

UTT/13/1684/OP – GREAT DUNMOW

MAJOR

PROPOSAL:	Redevelopment to provide a mixed use scheme comprising 370 new residential units to include 70 extra care units (Class C3), 1.4ha of land for a new retail food store (Class A1), 2.1ha of employment land (Class B1, B2 and/or B8), 1.7ha of land for a new primary school and pre-school facility (Class D1), together with associated highway works, open space and landscaping, car parking and related infrastructure works. To be delivered in two phases: Phase 1 with no matters reserved and Phase 2 with all matters reserved except access
LOCATION:	Land at Smiths Farm, Chelmsford Road, Great Dunmow
APPLICANT:	Crest Nicolson (Eastern) + Great Dunmow Estates Ltd
AGENT:	Savills
EXPIRY DATE:	19 November 2013
CASE OFFICER:	Karen Denmark

1. NOTATION

- 1.1 Part within and part outside Development Limits/Employment Land Policy GD6/Landscaped Areas Policy GD6/Protected Lane ENV9/part in Poor Air Quality Zone ENV13

2. DESCRIPTION OF SITE

- 2.1 The application site lies to the south of Great Dunmow on the western side of the Chelmsford Road. The A120 lies to the south. The site wraps around the Hoblongs Industrial Estate, Dunmow Police Station, Travelodge, Hoblongs Cottages, Ambulance Station and the site allocated as a Civic Amenity Point. To the east are the Chelmsford Road and Oak Industrial Estates. Ongar Road is to the north with residential development abutting the northern boundary. Clapton Hall Lane runs along part of the western boundary and there is further residential development abutting this boundary.
- 2.2 The site area is 20.6ha and is made up of 3 parcels of land. The southern parcel wraps around Hoblongs Cottages, the Ambulance Station and the site allocated for a Civic Amenity Point. It is bounded by the A120 to the south and Hoblongs Brook to the north. This area of land is rough land which appears to have been re-graded, possibly in connection with the construction of the A120. There is dense hedging along the boundary with Hoblongs Industrial Estate. There is patchy vegetation along the boundary with the A120. The second parcel is on the western boundary and is accessed via Clapton Hall Lane. There is a field gate just before the lane is separated by the A120. This field is grassland and has dense vegetation along the boundaries. The main parcel of land is the field accessed from the Chelmsford Road. This site slopes from the north west to the south east. This field has been unused for a long period of time but appears to have been regularly ploughed. It would appear that some site clearance works have been carried out at some point. There is a mixture of treatment to the boundaries including vegetation and fencing.

3. PROPOSAL

- 3.1 The proposal is an outline application in two phases. Phase 1 relates to the construction of 115 dwellings and the construction of a new access with all matters to be considered. Phase 2 relates to 185 dwellings, a 70 bed care home, a new retail foodstore, 2.1ha of employment land and 1.7ha of land for a new primary school and pre-school facility. Phase 2 is an outline application with all matters reserved except access. The residential development would be on an area of 9.26 hectares and this would represent a development of 40 dwellings per hectare.
- 3.2 In relation to Phase 1, full details of the proposed house types have been given, together with a detailed layout plan indicating the sizes of gardens and the car parking spaces. Building heights would range from single storey to 2 storey and includes some chalet bungalows. It is proposed to use a mixed palette of materials including render, brick, boarding, slate and plain tiles.
- 3.3 A landscaping Masterplan has been submitted in relation to Phase 1. This indicates new planting throughout the site, together with additional planting along the boundaries. A pond is proposed at the northern side of the entrance to the site and a naturalised SuDS pond is proposed on the southern side of the entrance to the site.

4. APPLICANT'S CASE

- 4.1 The planning application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Ecological Assessment
- Phase II Protected Species Survey Report
- Retail Assessment
- Air Quality and Odour Assessment
- Archaeological Assessment
- Energy and Sustainability Strategy
- Flood Risk Assessment
- Landscape Visual Assessment
- Noise Assessment
- Statement of Community Consultation
- Transport Assessment
- Travel Plan
- Tree Survey
- Utilities Statement

Summary of Planning Statement

- 4.2 The proposals will deliver a high quality sustainable new neighbourhood within the existing boundary of Great Dunmow to provide a range of compatible uses (each of which responds to an identified need) delivered in a comprehensive masterplan for the site.
- 4.3 The illustrative masterplan has been developed to provide a substantial amount of new housing, a suitable proportion of which will be suitable for families, whilst affordable housing and 'extra care' units are proposed to ensure an appropriate mix of housing types is delivered. A detailed application has been submitted for Phase 1 which will deliver 115 new residential units in the north eastern part of the site at an early stage in the

development process. This will assist the Council in delivering their 5 year land supply and enable the extensive site to be put in place so that the remainder of the site can be brought forward. Crest Nicholson and Great Dunmow Estates are committed to developing the site and have a track record of delivering high quality residential accommodation, despite the current economic climate.

- 4.4 A range of commercial uses are proposed including a new retail store that will meet existing demand within Great Dunmow, and employment floorspace that will provide new employment opportunities for existing and future residents. A site for a new primary school is proposed, which will assist the growing community of Great Dunmow in meeting its educational needs. These non-residential uses will complement the housing proposed and assist in ensuring that a vibrant neighbourhood is created which contributes towards the long term vitality of the town.
- 4.5 The statement has assessed the material considerations arising from the proposals against the prevailing planning policy framework and has demonstrated that the scheme complies with the detailed objectives of planning policy guidance set out in the NPPF, the existing Local Plan and the emerging Local Plan.
- 4.6 The proposals have been developed in accordance with emerging Local Plan policy and seek to accord with the requirements of draft Great Dunmow Policy 2. In this regard, the application proposals will deliver significant planning benefits to the local community and wider area including:
- The delivery of a design-led masterplan for the comprehensive redevelopment of the site to provide a high quality scheme on a currently unutilised site within the built-up area of Great Dunmow;
 - The delivery of 370 dwellings which will significantly contribute to the Council's housing supply;
 - Provision of 148 new affordable dwellings, including a range of dwelling and tenure types to assist in meeting local housing need;
 - Provision of a sustainable mix of dwelling types and tenures which will assist in creating a balanced community;
 - The delivery of high quality extra care accommodation (Class C3);
 - Provision of 1.7 ha of land to provide a primary school and nursery to address future educational needs of Great Dunmow;
 - Provision of new employment floorspace which will facilitate the delivery of new jobs and investment into Great Dunmow;
 - The provision of a new food store to meet local need and prevent leakage to surrounding areas;
 - A high quality design led masterplan which will assist in integrating the proposed scheme with the surrounding built form and provide an attractive place to live and work;
 - Provision of high quality landscape, playspace, public open space and residential amenity space across the site;
 - Provision of a range of sustainable measures, including energy efficient building techniques, sustainable drainage and renewable energy provision which will assist in reducing carbon dioxide emissions from the proposed masterplan scheme;
 - Improvements to Hoblong's Junction immediately to the south east of the site which will assist with improving the surrounding local highway network;
 - Improved streetscape along the Chelmsford Road and enhancement of the gateway into Great Dunmow; and
 - Delivery of wider benefits to the local community through a package of contributions secured through the section 106 agreement and the new homes bonus which will benefit existing and future residents
- 4.7 Overall, the proposals represent an exciting opportunity to deliver a sustainable mixed use neighbourhood at an underutilised site which has long been identified for redevelopment. A

high quality scheme is proposed with a mix of complementary uses each of which responds to an identified need and will together provide significant planning benefits to the local area. Accordingly, we respectfully request the application proposals be recommended for approval.

5. RELEVANT SITE HISTORY

- 5.1 UTT/1625/03/REN: Renewal of planning permission UTT/0056/96/OP - outline application for the development of business premises for use within Class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access. Approved 2005.
- 5.2 UTT/0911/01/FUL: Removal of Condition C3.1.3. from (UTT/0056/96/OP (outline application for the development of business premises for use within Class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access. Approved 2001.
- 5.3 UTT/0056/96/OP: Outline application for the development of business premises for use within class B1, B2 and B8, with associated roads, parking, planting and public open space. Construction of new access. Approved 1998.
- 5.4 UTT/0516/92: Renewal of outline permission for development of a business park & creation of public open space with associated roads & landscaping, construction of new access. Approved 1993.
- 5.5 UTT/0476/90: Proposed infrastructure work to include roads, drainage & landscaping. Construction of vehicular & pedestrian access. Approved 1990.
- 5.6 UTT/2173/89: Earthworks and planting to eastern boundary of amenity area (outline approved under reference UTT/0564/89). Approved 1990.
- 5.7 UTT/0564/89: Outline for development of a business park & create public open space with associated roads & landscaping, construction of new access. Approved 1989

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S1: Development Limits for the Main Urban Areas
- S7: The Countryside
- GEN1: Access
- GEN2: Design
- GEN3: Flood Protection
- GEN4: Good neighbourliness
- GEN6: Infrastructure Provision to Support Development
- GEN7: Nature Conservation
- GEN8: Vehicle Parking Standards
- E1: Distribution of Employment Land
- E3: Access to workplaces
- ENV4: Ancient Monuments and Sites of Archaeological Importance
- ENV5: Protection of Agricultural Land

- ENV8: Other Landscape Elements of Importance for Nature Conservation
- ENV10: Noise Sensitive Development and Disturbance from Aircraft
- ENV11: Noise Generators
- ENV13: Exposure to Poor Air Quality
- H3: New Houses within Development Limits
- H9: Affordable Housing
- H10: Housing Mix
- RS1: Access to Retailing and Services
- Great Dunmow Policy GD6

6.3 Uttlesford District DRAFT Local Plan

- Great Dunmow Policy 2: Land west of Chelmsford Road
- SP1: Development within Development Limits
- SP2: Employment Strategy
- SP4: Retail Strategy
- SP5: Meeting Housing Need
- SP6: Housing Strategy
- SP8: Environmental Protection
- SP9: Minimising Flood Risk
- SP10: Natural Resources
- SP11: Renewable Energy and Energy Efficiency
- SP14: Protecting the Natural Environment
- SP15: Accessible Development
- SP17: Infrastructure
- SP18: Open Space
- HO5: Affordable Housing
- HO6: Housing Mix
- EN1: Sustainable Energy
- EN2: Environmental and Resource Management
- EN4: Surface Water Flooding
- EN5: Pollutants
- EN6: Air Quality
- EN8: Noise Sensitive Development and Disturbance from Aircraft
- DES1: Design
- HE3: Scheduled Ancient Monuments and Sites of Archaeological Importance
- HE4: Protecting the Natural Environment
- TA1: Vehicle Parking Standards
- INF1: Protection and Provision of Open Space, Sports Facilities and Playing Pitches

7. TOWN COUNCIL COMMENTS

- 7.1 Object. Object to project being in two phases. Does not safeguard the only large scale employment land in Great Dunmow. Draft Local Plan requires 3ha of employment land, application only provides 2.1ha. Will provide more houses than are necessary to fulfil the housing need identified. Noted that 40% of the housing will be affordable, but this figure includes the 70 units in the extra care home. This concept is not explained. Contrary to Policies 26 and 36 of the NPPF. Supermarket would have a negative effect on the town centre's viability. School should be built at same time as phase 1. A more central location away from the A120 and the proposed Waste Recycling Centre would be a more appropriate location for a school. Contrary to Policy 72 of the NPPF as no secondary school provision made. Contrary to Policies 126 and 131 of the NPPF as does not make a positive impact on the character or distinctiveness of the town. Buffer zone should be reinstated and landscaped. Misleading statements about public

transport and walking distances to services. Concerned about lack of infrastructure plan for the town.

- 7.2 Further letter. Taken note of the revisions, however none of them affect our decision in our previous letter.

8. CONSULTATIONS

Anglian Water

- 8.1 Great Dunmow STW has available capacity. Development will lead to an unacceptable risk of flooding downstream and mitigation will be required. Request condition relating to foul water strategy.

Environment Agency

- 8.2 No objection. Hoblongs Brook has a catchment area less than 3km upstream of the site and therefore may not have been assessed for the purpose of the Flood Map. Therefore, there may be areas near to the site where fluvial flood risk is equivalent to Flood Zone 3 or Flood Zone 2. The modelled flood outlines show areas of potential flooding as a direct result of floodwater coming from a watercourse and no direct effects of surface runoff or surface flooding are included. The FRA suggests that flows will be attenuated to Greenfield runoff and will discharge to Hoblongs Brook. We would wish to see further investigation into infiltration prior to considering discharge to Hoblongs Brook, this is in line with the SuDS hierarchy. Need further information for the FRA. A protective buffer zone should be provided for the Hoblongs Brook.
- 8.3 Further letter: Still have concerns about potential flooding. Applicant states that modelling the watercourse will be not be a worthwhile exercise. Do not agree with this view. If minded to approve the application we would expect to see the modelling carried out as part of the drainage strategy required as a condition.

ECC Archaeology

- 8.4 No objections subject to conditions. An archaeological desk based assessment has been submitted with the planning application. This has identified that there is potential for archaeological deposits to be located within the study area,. The Historic Environment Characterisation Study has identified that the development area and its surrounding area are in a potentially significant area of multi period deposits ranging from the later prehistoric through to the medieval period. The requirement for archaeological field investigation has been identified in the desk based assessment. The position close to the Roman settlement of Great Dunmow and the sites immediate location next to a Roman road junction increases the potential for archaeological deposits being present.

ECC Ecology

- 8.5 Holding objection – insufficient information. The provided information is not sufficient to assess the impact of the proposals on Great Crested Newts. Without full survey the likely impact on Great Crested Newts is not clear and adequate mitigation cannot be proposed. A full reptile survey is required.
- 8.6 Further letter (9 August): No objections subject to conditions.

- 8.7 Further letter (13 August): The Biodiversity Mitigation and Enhancement Plan should be a holistic plan covering all impacts of both phases of the development. Hoblongs Brook is the highest-value part of the site in ecological terms. Mitigation of impacts upon and enhancement of, the Hoblongs Brook corridor will therefore be key. Would expect a 10m development buffer to be in place.

ECC Highways

- 8.8 No objections subject to conditions and/or planning obligations. Requirement for new 3 arm roundabout, amendments to speed limits, provision of crossing points, details of estate roads and footpaths in accordance with the Essex Design Guide. Improvements to the Hoblongs junction, bus stop on Chelmsford Road and bus stops at Gatehouse Villas, provision of pedestrian links. Provision of access road to commercial development. Provision of bridleway link between the Fritch Way and Clapton Hall Lane.

ECC Education

- 8.9 A housing development of the mix indicated can be expected to generate the need for up to 26 Early Years and Childcare; 86 primary school and 57 secondary school places. The non-residential uses will generate additional demand for Early Years and Childcare. Request the transfer of 1.7ha of land and a pro-rata contribution of £4,338,000, which would equate to £2,159,853 (in relation to the current proposed mix), for the design and build of the school. A financial contribution towards secondary education will be required. A youth shelter should be provided as well as skateboarding facilities.

ECC Archaeology

- 8.10 An archaeological desk based assessment has been submitted with the planning application. This has identified that there is potential for archaeological deposits to be located within the study area,. The Historic Environment Characterisation Study has identified that the development area and its surrounding area are in a potentially significant area of multi period deposits ranging from the later prehistoric through to the medieval period. The requirement for archaeological field investigation has been identified in the desk based assessment. The position close to the Roman settlement of Great Dunmow and the sites immediate location next to a Roman road junction increases the potential for archaeological deposits being present.

ECC Flood and Water Management Team

- 8.11 Informal comments. It is proposed that oversized underground pipes or alternative underground and open surface water attenuation storages are introduced. Our preference would always be for above ground attenuation areas to be provided. Encourage the use of permeable paving. Expect a flow routine exercise to be carried out at the detailed design stage to show the extent and depths of water during an exceedence flood event.

Highways Agency

- 8.12 Holding Directive – local authority cannot determine the application until 30 August 2013 to allow the Secretary of State time to consider the proposals.

- 8.13 Further letter: The proposal is unlikely to have a material impact upon the A120 or M11 Junction 8, on its own. However, Junction 8 is near capacity and the cumulative impact of this and other small developments could be enough to result in the junction going over capacity. Negotiations are ongoing regarding the location of a noise fence on highway land. Highways Agency offers no objection.

National Grid

- 8.14 Due to the presence of National Grid apparatus in proximity to the specified area, the contractor should contact National Grid before any works are carried out to ensure our apparatus is not affected by any of the proposed works.

Natural England

- 8.15 No objections in relation to statutory nature conservation sites. No objections in relation to bats. Further surveys are required in respect of Great Crested Newts.

NHS Property Services

- 8.16 This level of development has the potential to have a significant impact on the NHS funding programme for the delivery of healthcare provision within the local area, and specifically within the health catchment area of the development, which would require appropriate mitigation. The Healthcare Impact Assessment indicates that a developer contribution of £110,400 would be required to mitigate the capital cost to the Trust for the provision of additional health services arising directly as a result of the development proposal.

Sustrans – West Essex Group

- 8.17 Write to ask that a bridleway is included in the development. This to form part of the Great Dunmow Flich Way Link that is planned to go through the area of the site to link the severed east and west sections of the Flich Way. The documents provided by the developer do not include a bridleway.

Access and Equalities Officer

- 8.18 The layout and design of the site will need to meet the requirements of the SPD on Accessible Homes and Playspace. This must ensure that parking provision is near to the dwelling and access is level throughout the site. All dwellings are to meet the requirements of the Lifetime Homes Standard and the developer needs to note that 5% of the dwellings on site will need to meet the requirements of the Wheelchair Accessible Homes Standard as set out in that document. This must be provided across all tenures to meet the demographic need of the community. Bungalows with a suitable design and footprint would be acceptable to meet this. Accessible open space and playspace will also need to be designed to meet need.

9. REPRESENTATIONS

- 9.1 The application has been advertised and 38 letters of representation have been received. Notification period expired 1 August 2013.

- 9.2 Dunmow Society:

- Cannot be considered as a serious or sustainable development proposal
- Employment will be low-level except for a small number of teachers or nurses

- Number of houses increased as is the density – problems with parking and access for service vehicles
- No allowance for public transport
- Railway should be built between Braintree and Stansted Airport
- Hoblongs junction has not been properly planned – would encourage traffic through the town
- Another supermarket on the fringes of the town centre would have an adverse effect on the town's existing retail outlets
- No provision for additional GP services – existing at capacity
- Site for school is too close to A120 and noise suppression would add to construction costs
- Site topography indicates risk of flooding
- Proposal for 40% affordable housing should not include 708 beds from the extra care units
- Noise and traffic pollution from A120 would not provide acceptable living conditions
- Buffer zone between any new housing and existing should be restored
- Site should have archaeological survey to meet NPPF standards
- Should be aiming for greater than Code Level 3
- This non-conforming application should be rejected

9.3 Great Dunmow Neighbourhood Plan Steering Group – 5 letters raising the following points:

- Support principle of providing high quality employment opportunities
- Employment potential does not meet objectives in scale or type of employment offered
- Housing numbers exceed total in position statement
- Affordable units in extra care does not meet requirement of town
- Housing mix does not meet profile of housing need
- Design not sympathetic to character of Dunmow
- Fails to specify the range and hierarchy of open space necessary to meet needs of development and to remedy deficiency in area
- Loss of what was to be buffer zone between housing and Ongar Road/Clapton Hall Lane is a serious failing and should be reinstated and incorporated as part of the green infrastructure
- Speculative, unappraised and uncosted options for improvements to Hoblongs junction are not appropriate
- Footpath and cycleway network needs to be designed in the context of the town-wide network
- Site is 1.6km from Market Place – not 10 minute walk from town centre
- Site should not rely on the notional bus stop required as part of Ongar Road North
- Site does not and cannot meet the sustainable development criteria in the NPPF
- Retail store will pose a distinct and significant risk to trade in town centre
- Retail appraisal is completely inadequate
- Would be a disaster if Dunmow town centre were to be undermined by this additional retail space
- Would generate significant cross-town traffic
- Not clear will provide sufficiently for infrastructure requirements
- Primary care services are at or above capacity in Dunmow
- Water cycle study made it clear this part of Dunmow is particularly susceptible to surface water flooding

- Impacts and implications of the increased risk not convincingly assessed in application
- A120 imposes a very substantial noise footprint
- Regrettable that residential development is contemplated that would require special measures including mechanical ventilation resulting in sub optimal living conditions
- Noise impact on school will be unacceptable
- Noise environment in the so-called park will preclude any peaceful enjoyment
- Park should be excluded from any open space calculation
- Predictive air quality modelling should be required to justify the conclusion that the site is not subject to any decrease in air quality in the medium and long term
- Meeting Code 3 of the CSH is modest in the extreme
- Site fails to meet several criteria for sustainable development

9.4 Additional points:

- Number of dwellings excessive for site and when added to other proposals and unbuilt houses results in 62% increase to Dunmow
- Application anticipates provision of 400 additional jobs but a total of 2170 may be required for new housing
- Proposed retail store is not welcome
- Housing immediately on boundaries at existing dwellings – maximum impact on these dwellings
- Scant use of single storey dwellings or significant landscaping
- Chelmsford Road already busy, adding a potential 300 additional cars cannot be wise
- Inappropriate that this application should include full plans for phase 1. Completely precludes any possible retrospective adjustment to the plans when final details are submitted on the outline section
- Southern Parklands amenity area surrounds our property on 3 sides
- Object to proposed bridleway
- Horses on Ongar Road would be extremely dangerous
- Would prevent width barriers preventing horses, quad bikes or motor bikes
- Strongly object to any use of Clapton Hall Lane
- No strengthening of our boundary is proposed
- Proposed acoustic fence should be extended
- Main pathway very close to the southwestern corner of our property – object
- Unclear whether the access to Clapton Hall Lane between The Groves and Crofters will remain closed off. Officially closed when new A120 was opened. If intended to be re-opened would cause serious disturbance to adjoining properties
- In principle in favour of development of this site but have some concerns
- Southern parklands must be regularly patrolled and properly maintained for the benefit of the public otherwise it will degenerate into an untidy, unkempt venue with potential for antisocial behaviour, public disturbance and petty crime
- If it is proposed to join this site with the Ongar Road South site there must be no access into Clapton Hall Lane as this will encourage vehicle parking and serious congestion
- Inadvisable to site a residential home in the vicinity of an industrial site
- More land should be provided for the proposed industrial area
- Supermarket would provide jobs – would welcome one sooner rather than later
- Roads appear too narrow. People will park in roads which will cause congestion

- Neighbourhood preference is that land is designated for employment opportunities
- Ask that a maximum number of houses is presented in the developers plan to ensure developers are not allowed to deviate from the proposal
- Suggestion for cycleway would be to avoid crossing the road at Hoblongs and to continue the cyclepath by the side of the B1256, crossing via a safe footbridge before the roundabout and pass to the back of the Flitch industrial site before rejoining the Flitch Way
- Would invade privacy of 11-33 Ongar Road due to their small gardens
- Query how an new site that ignores the needs of the existing immediate residents can be considered inclusive when it alienates them
- Playing fields/recreational space should be created to the rear of 11-31 Ongar Road. Allow existing residents to maintain level of privacy and provide much needed parkland for community use
- School should be built at north end of site
- Buildings along northern edge should be no more than 1 storey
- Trees planted as a buffer zone to the previously approved employment land have been demolished by the developer
- Dunmow desperately needs a secondary school and sixth form college
- Location of amenity space is not easily accessible by existing residents in south Dunmow
- Will result in the irreversible loss of open land and countryside and severely impact on the rural character of the area and would be out of character of the town
- Development on the fringes will lead to coalescence of communities
- Roads in immediate vicinity already extremely busy and dangerous
- Retail Assessment is generic and real impact can only be measured once a retailer has been identified
- A drop in footfall to the town centre food retailer would have a great knock on effect onto the viability of other small retailers
- We should be ensuring plenty of play areas and attractive amenity sites in amongst the housing
- This side of town has no open space for residents to informally play football, cricket etc. We need recreational space as previously proposed
- Pleased to see developer has included a bridleway within the site. Will serve as part of the wider scheme to link the Flitch Way via a safe off road route through Dunmow
- Will obstruct our rural view and restrict the amount of light in our garden
- Concerned the volume of traffic coming from Chelmsford Road and turning onto the B1256 will become unmanageable
- Why are there traffic lights shown just as you come off the A120 roundabout – I can see this is an accident waiting to happen
- Feel Barnston will be a suburb on Dunmow
- Welcome more affordable housing for local people and not just more commuting families from London or further afield
- Maybe a S106 should be considered to provide a roundabout at the Hoblongs Junction as earmarked years ago and money provided from Police Station and new Travelodge
- No holistic view on what is right for the area
- Sound vibration from Hoblongs could exceed the required levels
- Concerned proposed alterations to the junction of Chelmsford Road/Dunmow bypass will not materialise
- See no solar panels or plans of better eco constructed houses

- Council has mis-managed the Local Plan process resulting in no planning
- Town already unable to cope with current volume of traffic
- Demand the Council act in an accountable and community-focused way and reject this application as unsustainable
- Emerging Core Strategy is subject to unresolved objections and this application is premature
- Planning decisions should be plan-led as set out in the NPPF
- Lack of 5 year land supply does not necessarily amount to a sufficient material consideration to outweigh the current Adopted Local Plan
- Does not require the level of employment land set out in Position Statement
- Would be contrary to advice within the NPPF, particularly the 'economic' role of sustainable development
- 40% affordable housing is required. Whilst this scheme will provide 40% it includes the extra care home which is Class C2 and not C3. The 70 extra care units cannot be classed as affordable dwellings.
- More suitable location for the school within the centre of the site away from noise generating uses and the A120 would be more appropriate
- Sequential test has not been submitted in respect of retail store and the allocation for a supermarket has not been tested by a Local Plan Inspector
- Should be refused on grounds of prematurity or impact on town centre

10. APPRAISAL

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

- A The principle of development in this location (NPPF; ULP Policies S1, S7, Great Dunmow Policy GD6, H3, E1, ENV5; Draft Local Plan (DLP) Policies Great Dunmow Policy 2, SP1, SP2, SP4, SP5, SP6)
 - B Mix of housing and affordable housing (ULP Policies H9, 10; DLP Policies HO5, HO6)
 - C Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice, updated by Uttlesford Local Residential Parking Standards, 2013; DLP Policies SP15, TA1)
 - D The proposed layout, scale and form of the development (ULP Policies GEN2, E3, RS1, DLP Policy DES1, EN1, EN2, SP11, SP18, INF1)
 - E Infrastructure provision to support the development (ULP Policy GEN6; DLP Policy SP17)
 - F Drainage, noise and pollution issues (ULP Policies GEN3, GEN4, ENV10, ENV11, ENV13; DLP Policies SP8, SP9, EN4, EN5, EN6, EN8)
 - G Impacts on biodiversity and archaeology (NPPF; ULP Policy GEN7, ENV8, ENV4; DLP Policy SP14, HE4, HE3)
 - H Other material considerations
- A The principle of development in this location (NPPF; ULP Policies S1, S7, Great Dunmow Policy GD6, H3, E1, ENV5; Draft Local Plan (DLP) Policies Great Dunmow Policy 2, SP1, SP2, SP4, SP5, SP6)**

10.1 The application site is located partially within and partially outside the development limits for Great Dunmow in the adopted Local Plan. A large proportion of the site is covered by Policy GD6 which allocated a 9.61ha site for employment uses together with a substantial peripheral landscaping and open space provision adjacent to properties in Ongar Road and Clapton Hall Lane. Planning permission for employment uses was initially granted in 1989 and the consent was last renewed in 2005 and has now lapsed. The applicants state that despite marketing no viable commercial users

were identified, partially due to the infrastructure costs associated with redevelopment of the site, including the need to relocate a high pressure gas main.

10.2 NPPF Paragraph 22 states:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

10.3 The Draft Local Plan (DLP) identifies a 16.5ha site in Great Dunmow Policy 2 for a mixed use scheme for a minimum of 300 dwellings and 3 ha of employment land with the aim of securing comprehensive development over the whole site. The Position Statement, March 2013, increases the size of the land under this policy to 20.4ha, including some land previously included in the area covered by Great Dunmow Policy 3. The other additional land is to the south of Hoblongs Brook and a field accessed from Clapton Hall Lane. The position statement also amends the number of dwellings from 300 to 350 and includes provision of land for a supermarket.

10.4 It should be noted that the DLP is still a draft document and has yet to be considered by an Inspector as part of the adoption process. Notwithstanding this, the NPPF has a presumption in favour of sustainable development, particularly where Council’s don’t have a 5 year supply of housing land.

10.5 The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that it has a shortfall, and that it should consider favourably applications for residential development which will make a positive contribution towards meeting housing need.

10.6 The 5-year land supply update statement (published Wednesday 9 October 2013) considers the supply of housing against the Council’s objectively assessed need which is based on the SNPP-2010 projections of 523 dwellings a year.

10.7 Since April 2013 an additional 505 dwellings have been granted planning permission on sites of 6 or more dwellings; 308 dwellings have been granted planning permission on sites proposed in the Draft Local Plan June 2012; and planning permission on land south of Ongar Road, Great Dunmow for 100 dwellings is currently quashed.

10.8 The estimated number of completions each year is shown in the table below.

Year	13/14	14/15	15/16	16/17	17/18	18/19
	Current Year	Year 1	Year 2	Year 3	Year 4	Year 5
Dwellings on committed Sites	391	228	347	527	698	495

10.9 It is estimated that 2295 dwellings on committed sites will be built during the 5 year period, whilst the requirement is for 2746 dwellings to be built. This relates to 84% of

the requirement which is equivalent to just over 4 years. There is therefore a shortfall of 451 dwellings as set out in the table below.

	Housing Requirement
Annual requirement	523
Total supply on deliverable committed sites	2295
Requirement years 1-5 plus 5% frontloading	2746
% of requirement available on deliverable sites years 1-5	84%
Supply in Years	4.2
Shortfall (dwellings)	451

- 10.10 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 NPPF. The Council has accepted this previously and has considered and determined planning applications in this light. As a consequence, planning permission has been granted for residential development outside development limits where appropriate, on sites that are identified for potential future development in the emerging Local Plan and on sites which are not identified but which are considered to be sustainable.
- 10.11 The site performed well in the SHLAA with the main negative points being loss of agricultural land and loss of land allocated for employment. Noise was not considered an issue, but it should be noted that the land allocated for potential housing was a smaller site than forming part of this application.
- 10.12 Following consultation, the following conclusions were made. Based on the evidence base, the consultation on the preferred options for the Core Strategy identified land to the west of Great Dunmow as the most suitable location for new housing. The results of the consultation in January 2012 seem to confirm that this is still the preferred direction for any growth in the town. The need to maintain a supply of employment land is recognised but simply allocating the land for employment has failed to deliver any employment floorspace to date. Continuing with this allocation would be contrary to advice in the National Planning Policy Framework. A mixed scheme, regulated to make sure that the employment land is delivered in association with the residential element would seem to be a more appropriate way of securing additional employment floorspace in the town. Discussions with Essex County Council have highlighted the need for a new primary school to serve the southern and eastern part of the town (all current primary provision is to the north of the town) and this site could accommodate this. Proposals for a draft Local Plan June 2012 therefore proposed this site for 300 dwellings, employment, Primary school, and open space. Action: amend assessment to reflect proposed draft policy.
- 10.13 As previously stated some of the site falls within the development limits in the adopted local plan. The development of this area is acceptable in principle and, given the stance of paragraph 22 of the NPPF, development for residential purposes would be acceptable. However, these proposals go beyond residential development in that the scheme also proposes a site allocation for a primary school and early years and childcare provision, a 70 unit affordable extra care facility, site for a retail store and 2.1ha of land for proposed employment uses. These are broadly in line with the revised draft Great Dunmow Policy 2, as set out in the Position Statement.
- 10.14 The proposal would result in the loss of former agricultural land and Policy ENV5 seeks to protect the best and most versatile land. Notwithstanding this, the majority of the site has been allocated for development purposes for a significant period of time. No agricultural activity appears to have been carried out on the site for many years.

Therefore it is considered that the principle of development is acceptable on this site and should be supported.

B Mix of housing and affordable housing (ULP Policies H9, 10; DLP Policies HO5, HO6)

10.15 The revised draft policy states that the site is proposed to deliver 350 units, including the 70 bed affordable extra care unit. The proposals relate to provision of 370 residential units, including a 70 unit affordable extra care facility. The application is submitted as two phases with phase 1 requiring all details to be considered and phase 2 being an outline application with only access to be considered.

10.16 The proposal includes a mix of 1, 2, 3, 4 and 5 bedroom properties together with the extra care flats for older residents. The mix for phase 2 would be a reserved matter and in this instance the principle of development would be acceptable subject to an appropriate mix.

10.17 Phase 1 relates to the erection of 115 residential units. These would be a mix of 3 x 1 bed, 36 x 2 bed, 51 x 3 bed and 25 x 4 bed. The mix includes 3 x 2 bed bungalows and 3 x 1 bed bungalows. A total of 6 units would be wheelchair accessible and this would satisfy the requirements for 5% of the units to comply with this standard. The proposed mix is in accordance with Policy H10.

10.18 The application proposes the provision of the 70 extra care units and a further 30 general needs affordable houses.

10.19 The Councils adopted Housing Strategy, Older Persons Strategy and Strategic Housing market Assessment highlight the growing need for additional tailored housing for the aging population. As a result of this the requirement for an Extra Care facility was included in this, and other, draft Local Plan allocations. Officers have been working with developers, Essex County Council and the Homes and Communities Agency to ensure the delivery of the scheme.

10.20 The developer has proposed the provision of all the Extra Care Units as affordable provision which is strongly welcomed by officers. The developer has also proposed that within the S106 a series of delivery milestones are included to give certainty of delivery of this part of the proposal. This is welcomed by officers and is considered to be an essential element in ensuring delivery. They have accordingly been included within the draft heads of terms.

10.21 Given the associated higher costs involved in the provision of the Extra Care facility officers have had detailed negotiations regarding the level of general needs affordable housing. This has resulted in an agreement to provide an additional 30 units, 15 in each phase, which meet the mix requirements of the Housing section. These will be secured through the S106 legal obligation.

10.22 The application provides a highly needed housing facility for the district, the delivery of which is being secured through this application. The further provision of 30 general needs affordable houses is considered appropriate and the requirements of policy H9 are therefore met.

C Access to the site and parking provision (ULP Policies GEN1, GEN8; SPD: Parking Standards – Design and Good Practice, updated by Uttlesford Local Residential Parking Standards, 2013; DLP Policies SP15, TA1)

10.23 It is proposed that the development would have two access points. The main access point would be in the form of a roundabout on the Chelmsford Road. It is envisaged that this would serve the majority of the development, with the exception of the commercial land. The commercial land would be accessed via a separate access adjacent to Hoblongs Cottages. This access currently serves the ambulance station and the land allocated for a civic amenity point. ECC Highways raise no objections to the proposed access points, subject to conditions.

10.24 Representations have been made about the suitability of the Hoblongs junction to accommodate this development. The DLP Policy stipulates a requirement to carry out improvement works in conjunction with the development of this site. Proposals have been put forward to amend the Hoblongs junction at the point where the Chelmsford Road meets the B1256. It is proposed to transform the junction into a roundabout system. Traffic leaving the A120 would have the options of two lanes – one into the town centre or one to carry on along the B1256. Traffic on the B1256 would also have two lanes – one to continue along the highway and one to turn left towards the town centre. This traffic would be required to give way to traffic coming from the direction of the A120. Traffic coming from the town centre direction towards the B1256 would have to give way to traffic from the right and would again have two lanes. This would not be a traditional roundabout but a reconfiguration of the junction. ECC Highways raise no objections to the proposals subject to them being completed prior to the development being occupied.

10.25 The parking requirements for phase 2 would be a reserved matter. In respect of phase 1 the proposals would satisfy the adopted parking standards. Please see the table attached at the end of this report giving the property sizes, number of parking spaces and the type of provision made.

D The proposed layout, scale and form of the development (ULP Policies GEN2, E3, RS1, DLP Policy DES1, EN1, EN2, SP11, SP18, INF1)

10.26 In relation to phase 2 the scale, layout and design are reserved matters, as is landscaping. Therefore only indicative drawings are submitted for this phase. These show a proposed food store with car park, a proposed extra care facility with car parking and communal gardens, a proposed site for a school and the indicative layout for 185 dwellings. In addition an indicative layout is shown for the proposed commercial area and the open space. The principle of these facilities is acceptable for an outline application.

10.27 In respect of phase 1, the details of layout, scale, design and landscaping are matters to be considered now, similar to a full planning application. The plans indicate the layout for 115 dwellings, a proposed lap and a proposed village green. Phase 1 is located on the northern part of the site adjacent to properties located on Ongar Road and fronting onto Chelmsford Road. The proposals would be to the north of the main access point and the proposed spine road would pass through the middle of the village green.

10.28 As stated above, phase 1 would comprise 3 x 1 bed, 36 x 2 bed, 51 x 3 bed and 25 x 4 bedroom units. This would include 3 x 1 bed and 3 x 2 bedroom bungalows which are shown adjacent to the properties fronting onto Ongar Road. The existing properties on Ongar Road at this point have very short back gardens and the erection of bungalows would help to maintain the privacy of those properties. The distance from the boundary would range between 12m and 20m. Plots 68-75 also back onto existing properties, but in these cases the existing properties have more extensive back gardens and the separation distances would be greater. These plots would be between 13m and 15m

from the boundary. Given the orientation of the properties and the separation distances, it is considered that no material loss of privacy would result from overlooking. Loss of residential amenity is unlikely to arise due to overshadowing.

10.29 Within the development the layout of the properties is considered appropriate and no adverse loss of amenity would result within the proposed scheme. All garden sizes would meet the required standards, with the exception of plots 6 and 38 which would be flats above garages. These two plots would have balconies to provide for their private amenity space. Please see the table attached at the end of this report giving the property sizes and garden sizes.

10.30 DLP Great Dunmow Policy 2 requires open space provision to be incorporated into the development, including the provision of LEAPs and NEAPs. DLP Policy INF1 requires the provision of 0.8ha of amenity greenspace per 1000 people and 0.2ha of LAPs, LEAPs and NEAPs.

10.31 Phase 1 of the proposed development incorporates a LAP and a LEAP. The LEAP would be located at the central "Village Green" and would have railings to provide a defensible barrier to the road network. A proposed schedule of play equipment has been submitted indicating the use of a jungle swing, slide, spinning cup, see saw, play log, stepping logs and the provision of timber carved benches and seating boulders.

10.32 The provision of open space for Phase 2 will be covered by the reserved matters. Notwithstanding this, two LAPs are shown on the indicative plans and an area of open space would be provided adjacent to the A120. This would be made up of 1.5ha of amenity land and play space and 4.2ha of buffer zone to the A120 and Hoblongs Brook. The proposals comply with the policies.

E Infrastructure provision to support the development (ULP Policy GEN6; DLP Policies Great Dunmow Policy 2, SP17)

10.33 Draft Local Plan Great Dunmow Policy 2 requires certain infrastructure provisions to be included within the application. These are junction improvements to Hoblongs junction, public transport contributions, 1.7ha of land for a pre/primary school and the construction of the school facility.

10.34 The application includes the provision for improvements to the Hoblongs junction, as described in paragraph 10.16 above. This element of the proposals can be secured by S106 Obligation. It is not proposed to amend the existing bus routes given the location of existing bus tops in relation to the site. Improvements to the existing bus stop on the western side of the B184 Chelmsford Road and the bus stops at Gatehouse Villas are required as part of the package of improvements required by ECC Highways. These can be secured by way of a S106 Obligation.

10.35 The proposals include the provision of a 1.7ha of land for a pre/primary school. ECC Education has also requested the pro-rata sum of £4,338,000 to construct the school which is proposed to be a 210 place primary school with a 28 place Early Years and Childcare element. Given the estimated pupil yields expected from the proposed development this would amount to a sum of £2,159,853 from the current proposed mix. In addition to the requirements relating to pre and primary school, a financial contribution will be required for secondary education provision. These can be secured by way of a S106 Obligation.

10.36 In addition to the above a financial contribution towards additional health service provision will be required. NHS Property Services has requested a sum of £110,400 and this can be secured by way of a S106 Obligation.

F Drainage, noise and pollution issues (ULP Policies GEN3, GEN4, ENV10, ENV11, ENV13; DLP Policies SP8, SP9, EN4, EN5, EN6, EN8)

10.37 The application is accompanied by a Flood Risk Assessment (FRA) and identifies that the site is located within Flood Zone 1 where there is a low probability for flooding. Nearby water features include a balancing pond associated with the A120 to the west of the site and a ditch to the northern boundary. Hoblongs Brook runs west-east on the southern part of the site. The River Chelmer is located some 200m to the east of the site.

10.38 The FRA concludes that the proposed development, once implemented in accordance with the details in the FRA, would not result in any detrimental impact on the existing floodplain and any of the surrounding properties. It is also concluded that the proposed development is protected from flooding. The proposed drainage scheme is not considered to result in an increase in flood risk to surrounding properties or the development site due to the use of sustainable drainage techniques.

10.39 The Environment Agency has assessed the FRA and has raised concerns in relation to Hoblongs Brook and the fact that this has not been modelled for flood risk and therefore there is the potential for fluvial flood risk equivalent to Flood Zone 3 or 2. Concerns were also raised in relation to run-off rates and whether the Great Dunmow water treatment works has sufficient capacity to accommodate the development.

10.40 Additional information has been provided to the EA by the applicant clarifying certain issues. No modelling of Hoblongs Brook has been undertaken and the EA has again expressed concern in relation to this. Notwithstanding this, the EA has stated that outline planning permission could be granted subject to a condition being imposed relating to the submission of a surface water drainage scheme.

10.41 Turning now to noise, the site is located adjacent to two main noise generators, namely the A120 and the Chelmsford Road. The application is accompanied by two noise surveys, one in relation to Phase 1 and one in relation to Phase 2. The NPPF seeks to protect development from noise and refers to the Noise Policy Statement for England. This document refers to the World Health Organisation observed adverse effect noise levels. The current British Standard (BS8233:1999) suggests that an internal noise level of 30 $\text{dB}_{\text{Aeq,T}}$ within bedrooms is a 'good' standard, whilst 35 $\text{dB}_{\text{Aeq,T}}$ is a 'reasonable' standard. For living areas in the daytime, the standard recommends 30 $\text{dB}_{\text{Aeq,T}}$ as a good standard and 40 $\text{dB}_{\text{Aeq,T}}$ as being a reasonable standard. BS8233 also states that individual noise events should not exceed 45 dB_{Amax} in bedrooms at night.

10.42 The noise surveys were carried out over a weekend from around midday Friday 12 April to around midday Monday 15 April 2013. Three noise monitoring reports were used for phase 1 and the wind was blowing from the south which ensured noise from the A120 was blown into the site.

10.43 The results of the survey indicate that the internal noise predictions will require some plots on Phase 1 closest to Chelmsford Road and further south towards the A120 will require enhance glazing and acoustic ventilation to ensure that internal criteria in accordance with BS8233:1999 and the WHO guidelines are met in habitable rooms.

- 10.44 In relation to phase 2, a further noise survey was undertaken over the same time frame as above. In this survey 11 monitoring locations were used. This followed an initial noise survey on 20 June and 1 July 2012 and a further 3 days of monitoring in November 2012. The results of the survey show that aircraft noise from Stansted Airport was noticeable at times but was not the most dominant noise source affecting the site. Road traffic along Chelmsford Road could not be heard across most of the site unless at least within 70m of the road. The A120 could be heard as continuous noise across the whole site.
- 10.45 Mitigation is required to reduce internal noise levels to habitable rooms and is likely to be in the form of enhanced glazing and acoustic ventilation. Orientation of the dwellings would also assist in ensuring that the appropriate standards can be met. Similar means of mitigation would be required for the proposed extra care facility.
- 10.46 Phase 2 would also include potential noise generators in the form of the proposed retail and commercial elements. These could include plant which would have both a noise and tonal characteristic. It would be essential to ensure that noise sensitive properties would not be affected. Full details would need to be included in the reserved matters applications for these elements.
- 10.47 Part of the site falls within a Poor Air Quality zone associated with the A120. It is proposed that this area would provide an area of open space or a buffer zone. The application is accompanied by an Air Quality and Odour Assessment. This identifies air quality sensitive receptors for both the construction and operation phases of the proposals. These were tested for potential impacts from dust emissions during construction works and for pollutants from road traffic associated with the development. The Assessment concludes that there would be a slight adverse impact on amenity and properties during construction works as a result of earthworks and construction. This would require the employment of good site works practices and these could be secured by a condition requiring a Construction Management Plan. The emissions resulting from road traffic would have a negligible increase and therefore imperceptible impact significance.
- 10.48 The site is located within 300m of an existing waste water treatment plant where there is the potential for odour to affect the development. There are existing residential properties closer to the facility than the proposed development. Discussions with the Environmental Health Officer have confirmed that whilst historically there were complaints about odour, there have been no complaints for several years. As such it is concluded that the presence of the waste water treatment works is unlikely to have a significant impact on the proposed development.

G Impacts on biodiversity and archaeology (NPPF; ULP Policy GEN7, ENV8, ENV4; DLP Policy SP14, HE4, HE3)

- 10.49 The application is accompanied by an Ecological Assessment and a subsequent Phase II Protected Species Survey. This assesses the impacts on habitats, ecological features and protected species such as bats, badgers, otters, birds, amphibians, reptiles and invertebrates.
- 10.50 The site supports a low population of common reptile species and common birds make use of the site for foraging and nesting. A limited number of bats use the site for foraging and commuting. Medium populations of great crested newts were found in ponds to the west of the site.

- 10.51 Impacts on great crested newts are considered to be negligible but enhancement measures are proposed as part of the development including the creation of new waterbodies and landscape planting. Phase 2 will require a licence to enable the development to proceed but similar enhancements are proposed in phase 2 to ensure no loss of favourable conservation status.
- 10.52 Mitigation measures in respect of reptiles will include a trapping and capture exercise and relocation of any reptiles into surrounding vegetation. Enhancement measures including the creation of new habitat to benefit wildlife are also proposed.
- 10.53 A small number of bats utilise the site within Phase 1 of the development and are unlikely to be a restraint on the proposed development. Mitigation measures in relation to proposed lighting and the installation of bat boxes are proposed.
- 10.54 Natural England initially objected to the proposals due to further survey work being required in relation to great crested newts. This has been undertaken and Natural England has not responded to the further consultation. Taking into account the standing advice it is considered that the proposals are acceptable. ECC Ecology has responded to the original survey with a holding objection on the same grounds as Natural England. They have lifted this objection following the submission of the additional report and are satisfied that the proposals would not adversely affect protected species.
- 10.55 The application is also accompanied by an Archaeological Assessment which indicates that the site has a moderate potential for early Bronze Age to early Iron Age remains and a good potential for Roman remains, along the Roman Road frontages on the north and east of the study site and a moderate potential elsewhere. A programme of archaeological mitigation measures is proposed to be implemented in advance of construction works. This is supported by ECC Archaeology who have recommended that the application be approved subject to a condition requiring archaeological works to be undertaken.

H Other material considerations

- 10.56 As discussed above, the application includes a proposed retail food store. Significant numbers of representations have made reference to this element of the proposals and the impact that this would have on the town centre. Reference is also made to the fact that a sequential test is required and that this has not been undertaken. The application is supported by a Retail Assessment and includes a sequential assessment. Sites investigated include the former Post Office Sorting Office, the Council Depot in New Street and Perkins Garage on Stortford Road. None of these sites were found to be suitable to deliver the proposed retail element. No other sites on the edge of the centre were identified which would meet the tests of suitability and availability.
- 10.57 The delivery of a retail store on this site helps to deliver a more sustainable package. This element of the scheme has been identified within the Position Statement as being a requirement for the site. There are no suitable sites within the town centre or on the edge of the centre to deliver a retail store of this size. The proposals are therefore considered appropriate.
- 10.58 Included within Phase 2 of the scheme is a proposal to provide a Bridleway link to complete part of the missing link along the Flitch Way. This is proposed to run from Clapton Hall Lane, through the proposed amenity area and then run west-east adjacent to Hoblongs Brook and connecting to the Chelmsford Road adjacent to the existing

highway access which currently serves the ambulance station. In the future this access is proposed to serve a waste facility and the proposed commercial development. Full details would form part of the reserved matters application but this can be secured as part of the S106 Obligation.

11. CONCLUSION

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

- A The site is allocated in the adopted Uttlesford Local Plan for employment uses but despite planning permission being granted in 1989 for commercial development no commencement has been made on site. The NPPF advises against retaining employment allocations where there is no reasonable prospect of this being delivered. As such the site is identified in the Draft Local Plan as Great Dunmow Local Policy Area 2. This proposes a mixed use development including up to 350 residential units, including 70 extra care units, land for a school, a retail unit and 3ha of land for employment uses. This application is broadly in line with those principles. The early delivery of the site would also assist in the Council meeting its required 5 year supply of land for housing.
- B The application is a hybrid application with Phase 1 being all matters to be considered now and Phase 2 with all matters reserved except for access. The proposals indicate a mix of units from 1-5 bedrooms. The details for phase 1 show a good mix of properties in accordance with Policy H10. The scheme provides a highly needed extra care housing facility for the district, together with 30 additional general needs affordable housing units. This is considered appropriate and the requirements of Policy H9 are met.
- C The Highways Authority raises no objections to the proposals in terms of impacts on the highway. The proposed access arrangements are considered appropriate and the proposals include alterations to the Hoblongs junction as mitigation for the development which can be secured by a legal agreement. The parking provision for phase 1 is in accordance with the adopted standards and that for phase 2 will be part of the reserved matters.
- D The scale, layout and design of phase 1 are to be considered now and the submitted details indicate that a satisfactory form of development can be achieved. No loss of residential amenity would result due to overlooking or overshadowing. These details would be part of the reserved matters for phase 2. The scheme also includes the provision of LAPs and LEAPs and these are considered acceptable.
- E The proposals include the provision of land and a financial contribution in relation to education requirements arising from the proposals. In addition a financial contribution will be made in relation to increasing health care provision. The proposals therefore make satisfactory infrastructure provision.
- F The EA is broadly happy with the details contained within the FRA and is happy for conditions to be imposed. Noise will be an issue within the development and mitigation measures through the use of enhanced glazing and acoustic ventilation will be required. A Construction Management Plan will be required in relation to the development to mitigate adverse effects on existing residential properties during the construction phase. No adverse effects in terms of pollution will result from the increased traffic associated with the proposals.

- G The proposals would not adversely affect protected habitats or species and mitigation measures and enhancements are proposed. These have been assessed as being acceptable by ECC Ecology. Impacts on archaeological deposits would be mitigated through a programme of archaeological works and this is acceptable to ECC Archaeology.
- H The provision of a retail store on this site is considered acceptable. It would help to deliver a more sustainable package of development, is identified as being required in the draft policy and no suitable sites within or on the edge of the centre have been identified. The provision of a bridleway to complete part of a gap in the existing Fritch Way is welcomed and can be secured by S106 Obligation.

RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO S106 OBLIGATION

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by 15 November 2013 the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an agreement to secure the following:**
- (i) Affordable housing provision including a 70 bed extra care facility and 15 general needs affordable housing in Phase 1 and 15 affordable houses in the subsequent phase or phases**
 - (ii) Phased delivery of Extra Care Unit**
 - (iii) Contribution to education provision**
 - (iv) Provision and transfer of land for primary school**
 - (v) Contribution to healthcare provision**
 - (vi) Provision of LEAPs and LAPs**
 - (vii) Payment of sum for preparation and implementation of TROs**
 - (viii) Improvements to Hoblongs Junction**
 - (ix) Improvements to bus stops**
 - (x) Provision of bridleway link between the Fritch Way and Clapton Hall Lane**
 - (xi) Payment of monitoring fee**
 - (xii) Pay Councils reasonable costs**
- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below**
- (III) If the freehold owner shall fail to enter into such an obligation, the Assistant Director Planning and Building Control shall be authorised to refuse permission for the following reasons:**
- (i) No affordable housing provision**
 - (ii) No phased delivery of Extra Care unit**
 - (iii) No contribution to education provision**
 - (iv) No provision and transfer of land for primary school**
 - (v) No contribution to healthcare provision**
 - (vi) No provision of LEAPs and LAPs**
 - (vii) No payment of sum for preparation and implementation of TROs**
 - (viii) No improvements to Hoblongs Junction**

- (ix) No improvements to bus stops**
- (x) No provision of bridleway link between the Fitch Way and Clapton Hall Lane**

CONDITIONS RELATING TO PHASE 1

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

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

2. Prior to the erection of the development on Phase 1 hereby approved (not including footings and foundations) samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

3. No works or development shall take place on Phase 1 until a full specification of all proposed tree planting has been approved in writing by the local planning authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be protected and the proposed time of planting.

REASON: To ensure the suitable provision of landscaping within the site in accordance with Policies GEN2, GEN7 and ENV8 of the Uttlesford Local Plan (adopted 2005).

4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out before any part of the development is occupied or in accordance with the programme agreed with the local planning authority.

REASON: In the interests of the appearance of the site and area in accordance with Policies GEN2, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

5. No development shall take place in relation to Phase 1 until there has been the provision of a new 3 arm roundabout on the B184 Chelmsford Road providing access to the site, as shown in principle on the submitted drawing no 1212-35 PL01 Rev C. Such works shall include but not be restricted to the realignment of the B184 Chelmsford Road, provision of crossing points including refuge islands, provision of a 3 metre minimum shared footway/cycleway on the western side of the B184 Chelmsford Road between the Ongar Road/B184 Chelmsford Road mini roundabout junction and the existing footway at the junction of the B184 Chelmsford Road and the Police Station access road, drainage, signing, lining and street lighting as deemed appropriate by the Highway Authority. Details shall be submitted to and approved in writing by the local planning authority and subsequently carried out as approved.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. No development shall take place in relation to Phase 1 until there has been the provision of pedestrian crossing points, including tactile paving, at the junctions of the B184 Ongar Road/Chelmsford Road mini roundabout junction and the B184 Ongar Road/Chelmsford Road priority junction.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. No occupation of Phase 1 shall take place until there has been the provision of 3 pedestrian links between that phase and the B184 Chelmsford Road, one of which shall be opposite the Chelmsford Road Industrial Estate. Details of the pedestrian links shall be submitted to and approved in writing by the local planning authority and subsequently implemented as approved.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

8. Prior to the commencement of the development hereby permitted a foul water strategy shall be submitted to and approved in writing by local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the local planning authority.

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

9. Prior to the commencement of the development of phase 1 hereby permitted a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall:
 - include an ReFH Flood flow assessment and a single 1D routing Model;
 - be fully implemented and subsequently maintained, in accordance with the arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

10. 1. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

2. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

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

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

CONDITIONS RELATING TO PHASE 2 (OR ANY SUBSEQUENT PHASES)

11. Approval of the details of the layout, scale, landscaping and appearance (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 2010 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

12. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.

(B) The development hereby permitted shall be begun later than the expiration of 1 year from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

13. The details to be submitted in accordance with condition 11 shall include:

- Details of the open space, including details of LAPs and LEAPs as appropriate to be in accordance with the Landscape Masterplan and the Design and Access Statement
- Details of hard, soft and water landscaping, in accordance with the Landscape Masterplan and the Design and Access Statement
- Details of protection measures of retained trees
- The use of native species in planting plans
- Details of lighting using low light pollution installations
- Updated ecological surveys
- Detailed design of SuDS including use of infiltration and interceptors
- Details of finished site levels
- Details of parking spaces to the adopted standards pertaining at that time
- Details of estate roads and footways including layout, visibility splays, radii, turning, levels, gradients, surfacing, means of surface water drainage, lighting and any necessary Road Safety Audits
- Details of recycling and refuse storage and collection provision

REASON: To ensure the development is carried out in accordance with the principles of the development as set out in the outline planning application, in accordance with Uttlesford Local Plan Policies GEN1, GEN2, GEN3, GEN7, ENV10 and ENV11.

14. The details required in relation to condition 11 above shall include full details of the access road to serve the commercial aspect of the development at the southern end of the site. This road shall be constructed to tie in with the existing access road

currently serving the ambulance station. Subsequently the road shall be constructed prior to the commencement of this element of the development in accordance with the approved details.

REASON: In the interests of highway safety, in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

15. The details required in relation to condition 11 above shall include full details of a scheme for the provision and management of a 10 metre wide buffer zone alongside the Hoblongs Brook. Thereafter any development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:
- Plans showing the extent and layout of the buffer zone
 - Details of any proposed planning scheme
 - Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan
 - Details of any proposed footpaths, fencing, lighting etc

REASON: Development that encroaches on the Hoblongs Brook has a potentially severe impact on its ecological value and land alongside is particularly valuable for wildlife and therefore a buffer zone is necessary to ensure the protection of wildlife and supporting habitat, in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

16. Prior to the commencement of the development of phase 2 (or any subsequent phases) hereby permitted a surface water drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall:
- include an ReFH Flood flow assessment and a single 1D routing Model;
 - be fully implemented and subsequently maintained, in accordance with the arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing by the local planning authority.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

GENERAL CONDITION RELATING TO PHASE 1 AND 2 (OR ANY SUBSEQUENT PHASES)

17. Prior to the commencement of development a Biodiversity Mitigation & Enhancement Plan shall be submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted and in accordance with the general principles outlined in the Ecological Assessment (dated June 2013) and the Phase II Protected Species Survey Report (dated July 2013) and, without prejudice to the foregoing, shall include:
- (i) Aims and objectives of mitigation;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed;
 - (iv) Sources of habitat materials;
 - (v) Timing of the works;

(vi) Selection of specific techniques and practices for preparing the site and creating/establishing vegetation including the specific seed mix and native species that will be used for planting;

(vii) Details of the location, height, design and luminance of all fixed lighting for both construction and occupation phases of the development to minimise impacts on foraging bats;

(viii) Detailed descriptions of biodiversity enhancement measures that will be taken on-site;

(ix) Prescriptions for management actions, both short and long-term;

(x) Provisions for the long-term management of the area demonstrating the feasibility of delivery of biodiversity enhancement and long-term management, including details of funding for the management.

The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

18. Should the development hereby approved not have been commenced within 3 years of the date of existing surveys, a further biodiversity survey of the site shall be carried out to update the information previously submitted with the application, together with an amended Biodiversity Mitigation and Enhancement Plan to mitigate/compensate the impact of the development upon any identified priority or protected species. The new biodiversity survey and Biodiversity Mitigation and Enhancement Plan shall be submitted to and be approved in writing by the Uttlesford Planning Authority prior to the commencement of the development and thereafter the development shall be implemented in accordance with the approved biodiversity survey and Biodiversity Mitigation and Enhancement Plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

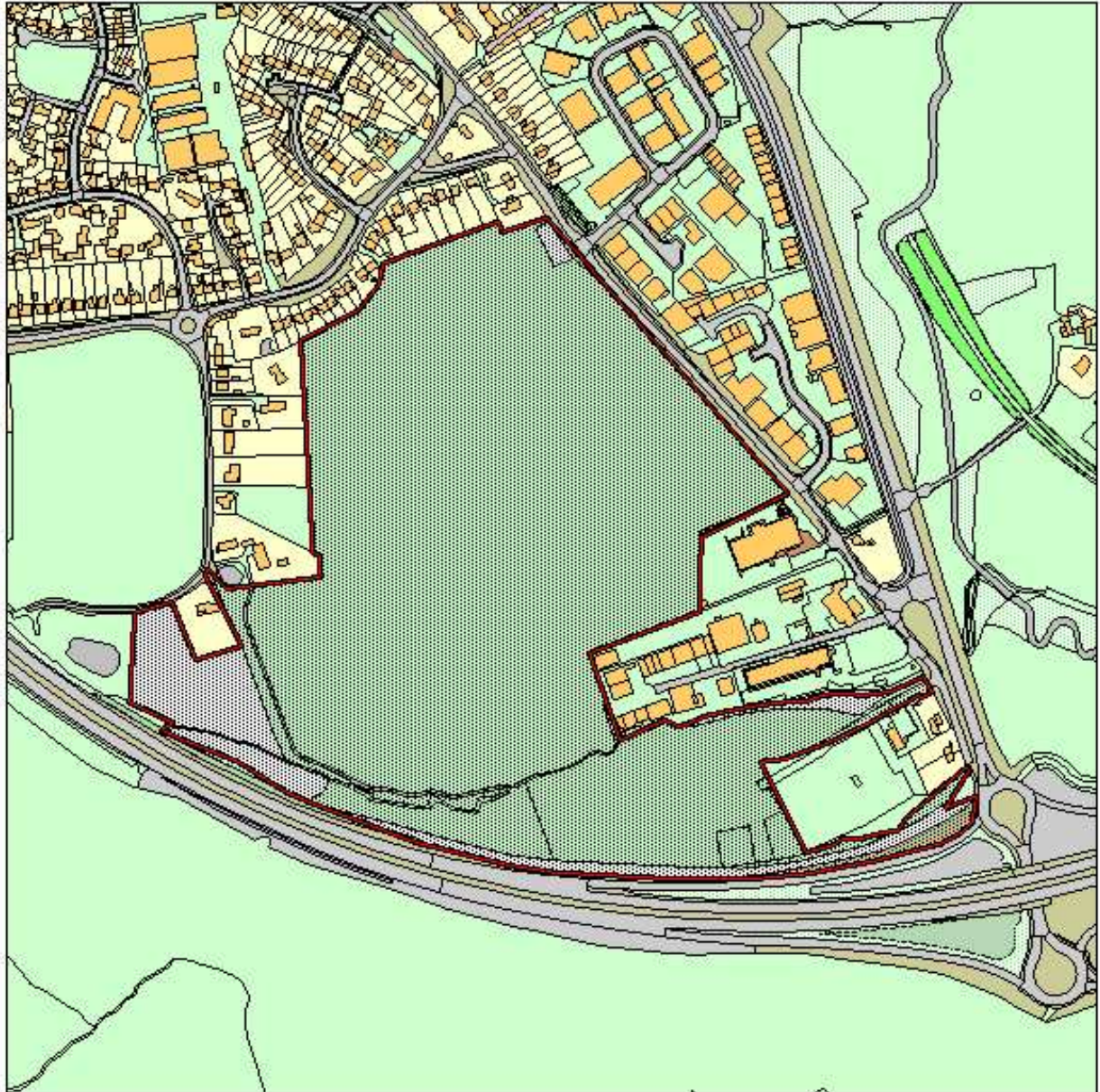
Unit	Unit Size (no beds)	Amenity Space Required (sqm)	Amenity Space Proposed (sqm)	Compliant	Number of Car Parking Spaces Required	Number of Car Parking Spaces Proposed
1	2	50	93	Yes	2	2
2	2	50	69	Yes	2	2
3	2	50	68	Yes	2	2
4	2	50	56	Yes	2	2
5	3	100	101	Yes	2	2
6	2	50	N/A (FOG)	Yes	2	2
7	2	50	61	Yes	2	2
8	2	50	61	Yes	2	2
9	2	50	61	Yes	2	2
10	2	50	52	Yes	2	2
11	2	50	51	Yes	2	2
12	2	50	65	Yes	2	2
13	3	100	122	Yes	2	2
14	3	100	111	Yes	2	2
15	4	100	171	Yes	3	3
16	2	50	75	Yes	2	2
17	3	100	106	Yes	2	2
18	4	100	166	Yes	3	3
19	4	100	161	Yes	3	3
20	4	100	111	Yes	3	3
21	4	100	109	Yes	3	3
22	3	100	100	Yes	2	2
23	3	100	119	Yes	2	2
24	3	100	102	Yes	2	2
25	3	100	130	Yes	2	2
26	3	100	124	Yes	2	2
27	3	100	101	Yes	2	2
28	3	100	104	Yes	2	2
29	4	100	157	Yes	3	3
30	3	100	116	Yes	2	2
31	3	100	120	Yes	2	2
32	4	100	112	Yes	3	3
33	4	100	185	Yes	3	3
34	4	100	106	Yes	3	3
35	3	100	103	Yes	2	2
36	3	100	149	Yes	2	2
37	3	100	102	Yes	2	2
38	2	50	N/A (FOG)	Yes	2	2
39	2	50	70	Yes	2	2
40	2	50	50	Yes	2	2
41	2	50	52	Yes	2	2

42	2	50	51	Yes	2	2
43	2	50	50	Yes	2	2
44	2	50	69	Yes	2	2
45	3	100	103	Yes	2	2
46	3	100	101	Yes	2	2
47	2	50	52	Yes	2	2
48	2	50	57	Yes	2	2
49	2	50	62	Yes	2	2
50	2	50	91	Yes	2	2
51	4	100	128	Yes	3	3
52	3	100	109	Yes	2	2
53	3	100	105	Yes	2	2
54	3	100	110	Yes	2	2
55	3	100	150	Yes	2	2
56	4	100	113	Yes	3	3
57	4	100	140	Yes	3	3
58	2	50	51	Yes	2	2
59	2	50	52	Yes	2	2
60	3	100	123	Yes	2	2
61	3	100	115	Yes	2	2
62	3	100	109	Yes	2	2
63	3	100	104	Yes	2	2
64	4	100	247	Yes	3	3
65	4	100	103	Yes	3	3
66	3	100	103	Yes	2	2
67	3	100	105	Yes	2	2
68	4	100	157	Yes	3	3
69	4	100	155	Yes	3	3
70	4	100	229	Yes	3	3
71	3	100	211	Yes	2	2
72	3	100	140	Yes	2	2
73	3	100	181	Yes	2	2
74	3	100	156	Yes	2	2
75	3	100	196	Yes	2	2
76	2	50	238	Yes	2	2
77	2	50	204	Yes	2	2
78	2	50	120	Yes	2	2
79	1	50	113	Yes	1	1
80	1	50	120	Yes	1	1
81	1	50	104	Yes	1	1
82	3	100	101	Yes	2	2
83	3	100	135	Yes	2	2
84	2	50	55	Yes	2	2
85	2	50	62	Yes	2	2
86	3	100	136	Yes	2	2

87	4	100	101	Yes	3	3
88	4	100	113	Yes	3	3
89	3	100	141	Yes	2	2
90	4	100	140	Yes	3	3
91	4	100	115	Yes	3	3
92	4	100	103	Yes	3	3
93	3	100	134	Yes	2	2
94	4	100	161	Yes	3	3
95	3	100	103	Yes	2	2
96	3	100	109	Yes	2	2
97	3	100	127	Yes	2	2
98	3	100	118	Yes	2	2
99	3	100	118	Yes	2	2
100	3	100	108	Yes	2	2
101	2	50	60	Yes	2	2
102	2	50	55	Yes	2	2
103	2	50	54	Yes	2	2
104	2	50	54	Yes	2	2
105	3	100	102	Yes	2	2
106	2	50	57	Yes	2	2
107	2	50	63	Yes	2	2
108	3	100	155	Yes	2	2
109	3	100	100	Yes	2	2
110	3	100	105	Yes	2	2
111	3	100	129	Yes	2	2
112	3	100	108	Yes	2	2
113	4	100	117	Yes	3	3
114	4	100	103	Yes	3	3
115	3	100	116	Yes	2	2

UTT/13/1684/OP

Land at Smiths Farm Chelmsford Road Dunmow



Scale: 1:5000

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Organisation	Uttlesford District Council
Department	Planning and Building Control
Comments	
Date	11 October 2013
SLA Number	Not Set