' worth of supply. If the Council has been perceived as a persistent under delivering authority, an additional 20% would need to be frontloaded onto these figures as required by the NPPF but Uttlesford is not in this position and is required to find only an additional 5% to its figures. If the proposed sites identified in the Draft Local Plan June 2012 are taken into account, the percentage of the plan Uttlesford District Council target on deliverable sites for the 5 year period is 147%, the equivalent to 7.4 years' worth of supply.
- 10.6 The applicants have argued that even using the locally derived housing requirement of 414 dwellings per year and taking account of those sites that have recently been granted planning permission, UDC is required to grant planning permission for sites that are capable of delivering in total 1,057 units over the next five years. The applicants advise that the current planning application could deliver between 200 and 250 private units and between 75 and 125 affordable units during the 5 year period and that this would help meet the shortfall provision in Uttlesford District.
- 10.7 As previously stated, the Council recognises in its most recent Annual Monitoring Report (2012) that it has a shortfall and that it should consider favourably applications for residential development which will make a positive contribution towards meeting housing requirements. This position had not changed significantly in June this year when a report on Uttlesford's Housing Trajectory and 5-Year Land Supply 2012 was referred to the LDF Working Group on 14 June 2013. The report stated that: 'The 5-year land supply statement shows that the Council has 74% or 3.7 years supply of committed sites against the annual requirement of 415 dwellings based on an economic scenario where the annual growth in jobs acts as a constraint on population and household growth.'
- 10.8 As a consequence, the Council still remains without a deliverable 5 year supply of housing land and therefore applications have to be considered against the guidance set out in Paragraph 49 of the National Planning Policy Framework. The Council has accepted this previously and has considered and determined planning applications in this light and in accordance with Paragraph 49 of the NPPF. As a consequence, planning permission has been granted for residential development outside development limits where appropriate and on sites that are identified for potential future in the emerging Local Plan and on sites which are not identified but which are considered to be sustainable.
- 10.9 The application site has not been identified for future development in the emerging Local Plan and formed part of a much larger site (LtEAS1) in the SHLAA which was

capable of delivering between 3,000 to 8,000 dwellings. This larger site was rejected as being not suitable for development, due partly to poor transport links but the site also scored poorly in several key areas, including loss of high quality agricultural land, being a preferred minerals site in the saved adopted Minerals Plan, the impact upon the landscape and the significant loss of countryside.

- 10.10 The applicants have indicated that the current application site would come forward in the 5 year period and could deliver between 200 and 250 private units and between 75 and 125 affordable units during this period which would clearly help meet the shortfall in provision in Uttlesford district.
- 10.11 It is accepted that the applicants' figures of between 275 and 375 houses could make a significant contribute to the Council's five year land supply and this is a material consideration that should be given due weight in the determination of this application. However, the presumption in favour of development in the event that a Council cannot demonstrate a 5 year supply of land, only relates to sustainable development and it is therefore necessary to assess whether the development as proposed is sustainable. Paragraph 7 of the NPPF sets out the three dimensions of sustainable development as being economic, social and environmental and a key consideration therefore is whether the current application satisfies these three roles.
- 10.12 Economic role: the NPPF requires that development should contribute to building a strong, responsive and competitive economy by ensuring, amongst other things, that sufficient land of the right type is available in the right places and at the right time to support growth and innovation. The application site is located to the west of Great Dunmow, beyond both the defined boundaries of the town and the newly constructed bypass. It sits to the north and abuts the area identified as Great Dunmow Policy 1 in the Draft Local Plan 2012 which is proposed for 850 dwellings and the proposed allocation would be required to provide community facilities and to be implemented in accordance with a Masterplan. In contrast, the application site is not identified for development.
- 10.13 The identification of Great Dunmow Policy 1 for future development indicates an acceptance that for Great Dunmow to expand, the current defined development limits of the town will need to be breached. However, the emerging Local Plan is at an early stage in its process and cannot therefore, be afforded significant weight in the decision making process. As a consequence, the principle of development to the west of the bypass is not yet established.
- 10.14 The EIA that accompanies the current application considers two scenarios. The first that the land to the south will come forward and the second that it does not, or at least not in a reasonable timescale, and therefore the current application site would be developed on its own. At this stage, there are no applications for the development of Great Dunmow Policy 1 and the acceptability of its allocation is still to be tested through the public consultation process and Local Plan examination. As a consequence, the determination of this application must be on the merits of the current scheme as a standalone development.
- 10.15 The application site is a large area of land and the proposals put forward in this application represent a very significant scale of development which comprises not just housing but education, social and sports facilities and some employment provision. Nevertheless, whilst it is capable of meeting some of the needs of future residents, it is considered that it should function as part of the town of Great Dunmow and the area as a whole where most facilities, services and employment will be found.

- 10.16 At the present time, and under the applicants' Scenario 1, the scheme would be developed possibly in isolation of any future development to the south. It is considered that this does not represent a sustainable approach and that any development to the west of the town should be planned and developed in a comprehensive manner to ensure that future residents are provided with adequate services and are integrated properly into the town. The current application site is significantly divorced and isolated from the settlement of Great Dunmow and does not provide any form of access that would provide adequate connectivity. The application proposes the primary access to be taken from the west at the existing junction with the A120 and a further access onto Park Road to the north. Both these access points involve journeys away from Great Dunmow and would contribute to a sense of separation and isolation of future residents. No additional footpath links are proposed to those that already exist, and it is likely that either new public transport services would be provided or existing ones would need to be diverted into the development, increasing journey lengths and times for existing users.
- 10.17 Although it is accepted that the application site is capable of accommodating the development proposed, it is not accepted that it is located in the right place or that development could be planned in a comprehensive and inclusive manner. The bringing forward of this land at this stage, in advance of the development of the proposed allocated site to the south, does not provide a comprehensive approach to development but instead would lead to a fragmentary approach to the future expansion of Great Dunmow. The development does not identify and co-ordinate development requirements for the potential future expanded population of Great Dunmow, including infrastructure provision and it is considered that this development is neither in the right place nor is it coming forward at the right time to support growth and innovation. As a result, the development does not satisfy the economic dimension of sustainability in the NPPF.
- 10.18 Social Role: The current proposals include the development of some 600 to 700 houses together with some 19,300 sqm of non-residential built floorspace for retail, business, residential institutions, community and social facilities. Most of the facilities required as part of Great Dunmow Policy 1 are proposed in the current application with the provision of allotments, care home and primary school and opportunities for senior school provision and a doctors' surgery. As such, the development is capable of providing for some of the day to day needs of future residents. Furthermore, there is no reason why the built environment should not be high quality as required by the Framework, but this would be subject to later consideration under reserved matters. However, the services proposed are only for the immediate daily needs of residents and only a small amount of employment floorspace is proposed. The future residents would still be dependent upon the wider community for their health, social and cultural well-being as well as jobs and they would be relatively isolated from these due to the location and lack of connectivity of the site.
- 10.19 In addition, although the submitted Masterplan is illustrative, it is considered that the layout limits accessibility to services by placing the main area of community services to the northeast of the built area of development and therefore the furthest point from a significant part of the site and the land to the south if/when that comes forward. The location of these facilities in a more central position would allow a more comprehensive approach to development and ensure the better integration of the residents of both sites into a large mixed and balanced community.
- 10.20 It is not considered, therefore, that the proposal adequately meets the needs of present and future generations and would not satisfy the social dimension of sustainability as set out in Paragraph 7 of the NPPF.

10.21 Environmental Role: The application site is very large and the majority of the site is best and most versatile agricultural land which will be lost to this development. The site is also adjacent to two ancient woodlands, one of which is an SSSI. The application is accompanied by very little in the way of survey information in respect of protected species and relies on significant landscaped and wildlife areas to assist in offsetting the impact of the built development, thereby resulting in further loss of productive agricultural land. The environmental and ecological issues arising from the development are addressed in more detail later in the report, but there are clear concerns from the statutory consultees in respect of the assessments of impact and therefore mitigation proposals in relation to the environmental aspects of the scheme, including the protection and enhancement of the natural and historic environment. As such, it is considered that the application has not demonstrated that it would satisfy the third sustainable dimension of the NPPF.

10.22 As a result of the above and the following paragraphs, it is considered that the application as submitted proposes a development which is not sustainable. In these circumstances, there can be no presumption in favour of development as advised by Paragraph 49 even though the Council cannot demonstrate a five year supply. It is considered that there is also no need for the development to be in the location proposed at the current time and that it is also contrary to Policy S7 of the Local Plan.

B Access to the site and Highway Issues (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice; Development Management Policies)

10.23 The application includes the details of the proposed access to the site for approval at this stage. The primary access route into the site is from the A120. However, two further access points are shown, depending upon the different scenarios. Under Scenario 1, a secondary access would be created onto Park Road to the north but under Scenario 2, this would be replaced by an access into the land to the south comprising the Great Dunmow Policy 1 area. As that site has not come forward, the application includes the details of the access onto Park Road.

10.24 The EIA includes a Transport Assessment which examines the effects of the proposed development for both Scenarios 1 and 2. The assessment identified that there would be minor adverse effects in terms of pedestrian amenity and delay and potentially accidents and safety with Scenario 1. However, all effects would be negligible with Scenario 2.

10.25 Mitigation measures to reduce the identified effects would include traffic management measures, the incorporation of walking and cycling routes within the proposed development and the production of a Travel Plan to set out alternative means of transport for future users and residents of the proposed development to reduce the reliance on car travel.

10.26 No formal consultation response has been received from the Local Highway Authority but your officers are aware that the Authority has raised concerns regarding the information provided in the EIA. The LHA has been in discussions with the applicants and requires more information in relation to the accesses to the site, including safety audits; demonstration of the connectivity of the site by sustainable transport to local facilities, other developments and Great Dunmow; further work on the junctions and an approach to mitigation, and providing information on how the applicants will minimise the impact upon the Public Rights Of Ways (PROWs). This information is still awaited at the time of writing this report and it is therefore not known whether the capacity of

the surrounding road network is suitable or capable of accommodating the traffic that would be generated by the current proposals.

- 10.27 There are clearly concerns regarding the information that has been submitted in relation to the highway proposals of the application and that the EIA has not adequately assessed the impact of the proposals either in respect of the accesses for the site or in terms of the connectivity of the site to the larger population of Great Dunmow.
- 10.28 As previously stated, it is important that any development on this site should be done in a comprehensive manner with the land to the south. The land to the south would allow a more suitable access into the site and would not necessitate the access onto Park Road. Park Road is a quiet country lane serving the small settlement of Little Easton and it is considered that the creation of a second access for the development onto this road is unacceptable. It would encourage residents to exit the site via Park Road, especially if wishing to travel north or to the Helena Romanes School as this would provide the quickest route. Irrespective of whether Park Road has the capacity to accommodate the additional traffic or not, the generation of a significant amount of additional traffic onto this country lane would adversely change the character of the lane and of Little Easton/Mill End, to the detriment of the surrounding countryside and residential amenity of existing residents.
- 10.29 In both scenarios, the access to the junction with the A120 would be constructed. This forms a curved access road west out of the south eastern corner of the site, following part of the existing haul road for the quarry. This access appears contrived, necessitating an intrusion between the two sections of High Wood, largely because there is no other access point for the site other than onto Park Road that is within the applicants' control. Again the need for this access is symptomatic of the lack of any comprehensive planning for the development of land to the west of Great Dunmow and provides a poor and unacceptable means of access into the application site in both environmental and sustainability terms.
- 10.30 The applicants have indicated that the development will seek to optimise access to existing transport infrastructure including access to local bus stops and railway stations. It is anticipated that this would be achieved through amendments or additions to existing public transport services but it is of concern that there would be no direct route into the site unless Great Dunmow Policy 1 area was developed and access between the sites achieved.
- 10.31 The transport assessment also confirms that the development will seek to provide high quality pedestrian routes. The applicants maintain that there will potentially be a range of amenities on site which will be within walking distance of all new residential areas and that the Helena Romanes Secondary School is within walking distance of the application site. Cycling routes will be provided to connect the application site to the wider area and routes to Helena Romanes. However, the plans do not show where these routes will go and the Statement is silent on how they will be achieved.
- 10.32 The application site boundary follows an arbitrary line and allows little opportunity for the provision of cycle and pedestrian links with Great Dunmow to the east. The site touches on Footpath 15 at two points within Hoglands Wood. This is the only footpath that runs from the site towards Great Dunmow and part runs outside the application site, on land where the applicants have no control. Also, there is no existing cycle route close to the site and it is difficult to see where additional cycle routes could be provided that would provide the degree of connectivity that is being suggested in the Transport Assessment and EIA.

10.33 It is considered that the application as submitted fails to show suitable and acceptable access to the site and is contrary to Policy GEN1 of the Local Plan and the NPPF.

C Visual Impact and Impact upon the Countryside. (ULP Policy GEN2 & ENV5) 1)

10.34 The application site is located within open countryside that is gently undulating arable farmland. The Environmental Impact Assessment assesses the visual character of the site and area and the visual amenity associated with it. The landscape assessment indicates that the application site is generally well contained although views are obtained from a number of properties, PROWs and roads in the immediate vicinity and from more distant areas occupying elevated topography to the west and east. The EIA sets out a number of assessments for each Scenario before mitigation and then identifies the mitigation measures required to overcome issues of visual intrusion.

10.35 The EIA confirms that the proposed development has been shaped, in part, by the findings of the Landscape and Visual Assessment and this has informed the proposed layout of the residential areas as well as the extent and arrangement of open space. The EIA sets out a number of strategic objectives for the landscape treatment of the application site, including the retention of existing landscape features, reinforcing the contribution of existing footpaths and enhancing opportunities for recreation and habitat connectivity throughout the application site as well as providing a network of green infrastructure.

10.36 The Development Parameter Plans that accompany the application show that the built development is to be restricted to the areas shown on Development Parameter Plan 2, namely the land to the south of the site. The built development is shown following a south west to north east axis with the southern part of the development being contiguous with the Great Dunmow Policy 1 Area. Although the application is in outline with matters of layout, scale, appearance and landscaping to be considered at the reserved matters stage, the illustrative Masterplan demonstrates how the site could be developed. This shows the built development with a wide area of meadowland wrapping around it to the west and north with tree planting beyond this area running parallel to Park Road and extending into the existing line of trees to the north of High Wood. Between the tree planting and the road, is an area designated as Easton Farm which is to incorporate ecological and natural landscape areas, wildlife habitats and mitigation areas.

10.37 The EIA assesses confirms that in the initial stages there will be adverse visual impacts and that some of these will be significant. After 25 years the mitigation landscaping and enhancements put in place will limit the total number of properties, public rights of way and roads that will be adversely affected. Those would be to the north and include road users and residential receptors along Park Road and at Little Easton. The applicants state that the landscape proposals such as the structural planting referred to above, and the design of the development, will significantly reduce the effect on those receptors. This effect would be lessened in Scenario 2 with no proposed access onto Park Road and an alternative location of the 14m Natural gas Combined Heat and Power stack. The development on Great Dunmow Policy 1 site would also change the visual impact from the south and intervene between the current application site and other sensitive receptors to the south,

10.38 The EIA concludes that whilst there would be clear adverse impacts during the construction stage of Scenario 1, these would be temporary. In terms of the completed development, there would continue to be some impact upon the landscape and

existing residential properties but that these would range between minor adverse to negligible and in some cases neutral. The main impacts would be on the Public Rights of Way that pass through parts of the site and which, notwithstanding the landscape enhancements, range between major adverse to moderate adverse and neutral.

- 10.39 The applicants argue that although the land subject to development will change in character, the proposals will result in improvements in landscape quality and associated improvements in Green Infrastructure across the application site. The applicants therefore consider that the change in character from farmland on the settlement edge of Great Dunmow to urban as a result of the proposed development is considered appropriate and suitable in terms of being successfully absorbed within the surrounding landscape.
- 10.40 The application site has a two main characteristics; the land to the north is relatively flat and forms a plateau between Park Road and Ravens Farm whilst the land to the south is more undulating and tends to slope southwards. The development of this land will be visually intrusive and it is considered that the encroachment of development towards the flatter plateau to the north will create an urban aspect totally out of keeping with the character of the area and will require extensive mitigation. The EIA clearly confirms that there will be a significant change in the character of this part of the countryside and that the new access onto Park Road will also change the character of the lane which cannot be ameliorated by landscaping.
- 10.41 The initial phasing plan shows the Scenario 1 development starting in the northern part of the site and working towards the southwest corner whilst the Scenario 2 development would go in the opposite direction. Construction access would be from the A120 but nevertheless, the development will, from the outset, be visually prominent and will fundamentally and adversely change the character and appearance of this rural landscape.
- 10.42 The public footpaths that currently cross the site will be significantly affected and will be changed from rural footpaths to urban ones as they pass through the development. Again there is no mitigation possible for these.
- 10.43 The site is located within a pleasant rural area and is largely screened from views of the development at Woodlands and the bypass by the topography and the existing landscape features, especially Hogs Wood. This area is rural in character and does not read as part of Great Dunmow but as the wider countryside that surrounds it. Although the land to the south has been identified for development it comprises lower lying land and better transport connections where development could be more easily absorbed into the landscape. It is considered therefore, that the application is unacceptable and would lead to an adverse impact upon the character and visual amenities of the landscape and upon users of the public footpaths and is therefore contrary to Policies S7 and GEN2 of the Local Plan and the NPPF.

D Residential Amenity (ULP Policy GEN2)

- 10.44 The site is divorced from existing residential properties with the exception of those within the application site and the nearest property, Hoglands. This is located to the north east of the application site, adjacent to the existing public footpath No 15 and to the area of proposed housing in the north east corner of the site. The amenities of this property will be largely protected as its main orientation is north east towards the open field that lies outside the application site. The Illustrative Masterplan shows a degree of separation between the dwelling and the proposed area of housing in the northeast

part of the site and that its views to the southwest would be towards the proposed village green and woodlands park

- 10.45 Other properties in the area are located further away from the development. There is a concern of additional traffic generation along Park Road and therefore through Mill End and it is considered that this could have the potential to affect the amenities of residents along the route.
- 10.46 In terms of future residents, the illustrative Masterplan shows the general disposition of the site and the Design and Access Statement shows examples of built form character illustrating how the development would be designed at the detailed level. The site is large enough to ensure that appropriate levels of amenity can be designed in at the detailed stage.
- 10.47 The applicants have submitted EIA reports on Air Quality and Noise and Vibration which demonstrate that there would be no adverse impacts on the amenities of the future residents. The reports identify potential impacts at the construction stage but it is considered that these could be addressed by appropriate conditions and also by a Construction Management Plan.
- 10.48 Essex County Council Minerals and Waste has objected to the development and has raised concerns relating to the EIA, stating that additional information and assessment is required in relation to, amongst other matters, noise and air quality. The Authority is concerned that the noise assessment does not demonstrate that the proposed location of residential development would not constrain the working of the quarry/landfill as no assessment has been provided as to the likely noise from the quarry for the nearest area of proposed residential development. These are shown to be only 120m from the extraction area whereas previous assessments for the quarry related to Ravens Farm, some 800m from the extraction area. In terms of air quality, the Authority has raised concerns that the housing would be to the east of the quarry, in close proximity to the quarry and no evidence has been submitted to justify the applicants' assertion that there would be no impact from dust.
- 10.49 The minerals operator has written in support of the application and confirmed that they do not consider any conflict will occur with their operation. They do not foresee any issues arising for the operation in respect of noise, dust, or vibration, because the proposed built development is over 100m from the area of working, at its closest point. The measures already put in place at the quarry will mitigate against their impact on the surrounding countryside and would also protect the interests of the development during their tenure. However, if additional works are required, Land Securities and SRC will come to an agreement on how to do this to achieve the level of protection required.
- 10.50 The issue of noise and dust could be dealt with by condition so that in the case of noise, appropriate mitigation is put in place with the construction of the dwellings. It is unlikely that dust mitigation measures can be put in place on the site but as the quarry is within the applicants' control, it is considered that the applicants would be able to ensure that no adverse impacts arise from dust from the quarry.
- 10.51 It is considered therefore that the development could be accommodated without significant adverse impact upon the amenity of existing and future residents in accordance with Policy GEN2 and the policies of the NPPF.

E Infrastructure provision to support the development (ULP Policy GEN6)

- 10.52 The application proposes the provision of land for a new school, doctors' surgery, open space, allotments and retail and business floorspace together with informal and formal open space. Local Plan Policy GEN6 requires that development makes provision at the appropriate time for infrastructure that is made necessary by the development. The draft allocation for Great Dunmow Policy 1 recognises the need for additional infrastructure provision in relation to the land to the south and states that that site should provide a local centre incorporating community facilities or community centre/sports hall, doctors' surgery and 2.1 ha of land and construction of a pre-school/primary school and the land and construction of a post 16 education centre. Although it was anticipated that these facilities and services would be provided on the land to the south as they are required to serve that development, there is no objection in principle to their provision on the application site provided that they are of sufficient scale, siting and flexibility to accommodate the additional population for the Great Dunmow Policy 1 area.
- 10.53 The application is in outline and the layout and siting are matters for future consideration, but the illustrative Masterplan shows how the site could be developed and shows the location of the local centre and the education provision to be concentrated around the existing farm buildings at Ravens Farm. These are located in the north east corner of the proposed built development area and therefore some distance from the future residents in Great Dunmow Policy 1. Although it is agreed that there is merit in retaining some of the farm buildings, it is not considered that they are of such value and size that they should form the basis of the community facilities for the site. This distorts the location of the provision and places them at the furthest point from many of the proposed dwellings on both the application site and the land to the south. The relocation of these facilities into a more central location would enable them to be shared with the land to the south when/if it comes forward.
- 10.54 Education: The current proposals include provision for additional pre-school and primary school capacity. The EIA assesses that up to 210 primary school and 140 secondary school pupils could be resident in the application site but that the actual number of children requiring school places may be lower as some will already be resident in the locality and others may be privately educated. The EIA concludes therefore, that both Scenarios would have a moderate effect on education if no on-site provision were offered. However, 10,000sqm of D1 floorspace is included within the proposed development creating the potential for a new school. The applicants also accept that financial contributions will be required towards secondary education.
- 10.55 Essex CC Education has been consulted and has responded that it requires a land compliance survey to be carried out on the school site but has given no indication of the size of school required and whether it would wish for separate pre-school/primary schools to serve the application site and the Great Dunmow Policy 1 area or a single large school to serve the combined areas. In either case, it seems appropriate that any school site should be centrally located so that it can cater more adequately for residents. Furthermore, there is no indication of the size of any contribution required particularly for secondary school provision nor is it known whether a contribution would also be required for early years/pre-school/primary provision.
- 10.56 This matter has been discussed with the applicants who have indicated that they are flexible as to what provision is made on the site and wish to retain that flexibility. The submission of a land compliance survey would seek to identify a specific site at an early stage which may not provide the best solution to the issues raised on this and the adjoining site. There is some merit in this argument as there are clearly complex issues that would need to be resolved to ensure that development is undertaken in a

comprehensive manner and appropriate education provision is secured. Although the application proposes 10000 sqm of educational (D2) use, no plans are provided to demonstrate that this would be appropriate or acceptable. No provision is made for secondary education on the application site.

10.57 The provision of educational facilities is normally dealt with through a legal agreement and it is considered that the same would apply to the application site. A Section 106 Agreement could provide the flexibility required to deal with the siting and size of any school needed to serve the application site. However, there remains an issue of whether additional land would need to be provided to allow future expansion to accommodate any children from the anticipated development to the south and also for the provision of secondary education. If the land to the south does not come forward within a reasonable timescale, then there may also be a need for secondary school places to be provided or at least for a post 16 education centre which is not included within the current proposals.

10.58 Doctors' Surgery: The application makes provision for a doctors' surgery within the community facilities but, as already stated, poses concerns regarding accessibility for areas of the application site and for the land to the south. It is also noted that the Parish Councils, Town Council and third parties all comment on the existing 2 doctors' surgeries in Great Dunmow and that these are already at capacity. There is therefore a perceived need for additional health care facilities to serve Great Dunmow and the surrounding villages as well as the site.

10.59 The applicants have provided information on the current level of healthcare provision in the area insofar as it relates to the two doctor's surgeries and two dental practices in Great Dunmow. The applicants state that the Angel Lane GP Surgery currently has capacity and that both GP Surgeries are accepting new patients. Both dental practices are also accepting new patients. The site is located within 13 and 20 minutes drivetime of three hospitals. In view of the existing provision the applicants consider that the development would have a negligible effect upon healthcare. Even when the development is completed, the applicants state that the effects on healthcare will be negligible to moderate beneficial and do not consider that any mitigation measures will be required.

10.60 The NHS Property Services has been consulted and issued a holding objection on the grounds that the application proposals will have a significant impact upon the NHS funding programme for the delivery of healthcare provision within the area and that it expects the impact to be fully assessed and mitigated by way of a developer contribution. The NHS does not consider that the applicants' assessment of healthcare impact to be appropriate as it does not reflect GP capacity calculated on the basis of an optimum list size of 1,800 patients per whole time equivalent GP. As a consequence, the NHS assert that the GP surgeries are already over capacity and that additional floorspace and GP's would be needed to meet the growth arising from the current application. The NHS therefore requires a contribution of £220,800 towards the capital cost of creating additional floorspace to accommodate additional GP's.

10.61 With regard to the provision of a new surgery on the application site, the NHS confirms that this will not be required and that it is inconsistent with NPPF and CIL guidance and would not mitigate the impact arising from the development. Furthermore, there are no NHS proposals at this stage for a new GP surgery in the Dunmow area.

10.62 The applicants have assumed that a financial contributions would be required to mitigate any adverse effect upon primary healthcare. The completion of a Section 106

agreement ensuring a developer contribution of £220,800 towards capital costs would therefore overcome the NHS's current objections.

10.63 Open space/sports provision: The application proposes both formal and informal open space and the site includes sufficient land to accommodate open space provision in accordance with the Council's Open Space, Sport facility and Playing Pitch Strategy. The applicants have also indicated that they would be prepared to provide a community hall with changing facilities to support sports facilities across the site and to accommodate local groups such as the relocation of the Great Dunmow Tennis Club. The application includes 1000sqm of D1 (Assembly and Leisure) floorspace and discussions are ongoing with the applicants regarding the provision of indoor sports provision both on and off site. It is considered that the Sports Council's objections are capable of being overcome at the detailed design stage.

10.64 The application also proposes allotments/community gardens which are considered to be acceptable

10.65 However, there is a need for the indoor sports provision and the formal and informal open space to be made available at an appropriate stage in the development to ensure that the new population has access to recreational facilities. The timing of the provision would be important and would need to be conditioned and subject of a Section 106 Agreement together with the provision of contributions for maintenance and for off-site provision and the transfer of land.

10.66 Retail/Employment: The application seeks consent for the following retail and food establishments:

A1 shops	=	2000sqm
A2 Financial and professional services	=	1000sqm
A3 Restaurants and cafes	=	1000sqm
A4 Drinking establishments	=	1000sqm
A5 Hot food takeaways	=	1000sqm
Total	=	6000sqm

10.67 In addition to the above, the application also seeks permission for 2000sqm of B1(a) Office floorspace aimed at providing local employment opportunities.

10.68 The provision of retail floorspace in the form of a local centre would provide additional facilities for future residents but it is considered that the proposed level of provision is excessive, especially bearing in mind the ability to move to A1 use under the Use Classes Order. Policy RS2 of the Local Plan allows retail development in the centres of the main towns including Great Dunmow but is silent in terms of out of centre provision. The NPPF advises that applications for retail, leisure and office development outside town centres, which are not in accordance with an up to date Local Plan, should be subject to an impact assessment if the development is over 2,500 sqm. The retail provision is clearly over 2,500sqm but the applicants have provided no assessment of the impact of the retail floorspace in their EIA and there is therefore concern that the proposals could have an adverse impact upon the vitality and viability of the town centre.

10.69 In view of the above, it is considered that the necessary infrastructure could be provided to meet the needs of the development and could be in accordance with Policy GEN6 of the Local Plan and the NPPF but at this stage, there is no certainty of provision with the absence of a section 106 agreement and there are concerns relating

to the proposals for retail floorspace. It is considered therefore that the application is contrary to Policy GEN6 of the Local Plan and the NPPF.

F Mix of Housing and Affordable Housing (ULP Policies H9 and H10)

10.70 Policy H9 requires that 40% affordable housing is provided on sites having regard to market and site conditions. The applicants have confirmed that the development would provide 40% affordable housing which, based upon the maximum level of development of 700 houses, would equate to 280 units. The applicants have also confirmed that the mix and location of the units would be agreed at the reserved matters stage but at this stage it is envisaged that the development would provide the following:

1 bed flat over garage	47
2 bed flat over garage	30
1 bed bungalow	10
2 bed bungalow	24
2 bed 2 storey	70
3 bed	86
4 bed 2 storey house	13

10.71 In terms of the mix of dwellings, the applicants propose that the development as a whole would contain a mix of 1, 2, 3, 4 and 5 bed roomed dwellings. The market housing would be 2 or 2.5 storey and comprise 2 bed through to 5 bed units. The provision of 34 affordable bungalows comprises approximately 5% of the total but would not provide market housing. The current indicative mix of only affordable bungalows is not acceptable and there should be a more balanced mix of bungalows for both affordable and market housing.

10.72 In addition, the application proposes a 3,300 sqm sheltered housing/residential care home (Class C2). No indication is given to the siting of this accommodation but it is considered that the inclusion of Class C2 accommodation is acceptable and would contribute to the mix of accommodation on the site.

10.73 The final design and size of units would be determined at the reserved matters stage and it is considered that, subject to the above in respect of bungalow provision, the application proposes an acceptable level of affordable housing on the site and is capable of providing an acceptable mix of dwellings. As such the application complies with Policies H9 and H10 of the Local Plan and the requirements of the NPPF.

G Biodiversity and Protection of Natural Environment (ULP Policies GEN7, GEN2 and ENV7 and ENV8)

10.74 The application site itself is not the subject of any statutory nature conservation designation being largely fields and hedgerows but it incorporates Hoglands Wood which is an ancient woodland and Local Wildlife Site and sits adjacent to High Wood another ancient woodland and also an SSSI.

10.75 The applicants have carried out an Extended Phase 1 Habitat Survey which, together with their data search, has identified the potential presence of various protected species. It is understood that further survey work is ongoing but reports are still awaited on the majority of the species identified and listed by the County Ecologist, Natural England and the Essex Wildlife Trust.

10.76 Whereas an Environmental Statement involves consideration of the significant environmental impacts and ultimately a balancing act between the various issues, an appropriate assessment under the Habitat Regulations specifically focuses on the impact on the particular features and conservation objectives of the site's designation. If the effects of development are uncertain permission should not be granted. It is not for the authority to show that the proposal would actually harm the site.

10.77 In this case, objections have been received from the County Ecologist, Natural England and the Essex Wildlife Trust on the grounds that insufficient surveys and information have been provided to demonstrate that there would be no adverse impact upon any protected species. As a result planning permission cannot be granted.

10.78 With regard to the biodiversity enhancement, the applicants have indicated that the application includes extensive areas of open space, an ecological mitigation zone, the retention of some arable land, although this is shown as arable farmland matrix which is interspersed with grassland, scrub, ponds and hedgerows and trees and the provision of ditches and ponds. These features would result in a development with a range of biodiversity features which the applicants intend to be managed in the long term through a biodiversity management plan.

10.79 The site has extensive areas outside the built up area and it is considered that there is therefore potential for significant ecological enhancement to take place in accordance with Policy GEN7. However, the County Ecologist has raised issues regarding elements of the scheme and any ecological enhancement would need to be developed in conjunction with any mitigation required for protected species. At this stage it is not known what mitigation is required and therefore whether the illustrative proposals are acceptable.

10.80 The proposal is therefore unacceptable and the proposal is contrary to the requirements of ULP Policy GEN7 and the NPPF.

H Drainage (ULP Policies GEN3 and GEN6)

10.81 The applicants have stated that the risk of flooding on the site is low and that it is intended that sustainable drainage measures would be implemented so that the development would not worsen flood risk to the application site or surrounding areas.

10.82 The applicants confirm that there would be a significant increase in demand for potable water and foul drainage treatment infrastructure as a result of the development. They advise that foul drainage would be discharged via sewers to the Great Dunmow Sewage Treatment Works, which Anglian Water propose to upgrade in 2014/15 to accommodate the planned housing developments in Great Dunmow, and water efficiency measures in the residential and office development would be addressed at the detailed design stage of the proposed development.

10.83 The applicants therefore conclude that in terms of cumulative effects there would be negligible cumulative effects for flood risk, surface water drainage and surface water quality for the completed development. There would be minor to moderate adverse effects associated with the increased demand for foul drainage capacity in the absence of the upgrading of the Great Dunmow Sewage Treatment Works.

10.84 No correspondence or corroborating evidence has been submitted in respect of foul drainage and no comments have been received from Anglian Water.

- 10.85 The Environment Agency has objected on the grounds of insufficient information relating to surface water quality and impacts upon groundwater. The EA advise that they raised concerns in their response to the scoping opinion in relation to waste water flows and drew attention to the final Detailed Water Cycle Study (November 2012) (WCS) but consider that this has not been adequately addressed in the EIA. The WCS highlighted that there is insufficient permitted capacity at the Great Dunmow STW to accommodate the flows from the total allocated growth and that the existing allocations at Woodlands will exceed the process capacity and consented volumetric capacity at the Great Dunmow Waste Water Treatment Works (WwTW). The EA consider it likely that significant investment will be required at the Works to deliver the upgrades required which may have implications for deliverability of the proposed growth on the land West of Great Dunmow and that there may be technical issues/difficulties with that would constrain the deliverability of growth from this site.
- 10.86 The WCS confirms that at present, there is no capacity at the WwTW for the connection of additional flows from the potential extension sites. However, it is understood the required process capacity for development will be in place by 2016 and development from identified sites within the catchment is not proposed until 2017. Additional WwTW capacity, along with revised volumetric discharge consent, will be required to accommodate the increased flows. The Study advises that Anglian Water Services has advised that this does not result in the higher growth levels being unachievable, but that there could be an additional delay in providing the required WwTW capacity and negotiating a new flow consent with the EA.
- 10.87 The EIA submitted by the applicants does not address foul water capacity in Great Dunmow. The Environment Agency maintains that the applicants have not addressed the issue of capacity and do not seem to appreciate that there are permitted flow capacity issues at Great Dunmow which could cause problems in terms of deliverability of this site. The EIA therefore needs to be updated to better reflect this situation and the potential constraints.
- 10.88 In addition, the Environment Agency has raised concerns that the submitted report has not addressed their previously expressed concerns regarding groundwater, in particular relation to existing surface water features at Little Easton Ponds and other local ponds. The EA advises that there is also a need for a full Water Framework Directive assessment of the impact of the proposed development on the River Chelmer water body.
- 10.89 It is clear from the Water Cycle Study and from the EA's consultation response that there is no existing capacity at the Great Dunmow Waste Water Treatment Works to accommodate the development and that there is unlikely to be capacity until after 2016. It is considered that the EIA fails to assess the impact of the development and that the application is unacceptable on drainage grounds, contrary to Policy GEN6 of the Local Plan and the NPPF.

I Loss of Agricultural Land and Mineral Resources

- 10.90 The application site comprises 138ha of which the majority is currently agricultural land. Policy ENV5 of the Local Plan, in common with the NPPF, seeks to protect the best and most versatile agricultural land (Grades 1, 2 and 3a).
- 10.91 Soil testing of the site, carried out in 2007, has confirmed that some 68% of the land is best and most versatile land with 41.7% being Grade 2 and 26.7% Grade 3a. The majority of this is located within the area for built development and therefore would be

lost permanently to agriculture. A further large area would be used for landscaping and biodiversity mitigation and therefore whilst it is lost to agricultural production, it could be regarded as not being permanently lost.

10.92 Policy ENV5 states that where agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise. The NPPF repeats this advice and that local planning authorities should take account of the economic and other benefits of the best and most versatile land (Paragraph 112).

10.93 The EIA confirms that there is no mitigation that can be put in place and that the land will be lost to built development. The applicants argue however, that the loss of agricultural land is outweighed by the need for housing, the lack of 5 year housing supply and sustainable characteristics of the site and proposed development.

10.94 The issue of the need of this development has already been addressed earlier in this report. Contrary to the applicants' assertions, it is considered that the development is not sustainable and therefore, there is no justification in this case, for the loss of this agricultural land. The application is therefore, contrary to Policy ENV5 and the NPPF.

10.95 Mineral Resources: the site is currently located within a Sand and Gravel Mineral Safeguarding Area and in part overlaps with a Mineral Consultation Area in respect of the adjacent Highwood Quarry, as defined by Policy S8 of the Pre-Submission Replacement Minerals Local Plan. The Minerals Safeguarding Area covers a wide area in the southern part of the district including the proposed allocation to the south (Great Dunmow Policy 1). The Replacement Minerals Plan Pre-Submission Draft is at an early stage in the process having undergone public consultation earlier this year and whilst it is accepted that the loss of potential minerals resources should be avoided if possible, it is not considered that this would outweigh a presumption in favour if development was otherwise sustainable.

Other material Considerations

10.96 The EIA addresses the historic setting of the site and it is accepted that the development would not have an adverse effect on any nearby listed building or Conservation Area, due primarily to the landscaped buffer that would be created along the northern area of the site.

10.97 In terms of archaeology, the scoping opinion advised that a desk top assessment should be complemented by a range of non-intrusive and intrusive field surveys. Although the desk top survey has been submitted, no additional surveys have been carried out to date and there is therefore, no information available to assess the significance of the historic environment of the application area.

10.98 Whether the Environmental Impact Assessment meets the tests set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011

10.99 Schedule 4 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 sets out the information that should be included within Environmental Statements. Paragraph 4 states that the Statements should include a description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects of

the development resulting from the (a) the existence of the development; (b) the use of natural resources; (c) the emission of pollutants, the creation of nuisances and the elimination of waste, and the description by the applicant or appellant of the forecasting methods used to assess the effects on the environment.

10.100 This report highlights that several sections of the EIA submitted with the application have not addressed or have not provided information on the direct effects of the development, in particular in relation to the risks of pollution posed to surface water quality and the possible impacts to groundwater, archaeology, biodiversity and retail floorspace. It is considered that the EIA is therefore inadequate in relation to these matters.

11.0 CONCLUSION

- 11.1 The application site is located outside the current defined development limits of Great Dunmow and therefore development would be contrary to Policy S7 of the Local Plan. The Council acknowledges that it does not have a 5 year supply of housing and therefore, the application could make a significant contribution to this and to the provision of affordable housing and should be given significant weight in the determination of this application. However, the presumption in favour of development only applies to sustainable development and it is clear that the current proposals do not meet the criteria set out in Paragraph 7 of the NPPF and are not sustainable. In these circumstances, the presumption in favour of housing development set out in Paragraph 49 of the NPPF does not apply.
- 11.2 It is considered that the bringing forward of this land at this stage, in advance of the development of the proposed allocated site to the south, does not provide a comprehensive approach to development but instead would lead to a fragmentary approach to the future expansion of Great Dunmow.
- 11.3 The application will involve the loss of a considerable area of countryside and will involve development which will be visually intrusive. Although the applicants propose extensive landscaping, it is considered that the proposals will fundamentally and unacceptably change the character and appearance of the area. In addition, the current application site is significantly divorced and isolated from the settlement of Great Dunmow and does not provide any form of access that would provide adequate connectivity. The development of this site would lead to a piecemeal and unacceptable extension of the built up area of Great Dunmow into the open countryside.
- 11.4 The proposed accesses highlight the piecemeal nature of the proposal and will further impact upon the character and visual amenities of the area. In the case of the access onto the A120, this will result in the construction of a road through the sections of High Wood and could lead to unacceptable environmental and ecological impacts. The access onto Park Road is unacceptable and will have a detrimental impact upon the character and nature of this country lane.
- 11.5 The information contained in the EIA and submitted with the application does not provide a full and accurate assessment of the impacts associated with the development and the applicants have failed to provide adequate assurance that the development can proceed without unacceptable impacts upon roads, biodiversity, archaeology, drainage and the viability and vitality of the town centre.

- 11.6 The application is considered to be unacceptable and contrary to the Development Plan and the advice contained in the National Planning Policy Framework and it is therefore recommended that the application is refused.

RECOMMENDATION – REFUSE FOR THE FOLLOWING REASONS:

1. The current application site is significantly divorced and isolated from the settlement of Great Dunmow and does not provide any form of access that would provide adequate connectivity and integration for future residents. The development of this site would lead to a piecemeal and unacceptable extension of the built up area of Great Dunmow into the open countryside and would not provide a comprehensive approach to the future expansion of Great Dunmow, contrary to Policy S7 and GEN2 of the Uttlesford Local Plan and advice in the National Planning Policy Framework.
2. The development of this site in open countryside would be visually intrusive and would have a harmful effect upon the character and appearance of this area of the countryside, contrary to Policy S7 and GEN2 of the Uttlesford Local Plan and advice in the National Planning Policy Framework.
3. This proposed accesses provide a poor and unacceptable means of access into the application site in both environmental and sustainability terms. The access onto the A120 is unacceptable necessitating an intrusion between the two sections of High Wood which is an ancient woodland and SSSI, whilst the creation of an access onto Park Road will lead to unacceptable changes in the character of this country lane and the surrounding area. The proposals are contrary to Policies GEN1, GEN2, GEN7, ENV7 of the Uttlesford Local Plan and advice in the National Planning Policy Framework.
4. The proposals would result in the loss of the best and most versatile agricultural land. The applicants have failed to justify the loss of this land and the proposals are contrary to Policy ENV5 of the Uttlesford Local Plan and advice in the National Planning Policy Framework.
5. The application fails to provide adequate survey information in respect of protected species including, but not limited to, badger, great crested newts, reptiles, dormouse, water vole, barn owl, brown hare and bats. In addition, the application fails to address adequately the potential impacts of the proposed development in respect of the adjacent SSSI at High Wood and upon wildlife generally in the area. The proposals therefore fail to provide adequate protection for protected species as required by the Wildlife & Countryside Act 1981 (as amended) and which have European protection under the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and are contrary to ULP Policy ENV7 and advice in the National Planning Policy Framework.
6. The residential development of this site would increase the pressure on local infrastructure including education, healthcare and recreational facilities within the district. In the absence of any legal agreement to address these, the application fails to fully mitigate the impacts of the development contrary to Policy GEN6 of the Uttlesford Local Plan 2005 and Government guidance contained within the National Planning Policy Framework.

7. The Environmental Impact Assessment accompanying the application is inadequate and fails to properly address the likely significant effects of the development in respect of archaeology, surface water quality and groundwater, biodiversity and retail floorspace. The Environmental Impact Assessment therefore does not comply with Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.