

## GREAT DUNMOW TOWN COUNCIL

CAROLINE FULLER, MII,CM  
Town Clerk  
& Responsible Financial Officer

CHARLOTTE BRINE  
Deputy Clerk



FOAKES HOUSE  
47 STORTFORD ROAD  
GREAT DUNMOW  
ESSEX CM6 1DG

Tel: 01371 872406 / 876599  
Email: [info@greatdunmow-tc.gov.uk](mailto:info@greatdunmow-tc.gov.uk)

29<sup>th</sup> May 2015

Mr N Brown  
Development Manager  
Uttlesford District Council  
Council Offices  
London Road  
Saffron Walden  
Essex CB11 4ER

Dear Mr Brown,

UTT/14/0127/FUL Land South of Ongar Road, Great Dunmow – Amended Application

The Town Council met on 28<sup>th</sup> May 2015 and resolved unanimously to continue to **object strongly** to this planning application as it does not comply with local or national planning policy and would cause significant unsustainable economic and social harm to the town and environmental harm to the countryside.

It is noted that Uttlesford District Council refused permission to applications UTT/1255/11/OP and UTT/13/1979/FUL. Although this latest application and its amendments go some way towards meeting those reasons for refusal, our objections remain as stated below:

### **OUTSIDE DEVELOPMENT LIMITS**

UDC refused planning application UTT/1255/11/OP as the site lies outside the development limit where, in accordance with Policy S7 the countryside is to be protected for its own sake and the countryside will be protected from development unless it needs to be there or is appropriate to a rural area. This development does not need to be there, would not protect the character of the countryside, and would be harmful to the character of the area. The Inspector in the 2012 appeal (paragraph 15 explicitly accepted this judgement). However he went on to give limited weight to the harm and without explaining his reasoning accepted the fact that S7 would be breached. We strongly disagree with this conclusion, which we consider is not justified. However, bearing in mind the ambiguity over the status of the ALP and S7 we would also argue strongly that the development of this site would be contrary to the core principles of the NPPF which require Councils to recognise the intrinsic character and beauty of the countryside, to protect and enhance valued landscapes and to use land of lesser environmental value (14 and 109). We deal below with the specific characteristics and value of this particular site and with the very urgent and significant policy implications.

**Fails to comply with Policy S7**

29<sup>th</sup> May 2015

### **CONTRARY TO UDC LOCAL PLAN CONSULTATION 2012**

Responses to the draft Local Plan consultation (January – March 2012) showed overwhelmingly that development would be unacceptable to local people in this location (identified as GtDUN03). The sustainability appraisal that supported both the January 2012 and July 2012 consultations did not recommend the inclusion of GtDUN03 but, on the contrary, identified a number of strong negative factors. We are entitled to conclude that this site was not included as a draft allocation in 2012 precisely because of the negative score arrived at by the SA.

### **Fails to take regard of Local Plan Consultation and Sustainability Appraisal results**

### **UNSUSTAINABLE DEVELOPMENT**

The application does not contribute to the achievement of sustainable development as required by the National Planning Policy Framework (NPPF).

#### Economic

It is not sustainable to introduce the population of a further 99 homes, on top of Draft Local Plan allocations and other planning commitments, into the town which has limited employment opportunities. This development will speed it towards the inevitability of being a dormitory town with people living here but working elsewhere. The Neighbourhood Plan Questionnaire (2012) asked residents whether this was what they wanted for Great Dunmow over the next 15-20 years. Less than 1% of participants want this for the town.

This development will do absolutely nothing to broaden the economic base of the town. On the contrary it will impose economic burdens.

#### Social

The location of the development is detached from the town centre and will do nothing to further social interaction and healthy inclusive community as the NPPF requires (69). The high density of housing results in an overcrowded layout more suited to an urban setting. The design is inappropriate in this rural setting.

The proliferation of tandem parking may address the developer's need to provide sufficient parking spaces, but in practice residents will often find themselves blocked in and park elsewhere which will not only look unsightly, but could result in damaged property and blocked streets.

As can be seen at Fritch Green, garages 'en bloc' tend not to be used for the purpose of parking cars, which park out on the roads. These garages are often used for storage instead and are therefore more vulnerable to vandalism and being broken into. The Town Council would prefer to see individual garages placed next to houses to encourage cars to park off the roads and discourage crime.

**Contrary to NPPF Policies 56 & 64**

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VAT Reg. No: 103 8041 17

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29<sup>th</sup> May 2015

The current application does not provide an acceptable or accurate analysis of the accessibility of the site but focuses merely on modelled traffic movements. This is unacceptable and should not be used as a basis for taking a decision. More analysis that demonstrates the sites sustainability should be required.

The Transport Report contains an accessibility assessment and design review. The document shows all the main facilities are outside the 'acceptable' 1km walking distance. Hence the town centre, for example is, at 1.3km, beyond an acceptable walking distance.

The nearest bus stop is 450m away and bus services are shown but without making it clear that only the 42, 42A and 542 (which are essentially the same service) are valid being 7 day, and run at best once per hour. The Rodings service can be ignored for this purpose as it runs only once per week.

The development demonstrably does not support reductions in greenhouse gas emissions and reduce congestion as set out in NPPF Policy 30.

The development does not fulfil the NPPF's policy to promote sustainable transport.

### **Contrary to NPPF Policy 30**

#### Environmental

The Adopted Local Plan contains no locally specific policies. The environment section, 5, however has the following aims:

- To safeguard the character of Uttlesford historic settlements;
- To conserve and enhance the historic buildings in Uttlesford and their settings;
- To protect the natural environment for its own sake particularly for its biodiversity, and agricultural, cultural and visual qualities.

The evidence base of the local plan contains the Historic Settlement Character Assessment and the Landscape Appraisal. The landscape appraisal discusses the western fringe of Dunmow but not in great detail. It is quoted in the Town Profile

*'Views across the (Rodings) plateau to Great Dunmow are an important characteristic of this area'.*

Great Dunmow Town Profile 2012 (UDC)

It recommends protecting the rural character and it recognises the pressures such as ' the expansion of suburban character and pattern .... Pressure on open character of countryside gaps.

It recommends a policy to protect and..enhance the locally distinctive and historic character of the ..urban ..settlements and their settings..' ( 8.3.6)

The Historic Settlement Character Assessment described the area of the site as follows:

This general approach, whilst being rural in nature, is also characterised by the presence of occasional buildings before the A120 crossing is reached. At this point the A120 is in a cutting and because of this its impact on the landscape is minimal. Immediately beyond the new bypass and to the north, there is an area of former parkland with a number of quality individual trees whilst to the south west there is an area of flat open arable countryside hemmed in by the bypass and Clapton Hall Lane. The open arable farmland with the clear-cut and precise urban edge abutting it makes a firm transition point between town and country. Despite being separated by the bypass from the wider countryside beyond, the arable farmland is visually part of the wider landscape because the A120 is in cutting in this location.

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And it concluded:

*'It is considered that development in this sector (Land on the Ongar Road approach north of the A120) would diminish the sense of place and local distinctiveness of the settlement'.*

Historic Settlement Character Assessment 2007 (UDC)

The Town Design Statement which the Council adopted in its Guidelines for New Development draws specific attention to the need to protect and enhance the setting and the agricultural land to the west of the town fringing the A120. (pps 30-31)

The Inspector in the 2012 appeal explicitly accepted much the same view:

“Whilst the rectangular shape, gentle slope, and lack of internal landscape features gives the appeal site a utilitarian, arable character, views across it provide continuity with the countryside beyond. This effect is most marked at the north eastern end of the site, which presently has an open, semi-rural appearance”

The site is bounded by a protected land, which despite new frontage development largely retains its rural character and continues to be worthy of protection and enhancement.

In addition and by no means least the site is adjacent to a very significant colony of great crested newts, a protected species. The ecological report accepts this but fails to reflect the cumulative effect on this unique habitat of this development and those of Smiths Farm and Ongar Road North. The inevitable result of this massive scale of development would be serious ecological damage and the loss of the protected species. We are not persuaded that the scrutiny given to the ecological evidence matches the importance of the asset.

It is the firm view of the GDTC that the significance of the site, described in the above extracts from important policy documents is poorly reflected in the application.

The developer's statement in the Design and Access Statement that 'the site is unused field land with no significant features' does not convey the reality that the land is on the outer fringe of this rural market town offering long reaching views over the countryside. The application does contain a landscape analysis that touches on the site and the developer has provided a Built Heritage Impact Assessment, but we request that a landscape appraisal is carried out by an independent body (eg ECC), and the impact on the listed building in Clapton Hall Lane should be the subject of a specific appraisal by the Conservation Officer or independent expert.

Furthermore the GDTC believes that the low weight given to this site in the past is a direct result of the inadequacy of the policies to protect and enhance the unique setting of Great Dunmow in general and this site in particular. We intend that the emerging Neighbourhood Plan will propose such policies and trust that the Council will give greater weight to the setting as described in the above documents in particular the Town Design Statement in the interim so that irrevocable damage is avoided.

## **AGRICULTURAL LAND**

The development would result in the loss of 4 ha of the best and most versatile Grade 2 agricultural land. The NPPF requires Councils to take into account the economic and other benefits of BMV. Faced with the need to develop agricultural land it should seek land of lesser value. There is no evidence of the value of this land being taken into account. The case for the applicant is based on mere supposition. In the absence of such an evaluation the proposal is contrary to the NPPF (112 and Annex 2).

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29<sup>th</sup> May 2015

## INFRASTRUCTURE

There is not the necessary evidence for assessing the implications of new development for infrastructure in the town as clearly required by the NPPF (156, 157 and 162). It is urgent and essential that this gap is remedied so that decisions can be taken on major developments with more consistency and confidence and that necessary financial contributions can confidently be secured.

### Doctors

One of the town's doctor's surgeries is at capacity and the other is close to it. This development will put further strain on the town's health facilities. It is noted however that a financial contribution of £16,800 would be secured via a Section 106 agreement.

### Schools

UDC refused application UTT/13/1979/FUL on the grounds that it made no satisfactory provisions to secure the necessary infrastructure in terms of contributions to primary and secondary education. Essex County Council has calculated an education and childcare contribution of £591,786 for this size of development. However, only £294,013 has been included in the draft Heads of Terms of the Section 106 agreement for primary education. There is no financial provision as yet for secondary education.

### Sports

The Neighbourhood Plan Steering Group has identified that all of the town's sports clubs are at capacity. There are deficiencies in sports and recreational and play facilities. This proposal will exacerbate these deficiencies.

The approval of this application will stretch the local infrastructure close to breaking point. No provision is made for community facilities, school capacity, public services or transport provision.

**Fails to comply with Policy GEN6 and the infrastructure requirements of the NPPF (7, 17, 21, 156, 157 and 162).**

## ROADS & ROAD SAFETY

Ongar Road carries over 5000 vehicles per day and the peak flows are in excess of 500 (ECC 2007). UDC refused the outline proposal on the grounds that it would 'give rise to unacceptable level of road safety and traffic generation which would compromise the safety and convenience of users of the highway'. This application does not address this reason for refusal and concerns remain that the increased amount of traffic using the only access onto the roundabout (Clapton Hall Lane/Ongar Road) will result in increased safety risks for vehicles and pedestrians.

The plans show a visibility distance of only 35m at the roundabout junction of Clapton Hall Lane and Ongar Road. We need assurance that this is adequate for road safety when exiting Clapton Hall Lane. The design of the roundabout shows visibility lines for the internal junctions but omits any for the roundabout itself. This underlines the need to have the roundabout independently verified in the light of the increased flow onto it.

The accompanying traffic analysis is considered to be inadequate and does not provide a sound basis for a safe decision.

**Fails to comply with Policy GEN1 and the NPPF (32 and 35)**

29<sup>th</sup> May 2015

The Town Council has listened to residents and strongly objects to this development. It urges the District Council to uphold its original refusal of planning permission on this site on the grounds that it is unsustainable and contrary to local and national planning policies.

Yours faithfully



Caroline Fuller  
Town Clerk

Cc District Councillors G.Barker  
J.Davey  
P.Davies  
E.Hicks  
V.Ranger

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3<sup>rd</sup> June 2015

Mr N Brown  
Development Manager  
Uttlesford District Council  
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Saffron Walden  
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Dear Mr Brown,

UTT/14/0127/FUL Land South of Ongar Road, Great Dunmow – Amended Application

Further to my letter dated 29<sup>th</sup> May 2015 this letter raises further objections to the above application particularly in light of two recent planning appeal decisions. The reasons given for dismissal in each case could apply equally to the above application.

Firstly, appeal ref: APP/C1570/A/14/2222950 by Gladman Developments Ltd. Up to 120 dwellings on Land off Walden Road, Thaxted which was dismissed on 1<sup>st</sup> June 2015 for the following main reasons:

- The effect on the character and appearance of the surrounding area.
- The provision of open space within the development along with the provision of affordable housing and contributions to mitigate the impact on healthcare and education would do little to make up for the harm of the loss of the countryside.
- The effect on heritage assets, including nearby listing buildings and conservation area.
- Acceptance that the five year housing supply is close to the target.

The inspector concluded that extent of harm to the character and appearance of the area and balancing social, economic and environmental roles would still not result in sustainable development. He noted that the Thaxted Design Statement was produced by local people with guidance from professionals and subject to public consultation and 'reasonable weight should be attached to it'. The benefits of the development would not outweigh the harm.

Secondly, appeal ref: APP/C1570/A/14/2221494 by Kier Homes Ltd. Up to 300 dwellings on Land off Thaxted Road, Saffron Walden which was dismissed on 2<sup>nd</sup> June 2015 for the following main reasons:

- The effect on the character and appearance of the area. The inspector noted that the appeal site is in a location where the countryside meets the town and development will amount to a 'substantial urban built form that will have a very significant effect on the character of the area.
- A materially adverse effect on the efficient operation of the local highway network.

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- Loss of the best and most versatile agricultural land which was not justified.
- Effects on local infrastructure and services including education and waste water treatment.

The inspector concluded that, in the presence of a five year housing supply, along with the reasons above, the development is not sustainable and should be dismissed.

With the failure of the Local Plan at examination in 2014, Land South of Ongar Road remains outside of development limits in the adopted 2005 Local Plan. The site is also outside development limits in the emerging Neighbourhood Plan which, although not yet 'made', has reached its current stage with full public involvement.

The Great Dunmow Town Design Statement draws specific attention to the need to protect and enhance the setting and the agricultural land to the west of the town fringing the A120. It was, as was the Thaxted Design Statement, produced by local people, guided by professionals, subject to public consultation and adoption by the Town Council, and should therefore have 'reasonable weight' attached to it.

The Winslow Neighbourhood Plan, which succeeded at examination, set out what it deemed to be sustainable housing numbers for the town when the Vale of Aylesbury Local Plan had been withdrawn. The Great Dunmow Neighbourhood Plan sets out development limits when the Uttlesford Local Plan had been withdrawn and these limits do not include Land South of Ongar Road. The Neighbourhood Plan Steering Group and the Town Council therefore feel fully justified in omitting the Land South of Ongar Road (and indeed Land North of Ongar Road) from the development limits and are encouraged by the Winslow case that this decision would be supported if tested in law.

The application does not take into account the impact of the development on the town's infrastructure, nor the cumulative impact with other recently granted applications, eg Smiths Farm. The Town Council feels that the consents already granted will push the town's infrastructure and public services to (and in some cases beyond) its limits.

The Neighbourhood Plan Steering Group and the Town Council strongly object to the application as the proposed development is unwanted, unnecessary and unsustainable and urges the District Council to refuse planning permission.

Yours faithfully



Caroline Fuller  
Town Clerk

Cc District Councillors G.Barker  
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