

UTT/13/2107/OP – GREAT DUNMOW

MAJOR

PROPOSAL: Outline application, with all matters reserved, for up to 790 homes, including primary school, community buildings, open space including playing fields and allotments and associated infrastructure

LOCATION: Land West of Woodside Way, Great Dunmow

APPLICANT: Barratt Homes, CJ Trembath & The Buildings Farm Partnership

AGENT: Bidwells

EXPIRY DATE: 7 January 2014

CASE OFFICER: Karen Denmark

1. NOTATION

1.1 Outside Development Limits/Adjacent Ancient Woodland, County Wildlife Site and SSSI.

2. DESCRIPTION OF SITE

2.1 The application site lies on the western edge of Great Dunmow, to the east of Woodside Way. The B1256 runs along the southern boundary of the site, High Wood runs along the western boundary, there are open fields to the north and to the east is an area of open space adjacent to Woodside Way. Hoglands Wood adjoins the north eastern corner of the site and below the woodland and to the east of the site boundary is an area of land being used in conjunction with the Woodlands Park development which is outside of the application site. High Wood Quarry lies to the north west of the site.

2.2 The site consists of 5 fields currently used for agricultural purposes. The western field runs north/south and is adjacent to High Wood. There are two fields to the rear of the site with a ditch running along the northern boundary. These are separated from the frontage fields by an area of coppice and hedgerows. The eastern frontage field wraps around Canada Cottages and the adjoining builders yard.

2.3 There is a public right of way running northwards from the B1256 from a point approximately half way along the site frontage. This runs up to the area of woodland plantation and then turns to the east towards Woodside Way and passes another area of woodland plantation. There is a bridleway running up the western boundary of the site adjacent to High Wood. Adjacent to the south eastern boundary of the site is a further area of plantation woodland, lying outside of the application site.

2.4 There are hedgerows and ditches along the field boundaries. The northern boundary has a stream running through the ditch and this links up with High Wood, a SSSI, to the west and Hoglands Wood to the east. Both woodlands are County Wildlife sites and Ancient Woodlands. The frontage of the site is largely open and there are clear views into the site from the B1256.

2.5 The land rises up from the B1256 to the central field boundary which forms a ridge. The land then falls away again towards the northern boundary. The highest point of the site is on the western boundary and is approximately 98.5m Above Ordnance Datum (AOD) and the lowest point is in the north east of the site at around 84.5m AOD.

3. PROPOSAL

3.1 The application relates to an outline application with all matters reserved for up to 790 dwellings. Land is allocated for the provision of a primary school, a community building, sports pitches and pavilions. Indicative drawings indicate an access point onto the B1256 and a further access point onto Woodside Way.

3.2 The application site is 53.21ha and of this 28.32ha would be used for residential development with a density of around 28 dwellings per hectare. A site of 2.1ha would be provided for a new primary school which would be sufficient to enable a 2 form entry school to be provided. A site of 0.5ha is allocated for a community centre and sports pavilion, the facilities and design would be reserved matters.

3.3 The remainder of the site would be open space with 3.42ha of amenity greenspace, 5.21ha for sports pitches, including two pavilions, 1ha of allotments, to be provided in two areas within the site, and 10.93ha of natural/semi natural greenspace. Included within the open space provision it is intended to provide two LEAPS and 1 NEAP. The indicative sports pitch provision shows 8 x junior football pitches (2 x mini soccer U7 and U8, 2 x mini soccer U9 and U10, 2 9v9 U11 and U12, 1 x 11 a side U13 and U14 and 1 x 11 a side U15 and U16), 1 senior football pitch and a junior and a senior crick pitch. These would be provided in two areas within the site with the senior cricket pitch, senior football pitch and the U15 and U16 junior pitch being shown indicatively on the western part of the site. The other junior facilities are shown indicatively to be provided on the eastern part of the site.

3.4 Access is a reserved matter. However, indicative access points are shown from the B1256 and from Woodside Way.

3.5 The site is adjoining the High Wood SSSI and this falls within the control of the applicants. Whilst this is not included in the application site it is outlined in blue on the application drawings, indicating appropriate ownership and control over this land. It is proposed to construct deer fencing along the eastern and northern boundaries of High Wood. This would serve two purposes, firstly to keep the deer out of the SSSI and secondly to limit public access to this sensitive site.

4. APPLICANT'S CASE

4.1 The application is accompanied by an Environmental Statement as it was considered that the proposed development would constitute "Environmental Impact Assessment (EIA) development under the *"Town and Country Planning (Environmental Impact Assessment) Regulations 2011"* (the EIA Regs). The basis for this consideration can be found under reference UTT/13/0004/SO.

4.2 The Environmental Statement is in 3 volumes, the Statement, Appendices and a non-technical summary, as required by the Regulations. The Statement has chapters on the following subjects:

1. Introduction
2. Methodology and Approach

3. The Site and Its Context
4. Need and Alternatives
5. The Proposed Development
6. Planning Policy Context
7. Socio-Economic Effects
8. Transport
9. Noise and Vibration
10. Air Quality
11. Ecology and Biodiversity
12. Landscape and Visual Character
13. Heritage and Archaeology
14. Agriculture
15. Ground Conditions and Contamination
16. Drainage, Flood Risk and Water Resources
17. Service Infrastructure
18. Waste Management
19. Cumulative Effects
20. Conclusions

4.3 Three Supplementary Environmental Statements have issued covering the following:

1. September 2013:
 - a. Introduction
 - b. Highwood Quarry
 - c. Potential Impacts
 - d. Transport
 - e. Noise
 - f. Air Quality
 - g. Landscape and Visual Character
 - h. Summary and Conclusions
2. October 2013:
 - a. Introduction
 - b. Ecology and Biodiversity
3. 20 December 2013: - This updated the original ES, with particular emphasis on Chapters 10 (Air Quality), 11 (Ecology and Biodiversity), 15 (Ground Conditions and Contamination), 16 (Drainage, Flood Risk and Water Resources) and 19 (Conclusions).

4.4 A copy of the Environmental Statement Non-Technical Summary (20 December 2013) is attached at the end of the Report.

4.5 The application is also accompanied by the following documents:

- Planning Statement
- Design and Access Statement
- A Review of Sports Pitches
- Statement of Community Engagement

4.6 Summary of the Applicant's case as set out in the Planning Statement:

- The application site is 53.21 hectares in size

- Up to 790 new homes on a 27.11 hectare section of the site comprising an average density of 29 dwellings per hectare
- Up to 40% affordable housing to be split across tenures (tenure and mix to be agreed)
- Maximum building height of 14 metres
- 40% of site area dedicated to green infrastructure
- Two principal points of vehicle access into the site – one via a roundabout on Stortford Road, the other via a priority junction on Woodside Way – details to be agreed through reserved matters
- 1 form entry primary school and pre-school, together with a community hub in the core of the site
- Legal agreement between the Applicant, Uttlesford District Council and Essex County Council to ensure the delivery of the land and construction of the school, money for early years, primary and secondary provision, open space and sports pitch maintenance, and provision of highway improvements
- Contribution to healthcare
- The vision for the land west of Woodside Way is:
 - To create a locally distinctive, sustainable and successful community set within a network of open space and mature planting
 - A high-quality design-led environment to assist in fostering a sense of place within the neighbourhood, making it an attractive place for people to live
 - To achieve high levels of connectivity with Great Dunmow town centre
 - To seek to minimise environmental impacts through the retention and enhancement of biodiversity networks including green corridors
- The scheme has been formulated in accordance with advice received from senior planning officers and members of Uttlesford District Council, statutory consultees, and the general public
- The key planning benefits of the scheme are as follows:
 - Responds to an identified housing need in Uttlesford District
 - Corresponds with Uttlesford District Council's growth aspirations
 - Formulation of the proposals has been fully inclusive of the community and stakeholders
 - Community gain through the provision of a new school, community centre and sports facilities
- The justification set out throughout the Planning Statement provides a compelling case for the grant of planning permission. The suite of supporting technical assessments combine to demonstrate that, subject to the use of suitable planning conditions where necessary, the proposals would be wholly acceptable in planning terms
- Uttlesford District Council is now invited to consider the proposal and the Applicant looks forward to the receipt of Outline Planning Permission

5. RELEVANT SITE HISTORY

- 5.1 UTT/13/0004/SO: Request for Scoping Opinion in respect of a proposed development of up to 850 homes, community buildings including site for health centre, primary school, playing fields with ancillary buildings (dual use with schools and local community), allotments and supporting road and drainage infrastructure. Land West Of Woodside Way Woodside Way Great Dunmow

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- Policy S7 – The Countryside
- Policy GEN1 – Access
- Policy GEN2 – Design
- Policy GEN3 – Flood Protection
- Policy GEN4 – Good Neighbourliness
- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation
- Policy ENV3 – Open Spaces and Trees
- Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
- Policy ENV5 – Protection of Agricultural Land
- Policy ENV7 – The Protection of the Natural Environment – Designated Sites
- Policy ENV10 – Noise Sensitive Development and Disturbance from Aircraft
- Policy ENV12 – Protection of Water Resources
- Policy ENV13 – Exposure to Poor Air Quality
- Policy ENV14 – Contaminated Land
- Policy ENV15 – Renewable Energy
- Policy H9 – Affordable Housing
- Policy H10 – Housing Mix
- Policy LC2 – Access to Leisure and Cultural Facilities
- Policy LC3 – Community Facilities
- Policy LC4 – Provision of Outdoor Sport and Recreational Facilities beyond Development Limits

6.3 Uttlesford District DRAFT Local Plan

- Great Dunmow Policy Area 1 – Land West of Woodside Way
- Policy SP8 – Environmental Protection
- Policy SP9 – Minimising Flood Risk
- Policy SP10 – Natural Resources
- Policy SP11 – Renewable Energy and Energy Efficiency
- Policy SP12 – Protection of the Countryside
- Policy SP14 – Protecting the Natural Environment
- Policy SP15 – Accessible Development
- Policy SP17 – Infrastructure
- Policy SP18 – Open Space
- Policy HO5 – Affordable Housing
- Policy HO6 – Housing Mix
- Policy EN1 – Sustainable Energy
- Policy EN2 – Environmental and Resource Management
- Policy EN3 – Protection of Water Resources
- Policy EN4 – Surface Water Flooding
- Policy EN5 – Pollutants
- Policy EN6 – Air Quality
- Policy EN7 – Contaminated Land
- Policy EN8 – Noise Sensitive Development and Disturbance from Aircraft
- Policy DES1 – Design
- Policy C2 – Protection of Landscape Character
- Policy HE3 – Scheduled Monuments and Sites of Archaeological Importance
- Policy HE4 – Protecting the Natural Environment

- Policy INF1 – Protection and Provision of Open Space, Sports Facilities and Playing Pitches
- Policy INF2 – Provision of Community Facilities beyond Development Limits
- Policy INF3 – Provision of Outdoor Sport and Recreational Facilities beyond Development Limits

7. PARISH/TOWN COUNCIL COMMENTS

7.1 **Great Dunmow Town Council:** Object. Application does not guarantee the infrastructure and community benefits that it proposes. Failure to provide for adequate infrastructure will not only affect the new residents but will inevitably lead to the deterioration of services and conditions for all the population. In the Town Council's view this is directly contrary to the principles of sustainable development and must be avoided at all costs. Deeply concerned at the impact this additional number of people will have on the town and the sheer scale of the development. Questions regarding the delivery of the junior school, community buildings and doctor's surgery. Town Council has a list of community gains it wants to see accompanying new development. No decision should be taken until workable arrangements have been arrived at that will go as far as possible to secure the delivery of the necessary infrastructure at the time it is needed. Will be out of character with the rest of the town. Fails to live up to the guidelines laid down in the Town Design Statement. Further work should be done to provide for a design and master plan that will provide a high quality design in keeping with the town's strong character and will provide for a strong sustainable and healthy community as required by the NPPF. Concerned this development on the other side of the bypass will lead to a satellite settlement. Its distance from the town centre and lack of available local jobs will surely lead to a large proportion of the new residents driving away from Dunmow to work, increasing its likelihood of becoming a dormitory town. Concern at walkers having to cross the 50mp bypass to get to Tesco, the present school, or the town itself. Acknowledge that this site has been identified in the Draft Local Plan but this has not yet passed inspection or been adopted by the District Council. Strongly of the view that 'inadequate 5 year land supply' should not be used as a justification for approving what is currently demonstrably an unsustainable development. This application is premature, unsustainable and should not be given approval at this time.

7.2 **Little Easton Parish Council:** Object. Does not meet criteria set out by the relevant consultee bodies on ecological grounds. No objection in principle to the development of the GD1 site. Little Easton Parish Council identified the following main priorities:

- A strong northern boundary to the site
- Maintaining the wildlife corridor between the ancient woodland and local wildlife sites

Has financial provision been secured so that ECC Highways can make any modifications to the NW Dunmow bypass, cycle and footpaths to make them suitable for the additional use from this major development?

8. CONSULTATIONS

Airside OPS Limited

8.1 Could conflict with safeguarding criteria unless conditions are added to any grant of planning permission.

Anglian Water

- 8.2 The foul drainage from this development is in the catchment of Great Dunmow STW that at present has available capacity for these flows. Development will lead to an unacceptable risk of flooding downstream. Foul water strategy would need to be conditioned.

Environment Agency

- 8.3 30.10.13: Object due to absence of an adequate Flood Risk Assessment. There are capacity issues at the Sewage Treatment Works serving this locality and in the absence of timing/phasing of this substantial development ahead of adequate capacity being in place, we object unless a condition is imposed.
- 8.4 23.1.14: Withdraw our objection as additional information overcomes our concerns. Require condition relating to surface water drainage scheme details to be submitted.

ECC Archaeology

- 8.5 No objection subject to a condition requiring an archaeological programme of trial trenching followed by open area excavation.

ECC Ecology

- 8.6 8.10.13: Objection. Insufficient survey information in relation to bat, dormouse and reptiles. Invertebrate survey is inadequate. Insufficient consideration of impacts upon High Wood SSSI and Hoglands Wood Ancient Woodland. Must demonstrate a consideration of alternative sites, alternative layouts, explain how the layout is the least harmful and if it is not why it is still being proposed, and details of the mitigation hierarchy that has been followed. No consideration is given to hydrological impacts. A hydrological assessment which considers High Wood SSSI should be provided prior to determination. High Wood SSSI and Hoglands Wood are not considered in the submitted Air Quality Assessment. Greater consideration needs to be given to how all of the proposed planting on site will be prevented from damaging the character of the two ancient woodlands. Residual loss of brown hare habitat. It is not sufficient to assume the brown hare population using the site will be able to survive long-term elsewhere when nothing is known about the state of the land or existing population. Breeding bird survey concludes that the residual loss of lapwing habitat will not be significant as similar habitat is available in the wider landscape. Do not accept this argument. The loss of the habitat to the east of the site shows that the remaining habitat in the wider landscape may not be secure long-term. Mitigation for all wild birds on site should be provided. The data search is incomplete as the Essex Field Club was not consulted. The summary of the badger survey contradicts the hedgerow survey. Consideration should be given to ensuring that badger routes through and across the site are maintained.
- 8.7 21.10.13: Holding objection maintained. Additional surveys have been carried out. Welcome the retention of the majority of hedgerows and woodland, proposed 20m buffer along the eastern and northern boundary, the wild bird seed crop/feeders and the inclusion of SUDS. However, air quality and hydrology in relation to High Wood SSSI and Hoglands Ancient Woodland not addressed. Insufficient mitigation for priority species. Land to the north of the site cannot be considered secure for mitigation.
- 8.8 29.1.14: Holding objection removed. Mitigation and compensation of the effects of development is based upon the habitats created and maintained by the buffering of the SSSI and creation of green corridors connecting the SSSI and nearby Hoglands

Wood LoWS. For this mitigation to be effective it is essential that these areas are retained intact and managed in the long term. Recommend conditions relating to the submission of a Wildlife Protection Plan, Biodiversity Mitigation and Enhancement Plan, update of survey before commencement of development and details of lighting to be submitted.

ECC Education

- 8.9 A development of this size can be expected to generate the need for up to 71 Early Years and Childcare (EY&C); 237 primary school and 158 secondary school places. Applicant has recognised that both land and financial contributions are required to deliver this infrastructure. Provision of a 2.1 hectare site for education. Contribution of circa £5m for construction of a 315 place primary school and £1.1m for a 56 place EY&C facility. Contributions for shortfall in EY&C of £11,865 per place and £15,839 per secondary school requirement. A youth shelter should be provided and skate boarding facilities would be a welcome amenity.

ECC Highways

- 8.10 This site is located close to the strategic network and has good highway connections to significant areas of employment and amenity. In addition the imminent opening of Woodside Way will reduce the impact of traffic on Dunmow Town Centre. Key to the functioning of the development, in transport terms, is the provision of bus, walking and cycling links from the development to the main employment areas, amenities, Dunmow Town Centre and leisure facilities. This will provide an alternative to the car for local trips and so reduce the impact of traffic on the surrounding network and also help link the development with the existing community. To achieve this, a number of conditions are required to improve the highway; bus services and infrastructure; and walking and cycling links, including crossings on Woodside Way. Assessment of the evidence put forward in the Transport Assessment and associated Technical Papers concludes that there is capacity in the Highway Network to accommodate the development and provide sufficient accessibility, if the following conditions are met. Therefore the Highway Authority would not wish to raise an objection to the above application subject to conditions.

ECC Minerals

- 8.11 8.10.13: Objection. A minerals resource assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance required. Mineral extraction is discouraged close to existing residential properties, a 100m buffer zone between the extraction face to the wall of a residential property would normally be required.
- 8.12 15.11.13: Additional information has been submitted and we now raise no objection to the proposed development.
- 8.13 7.1.14: No objection.

ESP Utilities

- 8.14 As plans for the proposed work develop the developer is required to keep ESP regularly updated about the extent and nature of the proposed works to enable them to fully establish whether any additional precautionary or diversionary works are necessary to protect the gas network.

Fisher German

- 8.15 No objections subject to developer complying with our client's conditions in relation to pipeline infrastructure.

Highways Agency

- 8.16 7.10.13: Holding direction until 30 October 2013.
- 8.17 7.1.14: Holding direction until 28 February 2014.
- 8.18 29.1.14: Holding direction lifted. Offers no objection.

Natural England

- 8.19 17.10.13: Does not object in principle but do have a number of significant concerns regarding potential adverse impacts on the nearby High Wood SSSI. Need to manage deer populations and public access to the SSSI. High Wood SSSI is already subject to NOx levels that significantly exceed the environmental quality thresholds for the SSSI habitat type. The high level of vehicle movements associated with the proposed development has potential to significantly add to vehicle movements in the area. The anticipated additional NOx pollution within the area may exacerbate an adverse environmental background for this SSSI. On the information submitted NE cannot be certain that the development will not have an adverse impact on the special interest features of this SSSI and its capacity to achieve favourable condition status. Advise that any roads associated with development should be kept at a distance of at least 200m from the woodland, sustainable travel should be actively encouraged and air quality should be monitored post-development. Hydrology needs to be considered due to potential impacts on the Blackwater Special Protection Area and Essex Estuaries Special Area of Conservation. Concerned at the removal of proposed wetland and that the level of green infrastructure appears to have been reduced. Welcome the buffer and retention of hedgerow and habitats on site.
- 8.20 18.11.13: Soils and land quality – Environmental Statement states that the majority of the site is Grade 2 agricultural land that is 'best and most versatile'. Part of the site is Grade 3 land but no distinction between Grade 3a and 3b has been undertaken.
- 8.21 30.1.14: Subject to safeguards being secured through appropriate planning conditions and obligations (and strict adherence thereafter) Natural England believes the development has the capacity to avoid significantly impacting on the High Wood Dunmow SSSI interest and/or constraining the capacity for the SSSI to achieve favourable condition status. On this basis Natural England does not object to the proposed development.

National Grid

- 8.22 National Grid has identified that it has apparatus in the vicinity of the site which may be affected by the activities specified. Responsibilities for developer to note.

NATS Safeguarding

- 8.23 No safeguarding objection to the proposal.

NHS Property Services

8.24 A contribution of £264,000 will be required for healthcare infrastructure.

Sport England

- 8.25 Assessment of Great Dunmow's outdoor sports facilities identified the development would generate an approximate additional need for two junior football pitches, one mini soccer pitch and four cricket squares. This has been refined through consultation which confirmed a need for additional football and cricket pitches and tennis courts. Sufficient provision is proposed which seeks to achieve an appropriate balance between meeting UDC's quantitative standards and responding to local club needs in the Great Dunmow area. Planning application does not make any explicit reference to tennis court provision. Objection – outdoor sports provision would not appear to be sufficient for meeting the additional needs generated by the development plus the mix of facilities provided is not considered to be balanced. General location of sports pitch provision is welcomed. Providing dedicated sports pitch sites is also welcomed. Proposal to provide two separate playing field areas with a sports pavilion provided as part of a new community centre in between the two areas is a significant concern. Provision of a single large multi-sports playing field would be more desirable. Essential that pavilion facilities are provided. Need for pavilions to be located as close as possible to the pitches in both physical and visual terms. Pedestrian access between the pavilion and the playing fields is unclear from the masterplan. If the pavilion was physically and visually divorced from the two playing fields as it would appear, the playing fields would not be considered fit for purpose as the pavilion would not be able to perform its ancillary function and meet the needs of the users. Request that provisional facilities are agreed at the outline planning application stage and included in a planning obligation. Attention should be given to the level of car parking provision proposed at the community centre to ensure that it is sufficient for meeting needs during peak periods. Additional sports requirements of the new population would need to be met through the expansion and improvement of existing facilities within the area and financial contributions can be made. Contributions could be used towards improving the nearby Great Dunmow Leisure Centre. Not been confirmed whether the community centre would be designed as a sports hall. Main hall can be designed as one (badminton) court sports hall and ancillary rooms can provide for health and fitness etc. In view of the close proximity of the Great Dunmow Leisure Centre, consideration should be given to whether expanding or enhancing facilities on this site would be more appropriate than smaller scale new provision being made within the development. Expect that the range of facilities provided in the community centre building be discussed and agreed before an outline planning application is determined and for the agreed list of facilities to be included in a planning obligation. Request that any planning permission makes provision for securing community use of the sports facilities on the school site. Maintenance contributions for the sports facilities should be secured for a long term period. Request that any planning permission makes provision for the key maintenance and management issues relating to the on-site sports facilities to be addressed as part of a planning obligation. Request that the detailed phasing proposals are secured through a planning obligation or condition. Recommends conditions covering natural turf playing pitches.
- 8.26 16.1.14: While two separate playing fields are still proposed, our concerns have been addressed by providing pavilion and parking facilities to serve each playing field and by improving vehicular and pedestrian access between the two playing field areas. A revised indicative playing pitch layout has been shown which demonstrates that a range of football and cricket pitch could be accommodated across the two playing fields which meet the current recommendations on pitch dimensions. This would address the concerns raised about the range of pitches that could be accommodated.

I therefore withdraw our previous objection on this matter and can confirm support for the proposed siting/layout of the outdoor sports facilities.

Thames Water

8.27 No comments to make.

Housing Enabling Officer

8.28 The affordable housing provision on this site will attract the 40% policy requirement. This amounts to 316 affordable housing units. The mix and tenure split of the properties are give below; this mix should be indistinguishable from the market housing, in clusters of no more than 10 with good integration within the scheme and be predominantly houses with parking spaces.

Land west of Woodside Way Gt Dunmow - Policy area 1

S106 Figures					
Tenure mix	1 bed	2 bed	3 bed	4 bed	
affordable Rent non bungalows	64	72	66	7	209
affordable Rent bungalows	6	6	0		12
SUB TOTAL A/R	70	78	66	7	221
shared ownership non bungalows	16	42	29	3	90
shared ownership bungalows	0	5	0		5
SUB TOTALS/O	16	47	29	3	95
GRAND TOTAL AFFORDABLE UNITS	86	125	95	10	316
MARKET BUNGALOWS		23			

Access and Equalities Officer

8.29 All dwellings will be required to meet the Lifetime Home Standard. 5% of the dwellings will need to meet the requirements of the Wheelchair Accessible Housing Standard across both market and affordable tenures, with bungalows in the market sector.

Environmental Health Officer

8.30 No objection subject to noise assessment recommendations being followed.

Uttlesford Area Access Group

8.31 Design and Access Statement does not recognise the needs of disabled persons. No commitment to dwellings meeting Lifetime Homes Standards or Wheelchair Accessible Housing quotas. There should also be recognition that the open spaces, play areas and allotments should be accessible to all members of the community.

Uttlesford Ramblers

- 8.32 Objection. Proposal contains no statement that will safeguard present nature of the rights of way nor their importance to the footpath network.

Sustrans – West Essex Group

- 8.33 Concern the application does not give any information on the provision of facilities for walking, cycling and all other non-motorised users. There is need and sufficient reason for the application in its present form to be withdrawn and for a revised application to be made clearly showing proposals for the provision of these facilities. Reclassification of footpaths 88 and 15 along Woodside Way and the construction of a suitable track to provide a continuous route from the Tesco roundabout to the junction with the B184 at Bowyers Bridge has often been proposed recently. There is now opportunity to include this in the proposals for the development. This would provide connection to a network of tracks and footpaths around the north and east of Great Dunmow via bridleway 76 Green Lane on the east side of the B184. An extension could be made from the Tesco roundabout to connect to the present route of Sustrans Route NCN16 on the B1256. Footpath 15 needs to be reclassified as bridleway and a suitable track constructed. Bridleway 33 needs to be suitably surfaced and made accessible from the development. A bridleway along Woodside Way would provide connect to footpaths on the east side that connect with footpaths and quiet residential roads to give access into the town centre. Suitable crossings should be provided to Woodside Way.

9 REPRESENTATIONS

- 9.1 This application has been advertised 3 times and the expiry date of the most recent advertisement is 30 January 2014.
- 9.2 A letter has been received from the Dunmow Society objecting as follows:
- Number of houses proposed is too dense for site, almost double the density of the existing town
 - Number of cars estimated equates to 1.33 cars per house – existing recent examples of development have in excess of 2 cars causing parking and access problems
 - Land is currently agricultural and trees and hedgerows will be removed
 - Considerably different to public consultation scheme
 - What contributions will developer be making towards infrastructure?
 - Where will new mains sewer connect to existing WTW?
 - No mention of surface water disposal or flood risk, particularly to the northern wetlands
 - Plans indicate housing over oil pipeline
 - Site unsuitable because of its location beyond Woodside Way unconnected to the town
 - Towns infrastructure will crumble without a massive injection of money from all the developers who have already received planning permission
 - Dunmow has sufficient housing stock and houses with planning permission with very few jobs available
 - Transport facilities are derisory inadequate bus services, no train service an unlinked cycle and footpath network
 - Application not sustainable within the meaning of the Localism Act and therefore should be rejected

9.3 Fifteen identical letters have been received raising the following concerns:

- Drawings do not match supporting documents
- Drawings show 790 dwellings on 44 hectares – entirely different scheme to the one put out to public consultation
- Numerous contradictions and discrepancies
- Public consultation was for 850 dwellings, 30ha of public open space and 3ha of allotments, plus a doctor's surgery. These have now largely disappeared from the scheme
- Insufficient infrastructure in town, especially schools and doctors surgeries
- Currently few jobs available in Dunmow
- Town and Helena Romanes School has insufficient sports facilities
- Current scheme has abandoned design constraints of public consultation scheme, in particular the oil pipeline and High Wood SSSI
- Existing watercourse and wetland area along northern boundary links the springs and ponds in High Wood to local natural drainage system
- Improvements to watercourse and surface water disposal in original scheme not shown on current master plan
- Density in 2012 was 15 dph and current density is 18 dph and does not appear to be mentioned in the application
- Increasing density has resulted in the omission of 11 ha of open space
- Public consultation included land developers do not own
- Insufficient details relating to S106 requirements
- Time-scale is shown as being 2014-2026 and about 60 dwellings per year – with other developments in Dunmow the existing infrastructure cannot cope
- This scheme pushes Dunmow over the edge
- Scheme is not sustainable
- No demonstrable local need for this project

9.4 Sixteen additional letters have been received raising the following concerns:

- Wrong area for such development as it has no natural boundaries or roads to restrict further expansion being added to the proposed development
- Immense amount of extra traffic will affect road traffic
- Heavy construction vehicles would damage roads
- Greatly affect towns resources such as doctors, schools, etc
- When Woodside Way is opened up to traffic the Tesco roundabouts will be overcrowded with vehicles travelling to and from Thaxted. They will become even more congested if 790 homes are built west of Woodside Way
- New west bypass should be the limit of new building
- Woodside Park still has 500 houses to be built. If there was this great need for new houses surely this will suffice
- Must be declined or soon "Greater Dunmow" will be allowed to merge with villages all around
- Result in irreversible loss of open land and countryside on edge of Dunmow
- Detrimental impact on general landscape and severely impact on rural character of area
- Will result in the loss of agricultural land
- Generally speaking a shortage of water in this region
- Will eventually lead to coalescence with Little Easton and Little Canfield
- Adjacent to High Wood SSSI – people will enter the woods and cause damage
- Number of houses out of proportion to size of town
- A lovely market town would be transformed into a sprawling urban mass

- Considerable erosion of the Green Belt with deleterious environmental impacts on footpaths, bridleways, wildlife, beauty spots, woodland, flora, fauna etc
- Will increase noise pollution and CO2 pollution and local traffic congestion
- Would create car parking difficulties
- Not enough job opportunities in Dunmow to support an increased population
- Developers often promise to provide additional facilities which they subsequently fail to deliver
- Dunmow has almost doubled in size since the 1970's.
- Dunmow has lost much of the feel it once had of a small country town
- No longer a direct bus service into Bishop's Stortford
- Existing small town centre shops would be unable to provide the range of goods and services that would be demanded by a vastly increased local population
- Leisure opportunities in and around Dunmow are relatively limited
- Urgent need for further provision within the town to meet the specific needs of additional numbers of the very young and also elderly persons
- Current deficiencies exist in emergency service provision
- Large numbers of people and vehicular traffic are generally disruptive to wildlife
- There is a home for children with behavioural difficulties within close proximity to where the primary school would be built
- High proportion of affordable homes would adversely affect the character of the local area
- Local supermarket is already overcrowded and could not cope with more people
- Development lacks open spaces and playing fields
- Application fails within the NPPF with lack of sustainability and does not adhere to the voices of the community of Great Dunmow delivered in the Neighbourhood Plan questionnaire
- Access onto Woodside Way should not be used as an access for construction traffic
- Main access from the former A120 Stortford Road is far better an access point for construction traffic
- It would be inequitable if the purchases on Woodlands Park who ultimately have paid for the bypass were then to be faced with additional construction traffic serving this land west of Woodside Way
- Land Securities believe their reasons for refusal can be overcome and that the site to the north provides a sustainable location for future residential led development, which can be alongside and as an extension to one of the Council's preferred growth areas
- If the Council is minded to grant planning permission our client considers that the Council should use their authority to impose a requirement for the provision of pedestrian and vehicular linkage between the two sites
- No measures to address social cohesion
- Told this area would be classed as rural so there wouldn't be any major construction
- The view from our property will be seriously blighted

9.5 Nine additional letters have been received in relation to the update to the Environmental Statement raising issues previously given

10 APPRAISAL

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

- A** whether the principle of development in this location is acceptable, taking into account the material planning considerations of the presumption in favour of sustainable development contained in the NPPF and the current position in relation to the requirement for a deliverable 5 year land supply for housing (ULP Policies S7, H9 and H10, NPPF, DLP Policies SP5, SP8, SP10, SP12, HO5, HO6 and Great Dunmow Policy Area 1)
 - B** whether the proposal would make sufficient provision for infrastructure to meet the requirements of the proposals (ULP Policies GEN6, LC3 and LC4, NPPF, DLP Policies SP17 and SP18) (see Chapter 7 of the ES)
 - C** whether the proposals would result in significant harm with regards to highways and public transport (ULP Policy GEN1, NPPF, DLP Policy SP15) (see Chapter 8 of the ES)
 - D** whether the proposals would give rise to significant adverse harm or be likely to be adversely affected by noise and vibration (ULP Policies GEN4, ENV10, ENV11, NPPF, DLP Policy EN8) (see Chapter 9 of the ES)
 - E** whether the proposals would give rise to significant environmental harm in relation to air quality (ULP Policies ENV7, ENV13 and GEN4, NPPF, DLP Policy EN6) (see Chapter 10 of the ES)
 - F** whether the proposals would result in significant adverse harm to ecology and areas of nature conservation (ULP Policies GEN7, ENV7, ENV8, NPPF, DLP Policies SP14 and HE4) (See Chapter 11 of the ES)
 - G** whether the proposals would result in a significant adverse impact on the character of the local area (ULP Policies GEN2, ENV3, NPPF, DLP Policies SP14, HE4 and HE5) (See Chapter 12 of the ES)
 - H** whether the proposals would result in significant adverse harm to cultural heritage assets (ULP Policies ENV4, NPPF, DLP Policy HE3) (See Chapter 13 of the ES)
 - I** whether the proposals would result in significant adverse harm to agricultural land (ULP Policy ENV5, NPPF) (see Chapter 14 of the ES)
 - J** whether the proposals would result in contamination issues (ULP Policies ENV12 and ENV14, NPPF, DLP Policies EN5 and EN7) (see Chapter 15 of the ES)
 - K** whether the proposals would give rise to significant flood risk within the development or within the local area, or would result in significant detriment to local water resources (ULP Policies GEN3 and ENV12, NPPF, DLP Policies SP9, EN3 and EN4) (see Chapter 16 of the ES)
 - L** whether the proposals would result in any adverse impacts on mineral resources (Policy S8 of the Essex Replacement Minerals Local Plan Pre-Submission Draft (RMLP) and paragraph 216 of the NPPF)
 - M** whether there would be any cumulative impacts arising from this proposal and other committed development (see Chapter 19 of the ES and Supplementary Environmental Statement September 2013)
 - N** whether the Environmental Statement meets the tests set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011
 - O** Viability
-
- A** whether the principle of development in this location is acceptable, taking into account the material planning considerations of the presumption in favour of sustainable development contained in the NPPF and the current position in relation to the requirement for a deliverable 5 year land supply for housing (ULP Policies S7, H9 and H10, NPPF, DLP Policies SP5, SP8, SP10, SP12, HO5, HO6 and Great Dunmow Policy Area 1)

- 10.1 The draft Local Plan is still at an early stage and has limited weight. At the present time the adopted Local Plan policies are still in force. However, the National Planning Policy Framework (NPPF) is a material consideration and this has a strong presumption in favour of sustainable development. Notwithstanding the limited weight the draft Local Plan has, it is a material consideration that the site has been identified as a site suitable for delivering additional residential development for the District.
- 10.2 The application site is located outside the development limits of Great Dunmow, although it is an allocated site for residential development in the Draft Local Plan June 2012. The proposed development relates to a large-scale residential development set between High Wood SSSI and the Woodside Way Dunmow Bypass. With the exception of the properties known as Canada Cottages and the builder's yard to the rear of these, the area is agricultural land with boundary trees and hedging. This represents a rural setting on the approach to Great Dunmow with Woodside Way marking the start of the built up form of the town. Policy S7 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.
- 10.3 A review of the Council's adopted policies and their compatibility with the NPPF. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.
- 10.4 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.
- 10.5 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. The information below has been updated since to take into account any recent approvals.
- 10.6 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	410	577	751	547

10.7 It is estimated that 2513 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 92% of the requirement which is equivalent to 4.6 years. There is therefore a shortfall of 233 dwellings as set out in the table below.

	Housing Requirement
Annual requirement	523
Total supply on deliverable committed sites	2513
Requirement years 1-5 plus 5% frontloading	2746
% of requirement available on deliverable sites years 1-5	92%
Supply in Years	4.6
Shortfall (dwellings)	233

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 Paragraphs 6 - 15 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.

10.9 Councillors are reminded that even when the Council has a 5 year land supply it will be important for the Council to continue to consider, and where appropriate, approve development which is sustainable. This is especially true for proposals on draft allocation sites, but others as well, to ensure delivery in the future and to ensure that the level of housing supply is robust.

10.10 Paragraphs 7 and 14 of the NPPF set out that there is a presumption in favour of sustainable development. The core principles of the NPPF set out the three strands of sustainable development. These are the economic role, social role and environmental role. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.

10.11 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. This proposal would result in the provision of 790 dwellings and the associated increase in population would be likely to contribute towards the local economy. This proposal would help deliver an economic role.

10.12 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed for the district. Whilst design is a reserved matter, the Illustrative Master Plan indicates a development that reflects the rural character of the location. Landscaping would be used to reduce the visual impacts and some landscaping elements would introduce additional facilities required for health, social and cultural well-being. These include the proposed allotments, sports pitches and the proposed areas of open space. In addition a community hall is proposed. This proposal would help to deliver a social role.

- 10.13 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. Whilst layout, scale, design and landscaping are to be reserved matters, there is significant detail within the Illustrative Master Plan and the Environmental Statement to demonstrate the way in which the proposal would help to deliver an environmental role.
- 10.14 The proposals would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise. I attach significant weight to this and consider that the more recent national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan. Furthermore, whilst the Draft Local Plan currently has limited weight, the Council has identified this site for residential development and this is a material planning consideration. The development is considered to be sustainable development and therefore the principle of the proposal is acceptable.
- 10.15 The development of this site for up to 790 residential units would make a positive contribution towards the Council's 5 year land supply. The application is outline with all matters reserved and the housing mix is not yet decided. However, any reserved matters application(s) would need to comply with adopted policies in place at the time of submission. In addition there would be the provision of affordable housing. This site could potentially deliver 316 affordable units if 40% were to be delivered in accordance with the Council's adopted Policy H9. However, there are currently viability issues with the site and it is unlikely that 40% could be achieved. This is discussed further in Section O of this report.

B whether the proposal would make sufficient provision for infrastructure to meet the requirements of the proposals (ULP Policies GEN6, LC3 and LC4, NPPF, DLP Policies SP17 and SP18) (see Chapter 7 of the ES)

- 10.16 Chapter 7 of the ES considers the socio-economic impacts of the proposed development. It considers the potential impacts of increased population, new housing, education, health services and facilities, community facilities, recreation and open space, and employment and economy. It sets out the methodology, how the significance of the impacts will be assessed and the existing baseline conditions.
- 10.17 Policy GEN6 requires development proposals to make provision for community facilities, school capacity, public services, transport provision, drainage and other infrastructure, which can be secured by an appropriate legal agreement. Policies LC3 and LC4 relate to the provision of community facilities and outdoor sport and recreational facilities.
- 10.18 The scale of the development would give rise to various infrastructure requirements. In addition DLP Policy Great Dunmow 1 requires the provision of education/community sporting facilities including 2 football, 2 rugby, 2 cricket and 2 junior pitches together with changing rooms/club house and associated car parking together with provision of a minimum of 10 hectares of natural and semi-natural green space to north and west edges of allocation and 2 hectares of allotments. The application includes details of the proposed provisions. These would include the following:
- Provision of a site for a primary school (2.1ha)

- Provision of a community building (0.5ha)
- Provision of sports facilities and pavilions (5.21ha)
- Amenity open space including play areas (3.8ha)
- Provision of allotments (1ha)
- Provision of natural/semi natural greenspace (10.93ha)

10.19 The ES identifies that the proposed development is likely to result in a moderate long term adverse impact upon both pre-school and primary education services in Great Dunmow without mitigation. In addition it is envisaged that the development is likely to result in a minor long term adverse impact upon secondary education provision and a minor short term adverse impact upon Sixth Form provision without mitigation.

10.20 The draft Policy requires the provision of 2.1ha of land for pre and primary school facilities. This land is identified within the proposed masterplan and can be secured by way of a S106 Obligation. ECC Education is also requesting developer contributions to design and build the new primary and early years and childcare (EY&C) facilities that would be required. The level of contribution is to be based on the cost of a notional 315 place primary school costing circa £5m and a 56 place EY&C facility costing £1.1m. Further contributions for the shortfall in EY&C provision at a cost of £11,865 per place. In addition financial contributions for secondary school provision would be required at £15,839 per place. Based on the estimated pupil growth resulting from this proposed scheme education contributions are envisaged to be £1,277,975 for EY&C provision, £5m for primary provision (plus transfer of land) and £3,753,843 for secondary provision, totalling £10,031,818. The financial contributions can be secured by way of a S106 Obligation. Securing the proposed mitigation is likely to result in the development having a long term beneficial impact in terms of pre-school and primary school provision and a potential minor long term beneficial impact in terms of secondary school provision.

10.21 The ES identifies that the proposed development is likely to result in a moderate long term adverse impact on recreation and open space provision in Great Dunmow. The sports pitch provision does not comply with the requirement as set out in the draft Policy as shown above. The provision proposed is as follows:

- 2 x junior football - mini soccer U7 and U8
- 2 x junior football - mini soccer U9 and U10
- 2 x junior football - 9v9 U11 and U12
- 1 x junior football - 11 a side U13 and U14
- 1 x junior football - 11 a side U15 and U16
- 1 x senior football
- 1 x junior cricket pitch
- 1 x senior cricket pitch

10.22 The sports pitch provision follows consultation with the principal sports clubs in Great Dunmow and a review of the current facilities within the town. The Dunmow Rhodes Youth Football Club fields a mix of teams and is currently using facilities at Dunmow Recreation Ground, Great Saling and High Easter. It anticipates requiring additional pitches in the future in line with growth of the club and increasing population within the town. The Tennis Club is seeking additional floodlit tennis courts and wishes to relocate all its facilities in one place. Dunmow Cricket Club currently has 9 teams and there is only a single cricket pitch in St Edmunds Lane.

10.23 Sport England initially raised concerns in relation to the proposed community building which was originally envisaged as accommodating the sports pavilion facilities to

serve the sports pitches. The location of the community building is remote from the western set of pitches and whilst it is closer to the eastern set, the relationship was still divorced in terms of usability as a pavilion. Following negotiations with Sport England the scheme has been amended to incorporate two pavilions and car parks, one for each sport pitch location. Subject to securing the pavilions, community hall and sports pitches by way of a S106 Obligation, Sport England has withdrawn their objection.

- 10.24 The ES identifies that the proposed development is likely to result in a moderate long term adverse impact on health facilities within Great Dunmow without adequate mitigation. NHS Property Services has requested a developer contribution of £264,000 towards the provision of additional health care facilities. This can be secured by way of a S106 Obligation and as a result of the mitigation proposed is likely to result in a negligible impact in terms of health services in Great Dunmow and more widely in Uttlesford.
- 10.25 The scheme also includes the provision of 3.42ha of amenity greenspace and 0.38ha of play areas for children. The masterplan shows that two Local Areas of Play (LEAP) and one Neighbourhood Equipped Area of Play (NEAP) would be provided. In addition, 1ha of allotments are proposed. The masterplan indicates that these would be provided in two areas, one in the south eastern corner of the site, adjacent to Canada Cottages and the B1256, the other adjacent to the western sports pitch area. Natural and semi-natural greenspace is also proposed to be provided and the masterplan indicates that this would be to provide a buffer zone to the High Wood SSSI and the northern boundary of the site. In addition green corridors running east-west and north-south would be provided or maintained within the site. These, together with a maintenance fund, can be secured by the way of a S106 Obligation. The ES concludes that the provision of the proposed community centre, greenspace and sports facilities is likely to result in a minor long term beneficial impact in terms of community facilities and a moderate long term beneficial impact in terms of recreation and open space provision.
- 10.26 Policy GEN6 is generally consistent with the NPPF, but the Council needs to recognise the emphasis on viability of development. Policies LC3 and LC4 are consistent with the NPPF. Given the range of infrastructure proposed or agreed to be secured by S106 Obligation or planning conditions, the proposals comply with the relevant policies. However, viability is an issue and is discussed further in Section O of this report.

C whether the proposals would result in significant harm with regards to highways and public transport (ULP Policy GEN1, NPPF, DLP Policy SP15) (see Chapter 8 of the ES)

- 10.27 Chapter 8 of the ES considers the impacts on highways, pedestrians and cyclists. It sets out the assessment methodology, baseline conditions and considers the impacts of both the construction and post-completion phases. It assesses the road network, severance, pedestrian delay, pedestrian amenity and fear and intimidation. This chapter is also supported by the Transport Assessment and the Technical Notes prepared in response to queries from the Highways Agency and ECC Highways.
- 10.28 The application is outline with all matters reserved and therefore the precise details in relation to the proposed access points are not known at this stage. Notwithstanding this, the proposed masterplan indicates an access point by way of a roundabout onto the B1256 and a second access by way of a priority junction onto Woodside Way.

- 10.29 The B1256 runs along the southern boundary of the site and connects with the A120 to the west, close to the High Wood SSSI. Woodside Way is to the east of the site, although at the time of writing this report it was not yet open but was expected to open shortly. There is a bridleway running along the western boundary of the site, adjacent to the High Wood SSSI. There is a public right of way running south-north from the B1256 and then turning west-east towards Woodside Way. To the south of the B1256 is the Flitch Way, a linear country park and bridleway. The stretch of B1256 fronting the site and the Flitch Way to the west form part of the National Cycle Route 16 (NCN 16). NCN 16 also runs eastwards through residential streets in Great Dunmow before joining up with the Flitch Way to the east.
- 10.30 Existing public transport services run along the B1256 and cover destinations including Chelmsford, Bishop's Stortford, Stansted Airport and Braintree. From Bishop's Stortford or Stansted Airport rail connections to Cambridge and London Liverpool Street are available. There is also a train service to Birmingham.
- 10.31 The application is accompanied by a Transport Assessment and chapter 8 of the Environmental Statement considers the environmental impact of the proposed development. Cumulative impacts with other development within the vicinity, including Stansted Airport expansion to 25mppa, completion of Woodlands Park, development in Ongar Road and Smiths Farm have also been considered.
- 10.32 The ES considers the potential impacts during construction and post-construction. It is envisaged that the daily trip rates during construction would be between 516 and 566 vehicle movements in the AM and PM peak hours. It is concluded that this would result in a minor adverse environmental impact.
- 10.33 Post-construction it is envisaged that the majority of the surrounding highway network will experience an increase in traffic of less than 10%, as a direct consequence of the proposed development. However, there would be increases of up to 25% on some roads, such as the B1256 and the A120 westbound on-slip at the B1256 junction. Other local roads, such as Rosemary Lane, are envisaged to see traffic increases of only 1.7%. Overall the development is likely to result in a minor adverse impact on the road network, although this would rise to moderate adverse impact on the following junctions, without mitigation being in place:
- A120 Eastbound off-slip at B1256 junction
 - A120 Westbound off-slip at B1256 junction
 - B1256 west of site access
 - Woodside Way between Pines Roundabout and site access
- 10.34 In terms of impacts on pedestrians, the ES concludes that, without mitigation, the proposed development is likely to result in minor adverse impacts on pedestrians in terms of severance and pedestrian delay. In terms of pedestrian amenity and fear and intimidation from traffic arising from the development, the impacts are envisaged as being neutral/negligible.
- 10.35 Mitigation measures are proposed in relation to the proposed development. These include the management of site construction traffic by way of a Construction and Environmental Management Plan (CEMP), which can be secured by way of condition. In order to mitigate the traffic impacts of the completed development a financial contribution for the upgrading of the B1256/Chelmsford Road junction to signals and for alterations to the B1256/Woodside Way roundabout. The proposed mitigation measures are likely to result in a neutral/negligible impact during the construction phase. Pedestrian refuge islands are proposed either side of the Woodside Way

access junction, and a further refuge island is proposed on the B1256, improving access to Buttleys Lane and the Flich Way. As a result of the mitigation measures pedestrian severance and delay are likely to result in a neutral/negligible impact. It is concluded that there would be a minor beneficial impact in terms of pedestrian amenity as a result of the proposals.

10.36 Policy GEN1 is generally consistent with the NPPF. The Highways Agency and ECC Highways raise no objections to the proposals, subject to conditions. Other works would need to be secured by way of a S106 Agreement, or a Section 278 Agreement which falls outside the scope of planning. It is therefore considered that the proposals comply with Policy GEN1.

D whether the proposals would give rise to significant adverse harm or be likely to be adversely affected by noise and vibration (ULP Policies GEN4, ENV10, ENV11, NPPF, DLP Policy EN8) (see Chapter 9 of the ES)

10.37 Chapter 9 of the ES considers the impacts of noise and vibration both during the construction and operational phases of the development. It sets out the methodology, the assessment approach, existing baseline conditions, considers the potential impacts, and an evaluation of the impacts. The chapter is accompanied by a “Noise and Vibration Assessment for Land West of Woodside Way, Great Dunmow”.

10.38 Policy ENV10 seeks to locate noise sensitive development away from noise disturbance, in this case the B1256, Stortford Road. Policy ENV11 seeks to direct noisy development away from existing noise sensitive properties. Policy GEN4 seeks to protect residential amenity from adverse impacts including noise and vibration.

10.39 The noise assessment considers the potential impacts of noise on the site and noise from the development on existing properties. Modelled calculations have been used for Woodside Way due to the fact that actual measurements could not be collected at this point.

10.40 The National Planning Practice Guidance website sets out the noise exposure hierarchy:

Perception	Examples of Outcomes	Increasing Effect Level	Action
Not noticeable	No Effect	No Observed Effect	No specific measures required (previous category A)
Noticeable and not intrusive	Noise can be heard, but does not cause any change in behaviour or attitude. Can slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life.	No Observed Adverse Effect	No specific measures required (previous category A)
Noticeable and intrusive	Noise can be heard and causes small changes in behaviour and/or attitude, e.g. turning up volume of television; speaking more loudly; closing windows for	Observed Adverse Effect	Mitigate and reduce to a minimum (previous category B)

	some of the time because of the noise. Potential for non-awakening sleep disturbance. Affects the acoustic character of the area such that there is a perceived change in the quality of life.		
Noticeable and disruptive	The noise causes a material change in behaviour and/or attitude, e.g. having to keep windows closed most of the time, avoiding certain activities during periods of intrusion. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area.	Significant Observed Adverse Effect	Avoid (previous category C)
Noticeable and very disruptive	Extensive and regular changes in behaviour and/or an inability to mitigate effect of noise leading to psychological stress or physiological effects, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory	Unacceptable Adverse Effect	Prevent (previous category D)

- 10.41 The report indicates that the noise levels over roughly half the site would have fallen into noise exposure category A. Noise levels across the southern part of the site are predicted to be between 55dB and 63dB, which would have fallen into noise exposure category B. A strip of land approximately 55m wide along the B1256 is predicted to fall into noise exposure category C. A strip of land approximately 10m wide adjacent to the B1256 is predicted to be above 72dB, falling into noise category D. Similar noise levels were recorded for day and night, although the area falling within category B was slightly larger for the night time. The areas falling within categories C and D are reduced to 40m and 5m respectively for the night time. The predicted noise level for the school site is 55db, 5dB higher than the criteria specified by Uttlesford Environmental Health Officers. A maximum noise level of 50dB was also specified for garden areas and the estimated noise levels within the various parts of the site are expected to be between 51 and 57dB.
- 10.42 Construction noise impacts have been considered in respect of existing residential properties at Larch Way and Cedar Close on the Woodlands Park development, Great Dunmow Primary School, buildings at Folly Farm and Highwood Farm and Canada Cottages. The calculation of existing noise levels does not include any noise from Woodside Way which at the time of compiling the ES was not operational.

- 10.43 The noise levels in association with the construction phase of the development are predicted to be below the assessment criteria for the majority of receptors resulting in a negligible impact on these locations. However, properties in Larch Way and Canada Cottages are likely to exceed the assessment criteria and minor to major adverse impacts are likely which would be of minor to moderate significance. Mitigation measures can be secured by way of a CEMP setting out best practices for site working to reduce the potential impacts.
- 10.44 Construction vibration is likely to be perceptible at properties in Larch Way and Canada Cottages due to the proximity of the site. Vibration levels in excess of 0.3mm/s would be considered as at least minor adverse impacts, which would be of minor to moderate significance. The CEMP can include a watching brief in relation to impacts from vibration and working periods reduced in order to minimise impacts where required.
- 10.45 Noise associated with traffic generated by the proposals would be likely to affect a wider area and assessments have been carried out on a large number of junctions in Great Dunmow. Noise levels are expected to rise by between 0.2dB and 2.4dB as a result of both committed development and the proposed development. The development itself is predicted to increase noise levels by between 0.9 and 1dB which would be classed as minor adverse impacts of minor significance. On this basis it is considered that mitigation measures are not necessary to address off-site road traffic noise.
- 10.46 The Council's Environmental Health Officer has considered the Noise Assessment and considers that subject to securing the mitigation measures proposed, there are no objections to the proposals.
- 10.47 Policies GEN4, ENV10 and ENV11 are considered to be consistent with the NPPF and it is considered that the proposals would comply with their requirements.

E whether the proposals would give rise to significant environmental harm in relation to air quality (ULP Policies ENV7, ENV13 and GEN4, NPPF, DLP Policy EN6) (see Chapter 10 of the ES)

- 10.48 Chapter 10 of the ES considers the impacts on Air Quality both in terms of the construction period and the operational period of the proposals. It sets out the methodology and sets out how the impacts will be assessed. The baseline conditions are set out and data sources are clearly identified. It is supplemented by an addendum in the Supplementary ES No 3 which focuses on the impacts on High Wood SSSI. This considers the potential impacts from emissions within the development once completed.
- 10.49 Policy ENV13 seeks to prevent locating development which would expose users on a long-term basis to poor air quality. Policy GEN4 seeks to protect existing development from harm arising from new development proposals from effects including noise, vibration, dust and smells.
- 10.50 The document correctly identifies that there is no Air Quality Management Area within the vicinity of the site. It acknowledges that the highest concentrations are expected to be adjacent to Stortford Road and Woodside Way. It considers the potential impacts on sensitive receptors, ie nearby residential properties, as well as the impacts on High Wood SSSI and Hoglands Wood.

- 10.51 Construction impacts would arise from vehicular movements and dust arising from earthworks. This is likely to result in a high risk of dust soiling and medium risk from pollutants and medium risk in terms of ecological impacts. The potential impacts from the operational phase are likely to be linked to pollutants and it is considered that there would be a negligible impact on receptors.
- 10.52 Mitigation measures are set out in order to reduce the potential impacts, especially in relation to the construction phase. It is proposed that there would be a Construction Environmental Management Plan (CEMP) which would set out the environmental working practices for the development. The ES concludes that with a CEMP in place the impacts of the proposals during the construction phase would be reduced to negligible, although the cumulative impacts with other developments would result in a temporary slight adverse impact. The CEMP can be secured by way of a condition.
- 10.53 The site is located adjacent to High Wood SSSI and Hoglands Wood, a local wildlife site and Ancient Woodland. Concerns have been raised by Natural England and ECC Ecology about the potential impacts on these habitats as a result of changes to air quality arising from the development. This has been considered in the Supplementary ES No 3.
- 10.54 Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 (as amended) states, "*A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions.*" Regulation 9A(8) states, "*A competent authority must use all reasonable endeavours to avoid any pollution or deterioration of habitats of wild birds.*" The harm to habitats can not be outweighed by the economical benefits of development. Both High Wood and Hoglands Wood provide habitat for wild birds.
- 10.55 High Wood SSSI and Hoglands Wood are currently exposed to 36.96 kg N/ha/yr which is between 16.96 and 26.96 kg N/ha/yr above the critical load of 10-20 kg N/ha/yr which has been set for lowland mixed deciduous woodlands. It is predicted that increases in traffic along the B1256 would increase N-deposition rates along the southern boundary of the High Wood SSSI by 0.2 kg/ha/yr, which is 1-2% of the critical load. The increase in N-deposition cannot therefore be considered insignificant. Following the guidelines set out by the Institute of Air Quality Management this level of increase is classed as a slight adverse impact on air quality, and therefore a slight adverse impact on High Wood SSSI.
- 10.56 It should be noted that the increased use of three-way catalytic converters in cars has led to an increase in emissions of ammonia (NH₃) from vehicle exhausts. These emissions cannot be modelled at the present time due to no emissions data being available. It is envisaged that the contribution of vehicle emissions to N-deposition along the southern boundary of the SSSI as a result of the proposed development is therefore likely to be higher than predicted. This could be up to 0.4 kg/ha/yr (2-4% of the critical load) if NH₃ emissions are also considered.
- 10.57 The adverse impacts will be very localised and will fall off rapidly going into the High Wood SSSI. The ES concludes that the impacts would be slight adverse along the southern boundary, reducing to negligible within 3-4m of the site boundary and would be negligible across the rest of the wood. Natural England has reviewed this information and, whilst they don't agree with the entirety of the information submitted, they do agree with the key conclusion that the effects would be confined to a strip along the B1256.

10.58 Policy ENV7 is partly consistent with the NPPF. However, the NPPF states that the benefits (rather than the need) for development should clearly outweigh the impact on the SSSI and any broader impacts on the national network. In relation to other sites, such as Local Wildlife Sites the policy test in the NPPF is again to clearly outweigh the harm. Policy ENV13 is generally consistent with the NPPF and Policy GEN4 is consistent. In this instance the benefits of the development would be the delivery of additional housing which is required in order for the Council to meet the NPPF requirement of having a 5 year supply of deliverable land for housing. The impacts on the SSSI are limited to an increase in pollution on a site which is already over-exposed to pollution. This harm, whilst not insignificant, is not sufficient to outweigh the benefits of the proposal. As such it is considered that the proposals comply with the relevant policies.

F whether the proposals would result in significant adverse harm to ecology and areas of nature conservation (ULP Policies GEN7, ENV7, ENV8, NPPF, DLP Policies SP14 and HE4) (See Chapter 11 of the ES)

10.59 Chapter 11 of the ES considers the impacts on ecology and nature conservation. The chapter in the original ES was superseded by a revised assessment as set out in Supplementary ES No 2. This was subsequently superseded by the revised Chapter 11 in Supplementary ES No 3. It sets out the methodology, details the range of surveys undertaken and establishes the baseline conditions. It sets out the process for assessing the impacts. Significant effects are assessed in relation to their geographic scale. Proposed mitigation measures are taken into consideration and cumulative effects are also considered.

10.60 Policy GEN7 seeks to prevent development which would result in harm to wildlife or geological features. Policy ENV7 seeks to protect, inter alia, SSSIs and Local Wildlife Sites from harmful development. Policy ENV8 seeks to protect landscape features important to nature conservation, such as hedgerows, linear tree belts and semi-natural grasslands. The NPPF requires the impacts on biodiversity to be taken into consideration.

10.61 In addition to biodiversity and protected species being material planning considerations, there are statutory duties imposed on local planning authorities. Section 40(1) of the Natural Environment and Rural Communities (NERC) Act 2006 states that *“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.”* This includes local authorities carrying out their role in the consideration of planning applications. Similarly Regulation 9(3) of the Conservation of Habitats and Species Regulations 2010 (as amended) states, *“A competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive and Birds Directive so far as they may be affected by the exercise of those functions.”*

10.62 A wide range of surveys were undertaken in respect of the proposals, including Great Crested Newts, reptiles, bats, birds, invertebrates, badgers, dormice, an Extended Phase 1 Habitat Survey, hedgerows, and priority habitats and species listed under S41 of the NERC Act 2006. Following concerns raised by ECC Ecology additional surveys were undertaken and Chapter 11 of the ES was revised in the Supplementary ES No 3.

10.63 Great crested newts are known to be present approximately 680m northeast of the application site. Surveys of ponds within 500m were undertaken in order to establish the presence or otherwise of great crested newts. A population of GCNs was found

in a pond approximately 250m to the west of the application site. Potential direct effects arising from the proposals would be the loss of distant habitat, although the majority of this would be of very low value due to the current agricultural activities. No mitigation is proposed and it is concluded that the development would have no likely adverse significant effects on the GCN population. The creation of new habitats within the site would result in a moderate beneficial effect.

- 10.64 Reptile surveys have been undertaken and the results indicate that a low population of grass snakes are likely to be present within suitable habitat within the site. The proposed development would potentially have an adverse effect upon this population through the destruction of field boundary habitats. These habitats have a relationship with the High Wood SSSI and it is thought the effect would be minor adverse without suitable mitigation. Without adequate mitigation the construction phase could result in death or injury to snakes and this action would have a major adverse effect on the population of grass snakes. The operational phase is considered to have a minor adverse effect without suitable mitigation.
- 10.65 Mitigation for grass snakes includes a method statement for the timing of construction works to prevent harm. Habitat creation would be included in the development, including the creation of new optimal grass snake habitat along the northern edge of the site. In addition there would be a buffer zone to High Wood in order to maintain existing habitats. The mitigation measures are considered to result in a moderate beneficial effect.
- 10.66 A low level of badger activity was recorded within the survey area and the latest survey suggests that there are no currently active badger setts within or immediately adjacent to the developable area. Without mitigation measures there could be the potential for death or injury to badgers both during the construction and operational phases which would have a moderate adverse effect on the local badger population. Mitigation measures for the operational phase can be secured by means of detailed precautionary measures set out in the CEMP, discussed above, which can be secured by condition.
- 10.67 The wintering bird survey identified 44 species of bird using the site or adjacent land. Eighteen of the species are Birds of Conservation Concern (BoCC). The breeding bird survey identified 37 species and 12 of these are BoCC. The ES concludes that the assemblage of birds is of local importance and the status of the breed bird assemblage is neutral.
- 10.68 The development of the site would result in the loss of foraging habitat for winter birds which would cause a major negative effect on the wintering bird assemblage in the long term without mitigation. Disturbance during the construction phase is likely to cause a minor adverse effect in the short to medium term. The loss of habitats is likely to have a major adverse effect on breeding birds. Increased disturbance during the construction phase is likely to result in a moderate adverse effect on Birds of Conservation Concern species. This would continue in the operational phase due to predation from domestic pets and disturbance from humans. High Wood SSSI is also likely to be affected by increased disturbance from the development.
- 10.69 As stated in paragraph 10.54 above, the pollution or deterioration of wild bird habitats should be avoided and cannot be overridden by economic benefits. The loss of habitat in this instance would be the loss of agricultural land and hedgerows and trees. Mitigation measures proposed include keeping the loss or alteration of hedgerows to a minimum and allowing grassy margins to develop alongside hedgerows. A minimum 20m wide buffer zone would be created alongside the High

Wood SSSI and the eastern most part of the buffer will include thorny scrub to deter humans from entering the SSSI. The relocation of the existing footpath/bridleway to the eastern side of the buffer would increase the effectiveness of the buffer, but this would need to be dealt with under legislation outside the control of planning.

- 10.70 Natural and semi-natural open space is proposed in the northwestern corner of the site and a 20m buffer wildlife corridor is proposed along the northern edge of the site which would include habitats suitable for foraging birds. The mitigation measures proposed are concluded as having a short term adverse effect on bird habitat and populations whilst the soft landscaping matures and foraging opportunities naturally increase. These elements of mitigation would form part of any reserved matters application(s).
- 10.71 The site has limited habitat suitable for invertebrates, although the areas that are suitable is considered to be of District to Regional importance due to the presence of a single Nationally Notable species (the fly *Solva marginata* (Diptera: Xylomidae)) within a hedgerow. The loss of habitats and other construction impacts are considered to be of minor adverse effect with the invertebrate assemblage of District value. The impacts on the SSSI are negligible. Fragmentation of the landscape is considered to be of negligible significance given the absence of sites of significance of invertebrates to the north and south. The operational phase would have a moderate adverse effect on night flying species due to lighting.
- 10.72 The proposed landscaping proposals are considered to be a net enhancement to the SSSI and the inclusion of dead wood piles would increase habitats for invertebrates. These would be secured by way S106 Obligation in so far as they relate to the creation of open space, and then the finer details would be included in any reserved matters application(s). Site compound lighting should be minimised and orientated away from the SSSI and hedgerows. Lighting for the operational phase would need to be designed to limit impacts on invertebrates within High Wood SSSI. These measures are considered to reduce the impacts to a negligible level.
- 10.73 Mature trees within the site along hedgerows and the perimeter of High Wood SSSI possess potential bat roosting features, although no evidence of roosting bats was found during the surveys. Commuting and foraging bat activity has been recorded within the site, most notably along the High Wood SSSI woodland edge and the east-west field boundaries. Eight species of bat have been recorded in the 2013 surveys. The bat assemblage is considered to have a neutral conservation status.
- 10.74 Loss of bat habitat and lighting in the construction phase are likely to have a major adverse effect on bats. Lighting in the operational phase is likely to result in a significant negative effect on foraging and commuting resources, resulting in a moderate adverse effect without mitigation. Mitigation measures include measures relating to lighting during the construction phase which can be part of the CEMP which can be secured by condition. The loss of hedgerows and trees will be kept to a minimum and the proposed planting will enhance the existing habitats along the hedgerows. Artificial bat roosting features will be incorporated into the development where appropriate and this would form part of any reserved matters application(s). The proposed mitigation is therefore considered to result in a moderate beneficial effect on bat populations.
- 10.75 Dormouse habitat is sub-optimal within the site and no dormice were found in the surveys undertaken on the site. Deer browsing/grazing and arable farming practices limit the habitats in the site and are likely to be significant as to the likely absence of dormouse from the study area. Given the absence of dormouse no significant

adverse effects are predicted. The mitigation measures proposed in relation to biodiversity and protected species as a whole is likely to result in a net enhancement of habitat for this species.

- 10.76 The site contains suitable habitat for other UK BAP/NERC Act species including hedgehog, brown hare and common toad, the latter two being recorded during the species surveys. The site contains multiple BAP/NERC Act habitats as well as habitats identified for their potential to support legally protected species and other species of conservation concern. Hedgerows are species rich although the improved grass margins are generally very poor quality. All hedgerows within the site can be classified as UK BAP/NERC Act priority habitats valued at a Local level of importance.
- 10.77 The watercourse running along the northern boundary of the site is of relatively poor quality. However, it does have an inherent biodiversity value, especially as it links High Wood SSSI with Hoglands Wood. It is likely the watercourse is intrinsically important to High Wood SSSI due to the habitat within it. In addition the watercourse has the potential to be of value to European protected species such as bat populations. Therefore the watercourse is thought to be important on a District geographical scale.
- 10.78 The development of the site would result in the permanent loss of a significant proportion of the hedgerows found on the site. This is likely to have a major adverse effect on the conservation status of this habitat without suitable mitigation. The construction phase could result in damage to retained hedgerows which would result in a moderate adverse effect on their conservation status. The watercourse is at risk of pollution during the construction phase and could be at risk during the operational phase, without mitigation. The development of the site has the potential to result in the permanent loss of the plantation woodland found on site. This is likely to have a major adverse effect on the conservation status of this habitat without mitigation. Lack of protection of this habitat during construction is likely to result in damage which would have a moderate adverse effect.
- 10.79 Whilst hedgehogs were not confirmed as being present within the site, the proposed landscaping would improve habitats for this species, resulting in a minor beneficial effect. The loss of agricultural fields as a result of development would result in the loss of habitat for the small population of brown hare recorded using the site. The residual loss of a habitat that is considered ubiquitous within the wider landscape is not considered to confer a significant adverse effect upon the local population. Common toad are present in the sub-optimal habitats in High Wood SSSI. They could be at risk of injury or death during the construction phase without suitable mitigation.
- 10.80 Loss of hedgerows is being kept to a minimum and retained hedgerows would be protected during construction, details of which can be included in the CEMP. It is proposed to mitigate the loss of the plantation woodland by the creation of the new 20m buffer zone along the boundary of High Wood SSSI and along the northern boundary. The northern buffer zone would result in enhancement to the watercourse. Details of the proposed planting would form part of any reserved matters application(s).
- 10.81 High Wood SSSI is designated due to the flora present, but it is currently in an unfavourable condition due to deer browsing/grazing. As discussed above, the mitigation for the development includes the creation of new areas of landscaping forming both natural and semi-natural areas of open space. This would be beneficial

to the setting and connectivity of the SSSI with Hoglands Wood and the biodiversity habitats within the site. High Wood lies outside the application site and has a public right of way along the eastern boundary. As discussed above, it is proposed to relocate this public right of way but this is outside the scope of planning. In addition, it is proposed to erect deer fencing along the eastern and northern boundaries of High Wood which would also serve to prevent human access to the SSSI, thus mitigating any potential harm to the habitat. Without the proposed mitigation there would be potential significant adverse effects which would be reduced to no significant adverse effects with mitigation resulting in the development having a neutral effect upon the conservation status of the SSSI and Hoglands Wood to the east.

- 10.82 Natural England and ECC Ecologist have previously raised concerns relating to pollution and hydrology and the potential impacts on High Wood SSSI. These issues are discussed in Section E and K respectively.
- 10.83 Policy GEN7 is partly consistent with the NPPF. However, the NPPF is more detailed in the hierarchy of international, national and locally designated sites and protection should be commensurate to their status and appropriate weight given. Policies ENV7 and ENV8 are partly consistent with the NPPF. However, the NPPF states that the benefits (rather than the need) for development should clearly outweigh the impact on the SSSI and any broader impacts on the national network. In relation to other sites, such as Local Wildlife Sites the policy test in the NPPF is again to clearly outweigh the harm. Whilst there would be some harm due to loss of wild bird habitats which ECC Ecologist still has concerns about, there would be wider benefits to biodiversity throughout the site through the creation of new habitats and green corridors. As stated in Section E above, the benefits of the proposals would be a positive contribution towards the Council's 5 year land supply for housing and as such it is considered that the proposals comply with the relevant policies and the NPPF.

G whether the proposals would result in a significant adverse impact on the character of the local area (ULP Policies GEN2, ENV3, NPPF, DLP Policies SP14, HE4 and HE5) (See Chapter 12 of the ES)

- 10.84 Chapter 12 of the ES considers the landscape and visual impacts of the proposals. It sets out the methodology, the baseline situation, how magnitude will be assessed and the different types of receptor assessed. It confirms that the assessment has been an important part of the masterplan evolution. The assessment covers the construction (2014), completion (2022) and 15 year post-completion time frames (2037).
- 10.85 Policy GEN2 seeks to ensure that development will be of an appropriate design and mitigates any potential harm. Policy ENV3 seeks to protect traditional open spaces and trees. Policy ENV5 seeks to protect the best agricultural land and this will be discussed in more detail in Section I of this report.
- 10.86 The assessment has been carried out from representative viewpoints, in terms of residential amenity, effects on public rights of way and the sensitivity of visual receptors including residents, workers and the travelling public and visitors. The magnitude of impact is assessed and then the sensitivity of the receptor to the change. Receptor can be the landscape itself or the viewer. Effects are then categorised as being Adverse, Neutral or Beneficial. The potential for cumulative effects has also been assessed.
- 10.87 The Land Use Parameter Plan indicates that there would be residential development in the southern half of the site, with landscaping buffers adjacent to High Wood SSSI, the route of the pipeline, the access road and adjacent to Canada Cottages. The

northern part of the site would also be residential development with the school site and community centre being adjacent to the proposed access road. One parcel of playing field land would be located to the south of the proposed community centre. The north western part of the site would be less developed with a more robust buffer zone to High Wood SSSI and along the northern boundary, and a further area of playing fields. The density of development would be lower on the western side of the site ranging from 15-25dph. This would increase along the frontage to 20-35dph and then to 30-40dph on the eastern part of the site. The north eastern part of the site would also be around 30-40dph, reducing to 15-25dph along the northern edge. Building heights are indicated to be around 5-11m in the western and the north eastern parts of the site. The south eastern part of the site and the area allocated for the school and community building are proposed to range from 5-13m. The remainder of the north eastern part of the site is envisaged at being between 5 and 14.5m. Two vehicular access points are proposed, one from the B1256 and one from Woodside Way.

- 10.88 The application site is currently used for arable crops and forms part of the rural approach to Great Dunmow. The development of the site would introduce urban form within this location. Existing hedgerows and plantation planting will be retained where possible within the scheme.
- 10.89 The ES discusses the impacts of the proposals in relation to the national scale, regional scale landscape character, County scale landscape character and district scale landscape character. At district level the area including the application site and the 3km radius around it covers 6 Landscape Character Areas. Only small parts of the 'Lindsell and Bardfield Farmland Plateau' and the 'Pleshey Farmland Plateau' like within the 3km area and have limited visibility of the proposed development and therefore have been excluded from the more detailed assessment due to the development having a negligible impact.
- 10.90 The Roding Farmland Plateau lies to the south of the site and visibility to the site to the south of the A120 is largely screened by existing vegetation along the B1256 and the Flitch Way. The impact on the Roding Farmland Plateau is therefore considered to be negligible and is excluded from the detailed assessment.
- 10.91 Rayne Farmland Plateau lies approximately 2km to the north east of the application site. Due to the separation distance from the application site visibility will be limited and the impacts negligible and this area is also excluded from the detailed assessment.
- 10.92 The ES details the 9 viewpoints used to assess the proposed development. These range from within the site, on the site boundary and distances up to approximately 3km. The majority of the viewpoints are taken from or adjacent to public rights of way, some being the high point in the local landscape.
- 10.93 Within close proximity, views to the application site are generally restricted by High Wood to the west and to the east by Hoglands Wood, the young woodland on the eastern boundary of the site and the young woodland and trees planted along Woodside Way. From the north and south, views in close proximity to the site are generally more open, particularly from the bridleway and from the B1256. Outside of the site the views become more restricted to the north and south due to existing vegetation and changes in the topography. Due to these factors views from Little Canfield and Little Easton are limited and the effects are likely to be negligible and as such are excluded from the detailed assessment.

- 10.94 The ES sets out the details on how the Landscape and Visual Assessment established the layout and massing and the landscape strategy for the scheme. It discusses the landscape character areas and identifies that the Broxted Farmland Plateau has a High-Medium sensitivity to the proposed development. It concludes that the proposed development would have a major effect on the character of the area. During construction and on completion, up to 250m from the northern and western boundaries, the impacts would be of a major magnitude, decreasing to moderate up to 900m from the northern boundary. Beyond this area the impacts would decrease to minor to negligible. Given the extent of the character area, the effects for the overall character area are judged to be of minor-negligible magnitude, and this would still be the case at Design Year (15 years post completion).
- 10.95 The Upper Chelmer River Valley area has a high sensitivity to the proposed development. There would be no direct effects on the character area. Indirect effects during construction and upon completion up to 500m from the north eastern boundary of the site would be of moderate-major magnitude. Beyond this area the effects would be of minor to negligible. Given the extent of the character area and the limited indirect effects on the landscapes, the effects for the overall character area are judged to be of negligible magnitude. By Design Year this would be reduced to minor magnitude up to 500m from the boundary and beyond this minor to negligible. The overall effects for the character area are judged to be of negligible magnitude.
- 10.96 Impacts on the adjacent settlements of Great Dunmow and Great Easton have also been carried out. With regards to Great Dunmow, the majority of residents would not have views towards the application site due to intervening topography and built development, but the existing western extent of the town will change from urban edge or urban, although the landscaped corridor associated with Woodside Way will be retained. It is judged that the resulting effect on Great Dunmow is therefore Moderate-Minor and Neutral.
- 10.97 Great Easton lies 2.8km to the north of the application site and is in an elevated position overlooking the Upper Chelmer River Valley. Visibility of the proposed development is limited to the southern and eastern edges of the village around areas of localised high ground. The proposed development is largely screened by intervening vegetation and buildings and will therefore have a negligible effect to the settlement.
- 10.98 The two public rights of way within the site would be most adversely affected in terms of visual impacts from the proposed development. In addition, there are proposed alterations to the rights of way. The public footpath is proposed to be hard surfaced through a landscape corridor, whereas the bridleway will remain un-surfaced but running through a proposed landscape buffer on the western edge of the site.
- 10.99 It is accepted that residential development of this scale would have an impact on the character of the area and would result in significant visual impacts on the rural area. The harm of these impacts would need to be weighed against the benefits of the proposals.
- 10.100 Policy GEN2 is generally consistent with the NPPF although the NPPF highlights the importance of good design. This application is an outline application with all matters reserved and therefore the detailed design is not being considered here. However, the design of the proposed scheme as shown on the illustrative Masterplan is considered to be in accordance with the Policy and the general thrust of the NPPF.

10.101 The application site comprises for the most part a series of fields in arable use. There is some public access via public rights of way that cross parts of the site, so that these qualities can be perceived. The site therefore includes traditional open land falling within Policy ENV3. Residential development on the scale proposed will have an impact on the character of the area and would result in visual impacts on the rural area. Whilst the landscape effects are considered to be satisfactory (subject to appropriate mitigation at the reserved matters stage) there still would be a loss of open space on the edge of the town which has amenity value by reason of the public appreciation of it. Policy ENV3 requires such loss to be weighed against the need for the development, and only allowed where the need outweighs the amenity value of what is lost. It is considered that in this case the loss will be relatively modest (the illustrative proposals retain the public footpath routes and provide new open spaces within the development. Also, given the outstanding housing requirement it is considered that there is a need for the development which outweighs the residual loss of amenity value. It is therefore not considered that there is a conflict with Policy ENV3.

H whether the proposals would result in significant adverse harm to cultural heritage assets (ULP Policies ENV4, NPPF, DLP Policy HE3) (See Chapter 13 of the ES)

10.102 Chapter 13 of the ES considers the impacts of the proposals on cultural heritage assets and archaeology. It sets out the methodology and the base line situation. It details the method of assessment and the assumptions and limitations.

10.103 Policy ENV4 seeks to ensure archaeological remains are preserved, or where this isn't possible, to be properly recorded. This is also reflected in the NPPF which states that the Government's objective is "to conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations".

10.104 There are no designated or scheduled heritage assets within or immediately adjacent to the proposed development. A geophysical survey and an aerial photographic survey have been undertaken. A full chronological summary of the known historic context of the site is included in the ES. On the basis of the known archaeology identified, it is considered that archaeology of medium significance exists within the development site, particularly towards the northeast and southwest corners of the site. The scale and extent of these would need to be further characterised by trial trench evaluation post consent, should consent be forthcoming.

10.105 The main impact on heritage assets during construction will be caused by the installation of services; the type, methodology and depth of foundation installation and construction; ground levelling/lowering; ground reinstatement and building construction; installation of haul roads and contractors' compounds. If and when archaeological features are encountered, these impacts may be severe. Mitigation measures will adhere to the principles outlined in national, local and industrial guidelines which favour the preservation in situ of significant archaeological remains. Where preservation is not practicable, an appropriate level of recording of the archaeology will be completed prior to further work.

10.106 Policy ENV4 is consistent with the NPPF. The approach to archaeology as set out in the ES is considered acceptable by ECC Archaeology and can be secured by way of a condition. As such the proposals are therefore in accordance with the Policy.

I whether the proposals would result in significant adverse harm to agricultural land (ULP Policy ENV5, NPPF) (see Chapter 14 of the ES)

10.107 Chapter 14 of the ES considers the impacts of the proposals in relation to the loss of agricultural land. It sets out the methodology and how the significance of the effects will be assessed.

10.108 Policy ENV5 seeks to protect the best and most versatile agricultural land. Where development of agricultural land is required developers should seek to use areas of poorer quality, except where other sustainability considerations suggest otherwise. The NPPF requires local planning authorities to take into account the economic and other benefits of the best and most versatile agricultural land. Annex 2 defines the best and most versatile agricultural land as grades 1, 2 and 3a of the Agricultural Land Classification.

10.109 The application site covers some 52.89ha, approximately 46.05ha of which is agricultural. The remaining land comprises public highway, plantation, hedgerow, public footpath or access tracks. The site falls within 3 main land ownerships and the assessment considers the impacts in relation to the loss of agricultural land and the impacts on the farm businesses.

10.110 The ES identifies that the loss of 20ha or more of best and most versatile (BMV) agricultural land (ie Grades 2 and 3a under the Agricultural Land Classification system) would have a high magnitude of effect.

10.111 The Buildings Farm Partnership own 14.51ha of the site and this comprises 100% of their total ownership. The land is farmed by tenant farmer Mr C J Trembath who would also lose 25.92ha of land within his ownership. The total of land lost to potential development would be 40.43ha, equating to 16.17% of the farming business. It is expected that the remaining land would be sufficient to be a viable scale of farming enterprise. The Siemens Benefits Scheme estate is 260ha incorporating 7 farms and the loss of 11.12ha of land would represent 8.622% of the current land holding. This loss would have no significant impact on the ability of the tenant to continue farming the remainder of the land.

10.112 The proposal will involve the loss of best and most versatile agricultural land. This is defined by both the Local Plan and the NPPF so as to include land in Agricultural Land Classification (ALC) Grades 2 and 3a. The application will result in the permanent loss of some 38.88 hectares of Grade 2 land (Table 14.4 of the Environmental Statement). The applicant has not provided information on how much of the Grade 3 land within the application site is Grade 3a. There will be a loss of some 7.17 hectares of Grade 3 land, some or all of which may be Grade 3a, but the ES is assuming the worst case scenario and the assumption is made that this is all Grade 3a. However, Policy ENV5 does not seek to prevent the loss of BMV agricultural land if there is no lower value land available. The fact that there is a shortage in the 5 year supply and the fact that the Council is looking at releasing greenfield sites in the countryside to meet its housing needs shows that there is insufficient land available within settlement boundaries or on brownfield sites. Some 80% of the agricultural land in the district is Grade 2 and much of the rest is Grade 3. Within that context it is not considered that there is sufficient lower grade agricultural land that is sustainably related to existing settlement to meet needs and therefore it is not considered that there is a conflict with Policy ENV5.

J whether the proposals would result in contamination issues (ULP Policies ENV12 and ENV14, NPPF, DLP Policies EN5 and EN7) (see Chapter 15 of the ES)

10.113 Chapter 15 of the ES considers the issue of contamination. It sets out the methodology, baseline conditions, the significance criteria and considers the potential for contamination from historic and current uses and also arising from the development proposals.

10.114 Policy ENV14 requires development proposals to demonstrate that contamination would not give rise to increased risks, including the pollution of controlled waters. Policy ENV12 seeks to protect water resources from potential sources of contamination.

10.115 The ES identifies three potential sources of contamination within the site. These are the oil pipeline, agrochemicals and a World War II plane crash site. It considers the potential impacts during site access and clearance, during construction and during the operational phases of the development. It concludes that the potential for contamination is low to negligible although potential risks to the watercourse from machinery and surface water runoff, in the absence of mitigation, could result in a minor adverse impact. These risks could be overcome by ensuring best working practices are carried out, as set out in a CEMP, which can be secured by condition. No objections are raised by any statutory consultee in relation to this issue.

10.116 Policies ENV12 and ENV14 are consistent with the NPPF and it is considered that the proposals would comply with the policies.

K whether the proposals would give rise to significant flood risk within the development or within the local area, or would result in significant detriment to local water resources (ULP Policies GEN3 and ENV12, NPPF, DLP Policies SP9, EN3 and EN4) (see Chapter 16 of the ES)

10.117 Chapter 16 of the ES considers the impacts on hydrology, potential flood risk and drainage. It identifies the potential impacts, sets out the methodology, sets the baseline conditions, identifies potential sensitive receptors and sets out the significance criteria.

10.118 Policy GEN3 seeks to prevent the increased risk of flooding and requires development proposals to be accompanied by a flood risk assessment. It also encourages the use of SuDS in new development. Policy ENV12 seeks to protect groundwater resources.

10.119 The site is classified by the EA as being located within Flood Zone 1 and is therefore considered appropriate for residential development. The site is currently greenfield agricultural land and has natural runoff to Hoglands Brook or drainage ditches within the site. There are no records of fluvial flooding affecting the site and the potential for groundwater flooding is low. The Strategic FRA identifies surface water flooding associated with Stortford Road with a potential flooding depth of 10 to 20mm. The ES states that the site is generally not expected to be susceptible to surface water flooding. There are no records of sewer flooding events in Great Dunmow or downstream settlements.

10.120 The Great Dunmow Waste Water Treatment Works (WWTW) are proposed to be upgraded, with the scheme planned to take place in 2016. Anglian Water confirms that there would be sufficient capacity to accommodate the proposals. As such the

impacts of the proposal are considered to be negligible. However, in the absence of the proposed upgrade works the impacts on foul drainage infrastructure would be assessed as moderate adverse.

10.121 The ES concludes that during the construction phase the impacts of the development would be negligible in terms of flood risk, impacts on groundwater, impact on surface water drainage, impact on surface water quality, foul water drainage and water supply. Similar conclusions are drawn in respect of the completed development, with the exception of a moderate beneficial significance in relation to surface water quality relating to the reduction in nitrates and phosphorous associated with agrochemicals.

10.122 Mitigation measures for the development include the use of a CEMP relating to construction works, which can be secured by condition. In addition SuDS are proposed throughout the site and would be developed in association with each phase of the development. In relation to foul drainage, ongoing negotiations are being held with Anglian Water and any works would be carried out under legislation outside the scope of planning.

10.123 Initially concerns were raised by the Environment Agency in respect of the level of detail contained within the FRA. Further information was submitted and this has now been reviewed and considered acceptable by the Environment Agency who has now removed their objection to the proposals.

10.124 A further area of concern in relation to hydrology is the potential impacts on High Wood SSSI. High Wood SSSI is listed for the flora present within the site and this is susceptible to changes in groundwater recharge and also potential pollution. Groundwater depths are thought to be between 4m and 9m below ground level and therefore at a greater depth than any proposed works. As such the development is unlikely to affect groundwater recharge rates. As discussed above, there would be a CEMP in place to ensure safe working practices are carried out. These would need to include details of setback from the boundary with High Wood to prevent soil compaction which could also affect the flora present in the SSSI. The setbacks and safe working practices should be appropriate measures to ensure there would be no adverse impacts on High Wood SSSI.

10.125 Natural England has reviewed the information submitted and welcomes the use of SuDS within the development. They are also content that adequate consultation with the Environment Agency should ensure that an appropriate solution will be agreed which seeks to achieve good practice surface water and flood management objectives. These, together with a CEMP which should make appropriate reference to the Environment Agency's Pollution Prevention Guidelines, should be sufficient to minimise the impacts on the SSSI.

10.126 Policy GEN3 is partly consistent with the NPPF and in this instance because the site falls within Flood Zone 1 it is considered to be an acceptable site for development. The details within the FRA are considered to be acceptable and no objections are raised by the Environment Agency. Policy ENV12 is consistent with the NPPF and as such it is considered that the proposals would comply with the relevant policies.

L whether the proposals would result in any adverse impacts on mineral resources (Policy S8 of the Essex Replacement Minerals Local Plan Pre-Submission Draft (RMLP) and paragraph 216 of the NPPF)

10.127 The Supplementary Environmental Statement dated September 2013 considers the cumulative impacts of this proposal with the operation of the adjacent High Wood

Quarry. It is supported by a further document dated 25 October 2013 prepared by Clarkebond entitled "Great Dunmow Mineral Assessment Ground Investigations" which considers the impacts on mineral resources.

10.128 Policy S8 of the Essex Replacement Minerals Local Plan requires that a non-mineral proposal located within a Mineral Safeguarding Area (MSA) which exceeds defined thresholds of 5ha shall be supported by a minerals resource assessment to establish the existence, or otherwise, of a mineral resource capable of having economic importance. This will ascertain whether there is an opportunity for the prior extraction of that mineral to avoid the sterilisation of the resource as required by the NPPF. Policy S8 states, "*Proposals which would unnecessarily sterilise mineral resources or conflict with the effective workings of permitted minerals development or Preferred Mineral site allocation shall be opposed.*"

10.129 The Clarkebond document outlines the results of exploratory boreholes carried out on site. These confirm that sands and gravels were only encountered in the southeast corner of the site (CP1) and part of the northeast (CP4). This relates to the strip of land to the east of Canada Cottages running southeast-northwest to the northern boundary of the site. These areas are located approximately 100-200m from existing residential development. At CP1 the sands and gravels were encountered from 2m depth to 9.5m depth. It is assumed that extraction would not be completed below the groundwater, confirmed at 8m depth. In CP4, the sands and gravels were proven from 1.2m to 6.1m depth. The areas where sands and gravels are present include the amenity woodland which is shown to be retained on the Masterplan.

10.130 The report assumes off-site processing of extracted material and this would amount to 500,000 tonnes of material which would require an additional 25,000 truck movements. Extraction could not be carried out in conjunction with the development of the site. Given the restricted area available for extraction and the costs involved it would not be commercially viable to extract the sands and gravels present on the site.

10.131 ECC Minerals Section has considered the report and confirm that they have no objection to the proposed development and it would not conflict with RMLP Policy S8.

M whether there would be any cumulative impacts arising from this proposal and other committed development (see Chapter 19 of the ES and Supplementary Environmental Statement September 2013)

10.132 The ES considers the cumulative impacts of this proposal in conjunction with the following:

- Stansted Airport Expansion
- Woodlands Park, Great Dunmow
- Land North of Ongar Road, Great Dunmow
- Residential development on land south of Ongar Road, Great Dunmow
- Land west of Chelmsford Road, Great Dunmow
- Land north-east of Elsenham
- Supplementary ES (September 2013) considers the cumulative impacts with High Wood Quarry

Notwithstanding the current legal challenges in respect of the Ongar Road sites, it is considered appropriate that these are included in the assessment as their status is uncertain and the worst case scenario presumes that these consents will remain valid. A resolution to grant planning permission for the Chelmsford Road site has

now been given and this was an allocated site for development in the adopted local plan. Land north-east of Elsenham has also been included as the Council was considering the application at the time of the submission of this application and ensures the worst case scenario is assessed.

10.133 The cumulative impacts of the development are considered in the various chapters of the ES. Chapter 19 sets out the conclusions which are as follows:

“The combined effects of the different types of residual impacts from the proposed development upon particular receptors have been considered during the construction phase. The majority of accumulative impacts arise from the interaction of dust, visual and noise and vibration impacts.

Cumulative impacts of the proposed development with a number of committed and proposed developments within the Great Dunmow area have been considered throughout the ES. No other proposed or committed developments of significance have been identified within 2km of the site.

The cumulative effects have been taken into account in individual assessments, with both committed and proposed schemes either factored into the baseline modelling or accounted for as part of the assessment of overall impact (where appropriate). In this sense, the assessment of the likely impact of the proposed development constitutes a robust, worst case precautionary approach to the assessment.”

10.134 The cumulative impacts with High Wood Quarry have been considered in relation to transport, noise, air quality, and landscape and visual character. Overall the SES shows that there should be no significant cumulative impacts associated with High Wood Quarry and the proposed development with all residual effects being of negligible significance.

N whether the Environmental Statement meets the tests set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011

10.135 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.

10.136 This report sets out how the ES accompanying the application has complied with the above tests. Initially concerns were raised by consultees about the level of detail submitted in respect of the FRA and ecological issues. Concern was also raised about the lack of assessment of potential mineral resources. Additional information was submitted by the applicant to address the concerns. The subsequent information submitted now satisfies the tests. The ES is considered to be adequate.

O Viability

10.137 Viability is an issue which has been raised by the applicant. A viability report has been submitted as part of the application and detailed discussions held as part of the

ongoing discussions. The Council have appointed an independent assessor to advise us and to carry out discussions on our behalf.

10.138 It is clear that the high levels of infrastructure required, their phasing and delivery when considered against the sales value it will not be viable to deliver the entire package requested.

10.139 The discussions have therefore focused on ensuring the delivery of key pieces of infrastructure (e.g. Pre and Primary school/land, open space and sports provision, local highway improvements, community centre, health contribution etc).

10.140 The discussions arrived at a point of delivering all the necessary contributions/infrastructure except the full affordable housing requirement. The balancing act enabled a delivery of 23% affordable housing phased throughout the site.

10.141 Discussions have continued to determine whether it would be possible to 'flex' some of the provision to enable a higher level of affordable housing provision to be made. These discussions have resulted in a potential affordable housing delivery of some 30%, albeit with a corresponding reduction in other provision.

10.142 These discussions are ongoing and an update will be provided at the meeting.

10.143 It is considered that an acceptable balance will be reached which will ensure delivery of key physical and social infrastructure to serve the site and surrounding area. This will be secured and delivered as part of the S106 obligation.

11 CONCLUSION

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

- A The proposals would be contrary to the principles of Policy S&. However, they would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise. Significant weight should be attached to this and as such the more recent national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan. Furthermore, whilst the Draft Local Plan currently has limited weight, the Council has identified this site for residential development and this is a material planning consideration. The development is considered to be sustainable development and therefore the principle of the proposal is acceptable.
- B The proposals include elements of infrastructure required in order to meet the demands arising from the proposed development. These include the provision of land for a primary school and EY&C facility, a community centre, sports pitches and pavilions. These, together with financial contributions required for education and health facilities, can be secured by way of conditions or S106 Obligation.
- C The proposals would result in an increase in vehicular traffic at both the construction and operational phases. Mitigation measures are proposed including a CEMP which can be secured by condition. In addition, other mitigation measures are proposed including alterations to junctions and the provision of a pedestrian crossing on Woodside Way. These mitigation measures can be secured by way of conditions and/or a S106 Obligation and the proposals are in accordance with the policies.

- D Noise and vibration impacts arising from the proposed development would be mitigated by ensuring best working practices which can be secured by way of a CEMP. The Council's Environmental Health Officer is satisfied with the mitigation measures proposed and the proposals are in accordance with policy.
- E Air quality is of fundamental concern in respect of the potential impacts on High Wood SSSI and the increase would be significant along the southern boundary with the B1256. The NPPF requires the benefits of development to clearly outweigh any harm. Natural England is satisfied with the conclusions of the air quality assessment and the proposal would deliver significant benefits in terms of additional housing for the district.
- F There would be some harm due to loss of wild bird habitats which ECC Ecologist still has concerns about. However, there would be wider benefits to biodiversity throughout the site through the creation of new habitats and green corridors. As stated in Section E above, the benefits of the proposals would be a positive contribution towards the Council's 5 year land supply for housing and as such it is considered that the proposals comply with the relevant policies and the NPPF.
- G The landscape effects are considered to be satisfactory (subject to appropriate mitigation at the reserved matters stage). There still would be a loss of open space on the edge of the town which has amenity value by reason of the public appreciation of it. Policy ENV3 requires such loss to be weighed against the need for the development, and only allowed where the need outweighs the amenity value of what is lost. It is considered that in this case the loss will be relatively modest (the illustrative proposals retain the public footpath routes and provide new open spaces within the development. Also, given the outstanding housing requirement it is considered that there is a need for the development which outweighs the residual loss of amenity value. It is therefore not considered that there is a conflict with Policy ENV3.
- H The proposals have the potential to affect cultural heritage assets in the form of archaeology. A mitigation proposal has been put forward and considered by the County Archaeologist who is satisfied with the proposals. The mitigation can be secured by way of a condition.
- I The proposal will involve the loss of best and most versatile agricultural land and a worst case scenario has been assessed in the ES. Policy ENV5 does not seek to prevent the loss of BMV agricultural land if there is no lower value land available. The fact that there is a shortage in the 5 year supply and the fact that the Council is looking at releasing greenfield sites in the countryside to meet its housing needs shows that there is insufficient land available within settlement boundaries or on brownfield sites. Some 80% of the agricultural land in the district is Grade 2 and much of the rest is Grade 3. Within that context it is not considered that there is sufficient lower grade agricultural land that is sustainably related to existing settlement to meet needs and therefore it is not considered that there is a conflict with Policy ENV5.
- J The risk of contamination on the site is low and best working practices which can be secured by way of a CEMP should ensure the development is acceptable. The proposals are in accordance with the relevant policies.
- K Flood risk has been assessed and the Environment Agency is now satisfied with the proposals. Changes to hydrology were raised as a concern in respect of potential impacts on the SSSI. These have been addressed and Natural England is now satisfied that the proposals should not result in an adverse impact on the High Wood SSSI. The proposals are in accordance with the relevant policies.

- L An assessment of the potential for the site to be used for mineral extraction has been carried out. Given the limited presence of materials and restrictions due to existing residential properties it is considered that the working and winning of these materials would not be financially viable. ECC Minerals raise no objections.
- M Cumulative impacts have been considered in respect of committed development and also a speculative development proposal in Elsenham. No adverse cumulative impacts would arise.
- N The ES has been considered by the local planning authority as part of the decision making process. It is considered that the ES satisfies the requirements of the EIA Regulations.

RECOMMENDATION – CONDITIONAL APPROVAL – SUBJECT TO S106 LEGAL 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 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 obligation to secure the following:**
 - (i) **Delivery of affordable housing (% to be agreed)**
 - (ii) **Contribution to education provision**
 - (iii) **Transfer of land for primary school and EY&C facility**
 - (iv) **Contribution to healthcare provision**
 - (v) **Provision of community facilities**
 - (vi) **Provision of LEAPS, NEAP and public open space and associated maintenance payment**
 - (vii) **Provision of sports pitches and pavilions and associated maintenance payment**
 - (viii) **Provision of allotments**
 - (ix) **Payment of commuted sum of £19,000 in relation to proposed signalised pedestrian/cycle crossing**
 - (x) **Residential Travel Plan**
 - (xi) **Highway works including crossing points and pedestrian and cycle links**
 - (xii) **Provision of bus service**
 - (xiii) **Maintenance of fencing to High Wood SSSI**
 - (xvi) **Payment of monitoring fee**
 - (xvii) **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 agreement by 13 March 2014 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reasons:**

- (i) No delivery of affordable housing (% to be agreed)**
- (ii) No contribution to education provision**
- (iii) No transfer of land for primary school and EY&C facility**
- (iv) No contribution to healthcare provision**
- (v) No provision of community facilities**
- (vi) No provision of LEAPS, NEAP and public open space and associated maintenance payment**
- (vii) No provision of sports pitches and pavilions and associated maintenance payment**
- (viii) No provision of allotments**
- (ix) No payment of commuted sum of £19,000 in relation to proposed signalised pedestrian/cycle crossing**
- (x) No residential Travel Plan**
- (xi) No highway works including crossing points and pedestrian and cycle links**
- (xii) No provision of bus service**
- (xiii) No maintenance of fencing to High Wood SSSI**

1. 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 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.

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 1 year from the date of this permission.

(B) The development hereby permitted shall be begun no later than the expiration of 2 years 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.

3. Prior to the application for approval of the reserved matters a phasing plan shall be submitted to and approved in writing by the local planning authority. This plan shall identify each proposed phase, the timing of delivery, together with the number of dwellings and percentage of affordable units to be delivered. Subsequently the submission of reserved matters applications will be in accordance with the phasing plan.

REASON: To ensure the appropriate phased delivery of the scheme and to ensure that the development makes a timely contribution towards the Council's 5 year land supply, in accordance with the NPPF.

4. The details to be submitted in accordance with condition 1 and the approved phasing plan shall include:
 - Details of open space for each sub area in accordance with the Design and

Access Statement

- Details of LAPs and LEAPs, where appropriate, to be in accordance with the Design and Access Statement
- Details of hard, soft and water landscaping, in accordance with the Design and Access Statement and taking into account Advice Note 3 'Potential Bird Hazards from Amenity Landscaping and Building Design'
- Details of lighting using low light pollution installations
- Updated ecological surveys
- Detailed design of SuDS, taking into account Advice Note 6 'Potential Bird Hazards from Sustainable Drainage Schemes (SuDS)
- Details of green roofs
- Bird Hazard Management Plan, taking into account Advice Note 6 'Potential Bird Hazards from Sustainable Drainage Schemes (SuDS) and Advice Note 8 'Potential Bird Hazards from Building Design'
- Water, energy and resource efficiency measures and rainwater harvesting measures
- Details of finished site levels
- Details of recycling and refuse storage and collection provision
- Compliance with Lifetime Homes Standards
- Parking provision in accordance with the current adopted standards

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, GEN8, ENV10 and ENV11.

5. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the *1 in 100 years (cc)* critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
 - Infiltration testing across the site in accordance with BRE365, and the infiltration test results.
 - Catchment analysis of Hoglands Brook to determine the extent of flooding.
 - The discharge rate to the watercourses will be at the Greenfield runoff rate for the equivalent event.
 - Details of the outfalls to ditch and confirmation that the ditch has the capacity to accept the flows
 - Attenuation storage shall be provided to cater for the 1 in 100 year critical storm plus allowance for climate change.
 - Details of any exceedance and conveyance routes and calculations of its performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change
 - A drainage plan for the site including the proposed location/size of any infiltration/attenuation device.
 - Details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing 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 the increased risk of flooding by ensuring the satisfactory storage of/disposal of surface water from the site, and ensure future maintenance of the surface water drainage.

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

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

7. Prior to the commencement of any phase of the development hereby permitted a Site Waste Management Plan shall be submitted to and approved by the local planning authority. Subsequently the development shall be carried out in accordance with the approved plan.

REASON: In the interests of protecting the residential amenity of the nearby residential properties, in accordance with adopted Uttlesford Local Plan Policy GEN4.

8. Prior to the commencement of any phase of the development hereby permitted a Construction Environmental Management Plan shall be submitted to and approved by the local planning authority. Subsequently the development shall be carried out in accordance with the approved plan.

REASON: In the interests of protecting the residential amenity of the nearby residential properties, in accordance with adopted Uttlesford Local Plan Policy GEN4.

9. Prior to the commencement of any phase of the development hereby permitted a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. This document should state how construction traffic will be managed including (but not exclusively) the management and provision of the following items:
 - a) Suitable access arrangements to the application site in connection with the construction of the development,
 - b) wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas,
 - c) turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site.
 - d) Routing and timing of construction traffic, which should be discussed in advance with the Highway Authority to minimise impact on the local community.

REASON: In the interests of highway safety and efficiency to ensure accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005) and the Highway Authority's Development Management Policies DM1, DM19 and DM20 (adopted February 2011)

10. Prior to the commencement of development of each phase a Wildlife Protection Plan for the site shall be submitted to and approved in writing by the Uttlesford Planning Authority. The details shall include how mitigation measures for Legally Protected

Species and Priority Species will be implemented prior to and during construction of the development in accordance with appropriate wildlife legislation. This shall include Method Statements where appropriate. Should pre-construction inspections identify the presence of Legally Protected Species and/or Priority Species not previously recorded, construction works shall cease immediately until such time as further surveys have been completed (during the appropriate season) and mitigation measures have been agreed in writing with the Uttlesford Planning Authority and Natural England where necessary.

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 local plan policies.

11. Prior to the commencement of development of each phase a Biodiversity Mitigation and 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, as outlined in the Environmental Impact Assessment Volume 1 (dated March 2013) and in the survey reports in Environmental Impact Assessment Volume 2 Chapter 8 and shall, without prejudice to the foregoing, include:
- (i) Aims and objectives of mitigation and enhancement;
 - (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) The personnel responsible for the work;
 - (vii) Disposal of wastes arising from the works;
 - (viii) Selection of specific techniques and practices for preparing the site and/or creating/establishing vegetation;
 - (ix) Appropriate management options for achieving aims and objectives;
 - (x) Prescriptions for management actions;
 - (xi) Ecological trends and constraints on site that may influence mitigation and enhancement measures;
 - (xii) Personnel responsible for implementation of the Plan;
 - (xiii) The Plan shall include demonstration of the feasibility of the implementation of biodiversity mitigation plan for the period specified in the Plan;
 - (xiv) Monitoring and remedial / contingencies measures triggered by monitoring to ensure that the proposed biodiversity gains are realised in full. Monitoring shall review agreed targets at five year intervals and allow for remedial action to be agreed with the Uttlesford Planning Authority.

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 local plan policies

12. 1. No development or preliminary groundworks can 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 order to protect any cultural heritage assets within the site, in accordance with Uttlesford Local Plan Policy ENV4 (adopted 2005) and the NPPF.

13. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the local planning authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

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 Uttlesford Local Plan Policies GEN7 and ENV7 (adopted 2005) and the NPPF.

14. Prior to the commencement of development details of the deer fencing to be erected on the western and northern boundaries of High Wood SSSI shall be submitted to and approved in writing by the local planning authority. No development shall be carried out until the fencing as approved has been erected. Subsequently the fencing shall be maintained to the agreed specification requirements thereafter.

REASON: In order to prevent adverse harm to the High Wood SSSI, in accordance with Uttlesford Local Plan Policy ENV7 (adopted 2005) and the NPPF.

15. Prior to the commencement of any phase of the development hereby permitted details of a priority junction to Woodside Way, as shown in principle on submitted drawing no SK08 Rev A, shall be submitted to and approved in writing by the local planning authority. Details shall include a 6.75 metre carriageway, two 2 metre footways, a right hand turn from Woodside Way, visibility splays, surfacing, means of surface water drainage, lighting, signage and a stage 2 Safety Audit. Subsequently the junction shall be constructed as approved, unless otherwise agreed in writing.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing highway for the safety and convenience of users of the highway and of the access in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005) and the Highway Authority's Development Management Policy DM1 (adopted 2011).

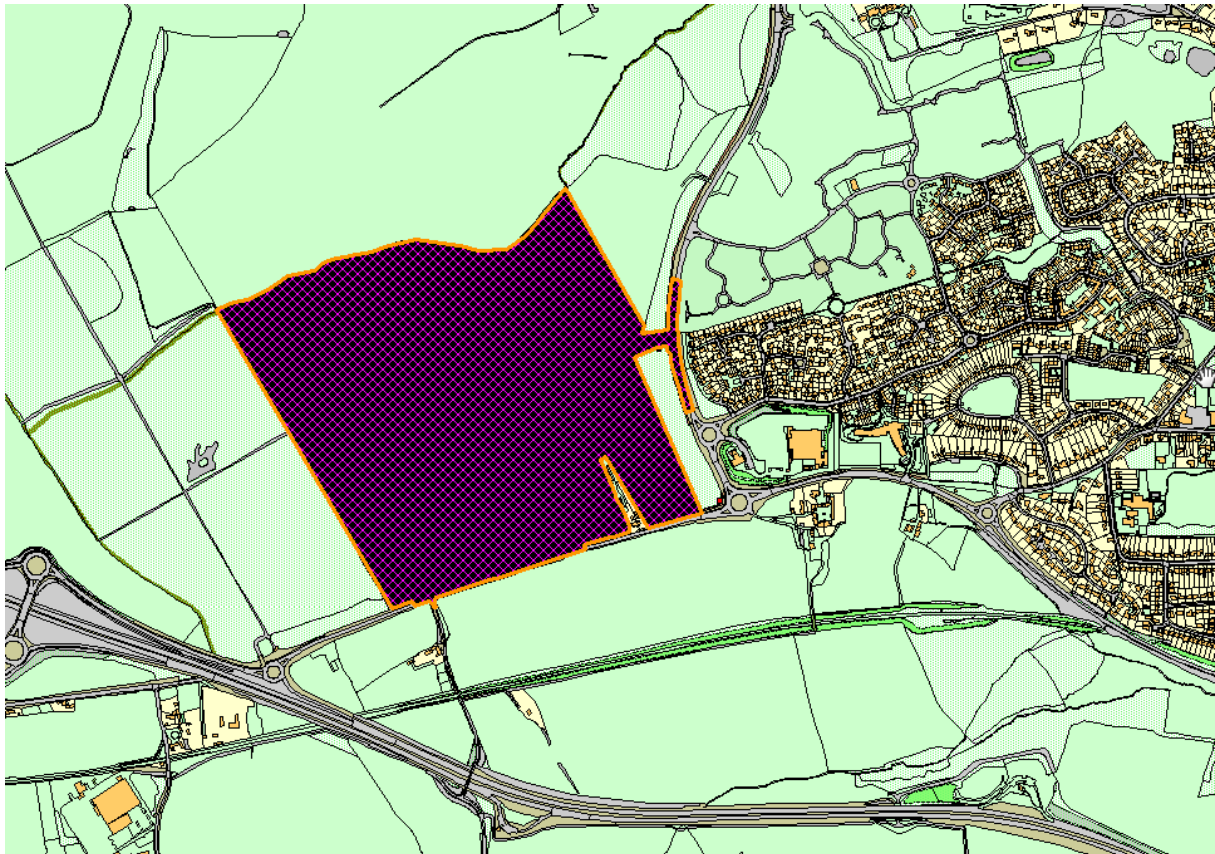
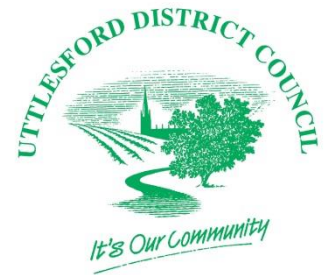
16. Prior to the commencement of any phase of the development hereby permitted details of a roundabout onto Stortford Road, as shown in principle on submitted drawing no 100, shall be submitted to and approved in writing by the local planning

authority. Details shall include visibility splays, surfacing, means of surface water drainage, lighting, signage and a stage 2 Safety Audit. Subsequently the junction shall be constructed as approved, unless otherwise agreed in writing.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing highway for the safety and convenience of users of the highway and of the access in accordance with Uttlesford Local Plan Policy GEN1 (adopted 2005) and the Highway Authority's Development Management Policy DM1 (adopted 2011).

Application no.: UTT/13/2107/OP

Address: Land West of Woodside Way, Great Dunmow



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Organisation: Uttlesford District Council

Department: Planning

Date: 3 February 2014

SLA Number: 100018688