

Public Document Pack

Uttlesford District Council

Chief Executive: Peter Holt

Planning Committee

Date: Wednesday, 27th October, 2021

Time: 10.00 am

Venue: Council Chamber - Council Offices, London Road, Saffron Walden,
CB11 4ER

Chair: Councillor S Merifield

Members: Councillors G Bagnall, J Emanuel, P Fairhurst, R Freeman,
G LeCount, M Lemon (Vice-Chair), J Loughlin, R Pavitt, N Reeve
and M Sutton

Substitutes: Councillors M Caton, A Coote, N Gregory, V Isham, B Light, G Sell,
G Smith and J De Vries

Public Speaking

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Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, and encouraged to attend the meeting via Zoom to read out their questions or statement themselves. There is capacity for four additional people to attend the Chamber in person and seats will be available on a first come first serve basis, so please do get in touch as soon as possible if this is of interest.

For further information, please see overleaf. Those who would like to watch the meeting live can do so virtually [here](#). The broadcast will be made available as soon as the meeting begins

AGENDA PART 1

Open to Public and Press

1 Apologies for Absence and Declarations of Interest

To receive any apologies for absence and declarations of interest.

2 Minutes of the Previous Meeting (To follow)

To consider the minutes of the previous meeting (To follow).

3 UTT/21/1708/OP - Land East of Highwood Quarry, LITTLE EASTON 5 - 270

To consider application UTT/21/1708/OP.

4 UTT/21/1495/FUL - Land East of the Stag Inn, Duck Street, LITTLE EASTON 271 - 307

To consider application UTT/21/1495/FUL.

5 UTT/20/2007/FUL - Land South of Radwinter Road (former Printpack Site), SAFFRON WALDEN 308 - 420

To consider application UTT/20/2007/FUL.

The following items will not be taken before 1.00pm

6 UTT/21/1755/DFO - Land To The South Of Braintree Road, FELSTED 421 - 439

To consider application UTT/21/1755/DFO.

7 UTT/21/1685/FUL - Oakbourne, Hammond Road, HATFIELD BROAD OAK 440 - 460

To consider application UTT/21/1685/FUL.

8 UTT/21/2629/FUL - The Gate Inn, 74 Thaxted Road, SAFFRON WALDEN 461 - 479

To consider application UTT/21/2629/FUL.

- 9 UTT/21/1994/FUL - Ryders Barn, Strethall Lane, STRETHALL** 480 - 507
To consider application UTT/21/1994/FUL.
- 10 UTT/21/2273/HHF - Jalna, 4 Victoria Gardens, SAFFRON WALDEN** 508 - 516
To consider application UTT/21/2273/HHF.
- 11 Report of the Review of the Planning Service** 517 - 576
To receive and consider the report.

MEETINGS AND THE PUBLIC

In light of the recent High Court judgement regarding the extension of remote meeting regulations, Council, Cabinet and Committee meetings will now be returning to in-person and will be held on-site from Thursday 6th May 2021. However, due to social distancing measures and capacity considerations in line with the Council's risk assessment, public access and participation will continue to be encouraged virtually until further notice. Members of the public are welcome to listen live to the debate of any of the Council's Cabinet or Committee meetings. All live broadcasts and meeting papers can be viewed on the Council's calendar of meetings webpage.

Members of the public and representatives of parish and town councils are permitted to speak at this meeting and will be encouraged to do so via the video conferencing platform Zoom. If you wish to make a statement via Zoom video link, you will need to register with Democratic Services by 2pm the day before the meeting. Those wishing to make a statement via video link will require an internet connection and a device with a microphone and video camera enabled. Those wishing to make a statement to the meeting who do not have internet access can do so via telephone.

Technical guidance on the practicalities of participating via Zoom will be given at the point of confirming your registration slot, but if you have any questions regarding the best way to participate in this meeting please call Democratic Services on 01799 510 369/410/467/548 who will advise on the options available.

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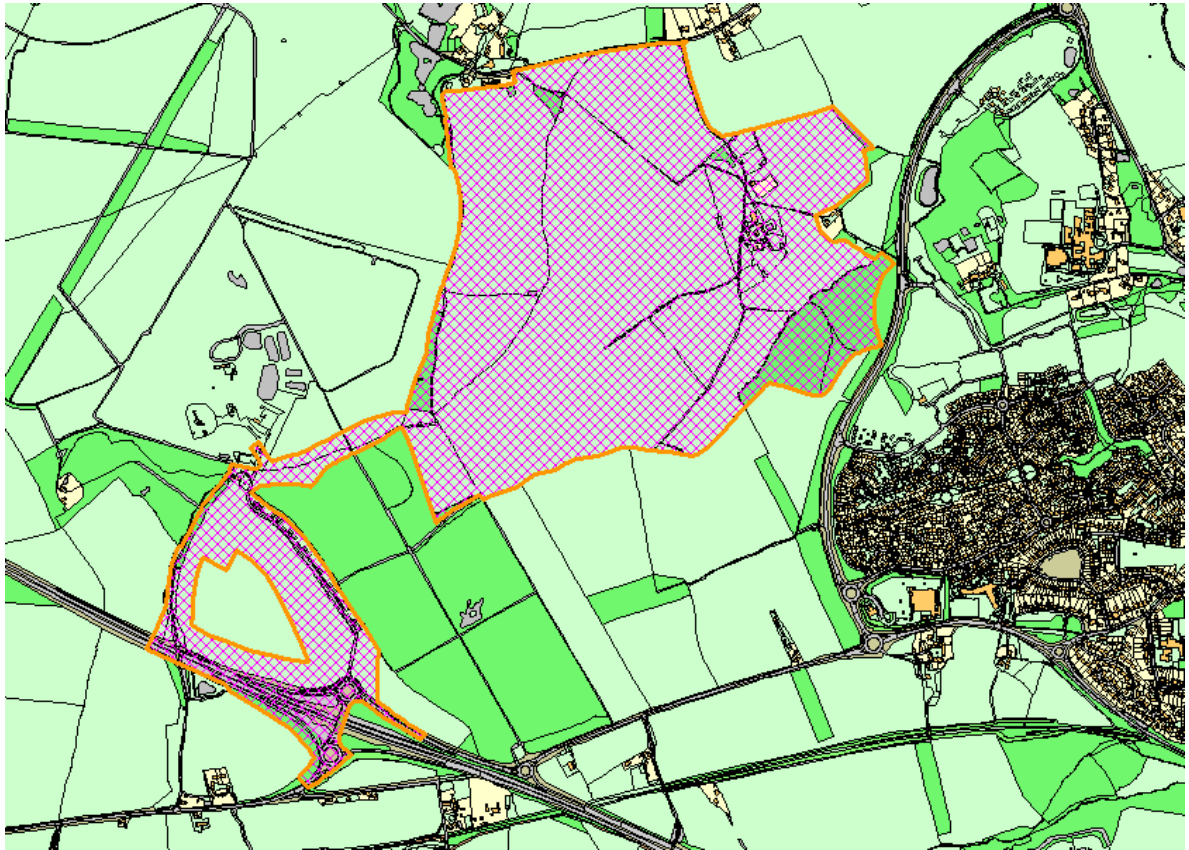
Email: uconnect@uttlesford.gov.uk

Website: www.uttlesford.gov.uk

REFERENCE NUMBER: UTT/21/1708/OP

LOCATION: LAND EAST of HIGHWOOD QUARRY, LITTLE EASTON

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 27th October 2021

PROPOSAL: Outline planning application with the details of external access committed. Appearance, landscaping, layout (including internal access), scale reserved for later determination. Development to comprise: between 1,000 and 1,200 dwellings (Use Class C3); up to 21,500 sq m gross of additional development for Use Classes: C2 (residential institutions care/nursing home); E(a-f & g(i)) (retail, indoor recreation, health services and offices); F1(a) (Education); F2(a-c) (local community uses); car parking; energy centre; and for the laying out of the buildings, routes, open spaces and public realm and landscaping within the development; and all associated works and operations including but not limited to: demolition; earthworks; and engineering operations. All development works and operations to be in accordance with the Development Parameters Schedule and Plans.

LOCATION: Land East of Highwood Quarry Little Easton

APPLICANT: L S Easton Park Development Ltd

AGENT: Barton Willmore

EXPIRY DATE: 27 October 2021 (Extension of Time Agreed)

CASE OFFICER: William Allwood

1. RECOMMENDATION: REFUSE, for the following reasons:

- 1) The physical presence of the development would have an impact not just as a cluster of dense built form on the edge of the Conservation Area, but also through increased noise, traffic movements and light spill, fundamentally altering the tranquil rural character of the Little Easton settlement. The urbanising effect of the development would be a permanent and irreversible change to the setting of the Conservation Area, detracting from its character and the appreciation of its significance. This impact would also affect the settings of the listed buildings on the southern side of Little Easton, especially Church Row (list entry no: 1097468) and St Mary's Church itself. Similarly, the cluster of listed buildings along Park Road: Portways (list entry no: 1055739), Park Road Cottage and Yew Tree Cottage (list entry no: 1097467) and the Old Library (list entry no: 1055743), would have their settings fundamentally altered. It is considered that for the Little Easton Conservation Area, the listed buildings at the southern part of the Conservation Area and the listed buildings along Park Road, this harm would be at a medium level of the spectrum. Paragraph 202 of the NPPF (2021) should therefore be applied. Consideration should also be given to paragraph 199 which affords great weight to the conservation of heritage assets, as well as the statutory duty of Sections 66(1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 under which local planning authorities should have special regard to the desirability of preserving the settings of listed buildings and the character and appearance of Conservation Area. These proposals are therefore considered contrary to the implementation of Policies ENV1 and ENV2 of the adopted Uttlesford Local Plan 2005, *Position LSC-A: The Historic Environment* of the Made Great Dunmow Neighbourhood Plan 2016, and the relevant passages contained within Section 16 of the National Planning Policy Framework 2021.
- 2) The development would have a significant detrimental visual impact on the existing rural character of the site. The development extends onto the upper slopes of the valley which exacerbates the potential impact on the wider landscape. Whilst structural planting may reduce to some extent the visual impact of the proposed development, the form and Scale of the development is not considered to sit comfortably in the context of the surrounding landscape. The proposed development is unacceptable. The proposal is therefore considered to be inconsistent with the provisions of Policy S7 of the adopted Uttlesford Local Plan 2005, and Policy LSC1 of the Made Great Dunmow Neighbourhood Plan – December 2016.

- 3) The application does not demonstrate that safe and suitable access can be achieved for all users:
- a. The permeability and integration of the site with surrounding development is limited in transport terms. The single point of access for vehicles and public transport and limited accesses for walking and cycling increase distances for sustainable transport. As far as can be determined from the submitted application the proposed routes for sustainable transport are not attractive or suitable for general everyday use particularly in terms of personal security and travel time.
 - b. The safety of the proposed vehicular access arrangements and signalised pedestrian/cycle crossing have not been demonstrated by a stage one Road Safety Audit and appropriate design audits.
 - c. Additional information on the access arrangements is required in order for the highway authority to determine if the access is safe and suitable for all users. This is outlined in the initial response and is summarised as:
 - i. Details on the suitability and treatment of public rights of way of off-road routes to accommodate walking trips to local amenities, villages and Great Dunmow from the development
 - ii. Details on the suitability and treatment of routes to accommodate cycling trips to local amenities, villages and Great Dunmow from the development.
 - iii. Details of expected use proposed pedestrian/cycle signalised crossing, 85th percentile speed of traffic and stage one Road Safety Audit to inform design of crossing
 - iv. Further details of access arrangements to the site, including evidence that designs comply to the relevant standards, that the access to the existing quarry is safe and suitable, that the public rights are protected for the safe use and any proposals take into account their status. Provision of a stage 1 Road Safety Audit for the access arrangements.
- 4) The application does not demonstrate that appropriate opportunities to promote public transport can be or have been taken up, given the type of development or location.
- a. The single point of access and long access road make the provision of attractive and viable public transport links to key destinations and integration into the bus network difficult, as they rely on a remote transport hub or long diversion to provide services.
 - b. Additional information is required on public transport in order for the highway authority to determine whether the public transport offer will be viable and attractive to residents, this is outlined in the initial response and is summarised as:
 - i. Details of a bus strategy including an understanding of the viability of the services in the long term, accessibility of services for residents, frequency and links to key destinations.
 - ii. Further details of future proofing of site for potential Rapid Bus Transport
 - iii. Further details to ensure robust travel plans with clear targets, monitoring and funding to support the plans

- 5) The application does not adequately demonstrate the cumulative impact of the proposal on the capacity of the highway network.
- a. As far as can be determined from the application the proposed vehicle generation by the development is not representative of a development of a similar size or in a location with restricted accessibility for sustainable modes of transport.
 - b. The transport assessment does not include a modelling assessment of key junctions in Great Dunmow including Rosemary Lane/Stortford Road, North Street/Rosemary Lane and Woodside Way/B1008.
 - c. Additional information is required on the trip generation in order for the highway authority to determine if there is sufficient capacity on the network and any proposed mitigation is acceptable. This is outlined in the initial response and is summarised below.
 - i. An assessment of the various elements, residential, primary and secondary education, retail trips, office trips and other non-residential of that make up the final external trip rate, taking into account detailed comments in the initial response.
 - ii. Provision of the detailed calculations underlying residential, non-residential, and final trip vehicle trip rates including an assessment and explanation of the use of TEMPRO to determine journey purpose
 - iii. A modelling assessment of key junctions in Great Dunmow, including Rosemary Lane/Stortford Road, North Street/Rosemary Lane and Woodside Way/B1008.
 - iv. In addition to the requirements outlined in initial response, clarification is sought on the approach to the capacity assessment of the committed access roundabout from the B1256 to development Land West of Woodside Way (UTT/13/2107/OP) to ensure the cumulative impact on the junction is understood.

The proposal is therefore contrary to policies DM1, DM10, DM11, DM14, DM15 and DM17 contained within the County Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011; Policy Gen 1 in the Uttlesford Local Plan and paragraphs 110 and 112 of the National Planning Policy Framework 2021.

- 6) The applicant has provided insufficient ecological information on European Protected Species (bats), designated sites (Hatfield Forest SSSI & NNR), ancient woodland (Hoglands Wood/Broomhills Local Wildlife Site) and Priority habitats (Lowland Mixed Deciduous Woodland). The proposal is therefore considered contrary to the implementation of Policies GEN7 and ENV7 of the adopted Uttlesford Local Plan 2005, Policies NE1 and NE2 of the Made Great Dunmow Neighbourhood Plan 2016, and the relevant passages contained within Section 15 of the National Planning Policy Framework 2021.
- 7) Insufficient information has been provided in support of this application to define and fully assess to potential impact of noise on the proposed occupiers arising from the activities of the quarry. The proposal is therefore considered contrary to the implementation of Policy ENV10 of the adopted Uttlesford Local Plan 2005.
- 8) The proposed development fails to deliver appropriate infrastructure to mitigate any impacts and support the delivery of the proposed development. The proposal is therefore considered contrary to the implementation of Policies GEN6 - Infrastructure Provision to Support Development, and Policy

2. DESCRIPTION OF SITE

- 2.1 The application site is located to the south of Little Easton and to the northwest of Great Dunmow, within the open countryside, comprising Grades 2 and 3a quality agricultural land. The site comprises 150 hectares in area. High Wood SSSI, an ancient woodland, is situated to the southwest of the site; further, Hoglands Wood Local Wildlife Site is situated to the southeast of the site. The Saffron Trail runs through the application site
- 2.2 The site is characterised as undulating arable farmland surrounded by low hedgerows and fields. Mature and veteran trees are found throughout the site; there are also ponds to be found within the application site.
- 2.3 An actively worked mineral extraction site is found to the west of the site at Highwood Quarry. The application site runs within the southern boundary of the mineral site and the mineral haul route is located within the application site. Public Rights of Way cross the site. Heritage assets are found to the north of site at Little Easton, including the Grade I listed Church of St Mary the Virgin.
- 2.4 Access to the site is to the A120 to the southwest. The site is within Flood Zone 1, as indicated by the Environment Agency's on-line mapping.

3. PROPOSAL

- 3.1 This outline planning application proposes residential development of up to 1,200 dwellings, an 85no. bed Care Home, up to 6,000 sq.m of Commercial, Business and Service floor space, and a two-form entry Primary School. The application proposes a single point of vehicular access onto the A120 to the southwest of the site
- 3.2 The submitted development includes green infrastructure, comprising private gardens; landscaping and structural planting; sustainable drainage systems; ecological and natural areas; parkland; formal and informal recreation areas; sports pitches; orchards; allotments; equipped and non-equipped play areas; wetlands and watercourses, water features; flood risk management areas; and natural areas (maintained or otherwise).
- 3.3 The application is supported by a series of technical documents and Parameter Plans. Whilst the applicant does not seek formal approval of this Masterplan layout; it is primarily submitted by the applicant to seek that the site area can accommodate the quantum of housing proposed, in a form that will meet parking, garden size, highway and public open space standards and policy requirements.
- 3.4 The applicant has advised that illustrative layout has been informed by site specific opportunities and constraints, local character and built form and by good urban design principles. The intention has been to develop a framework which comprises a hierarchy of streets and spaces with differing character, thus:

Urban Core – High Density – the applicant has advised that the Urban Core lies at the heart of the development near facilities and will, therefore, deliver the highest density up to 45 dwellings per hectare, to maximise accessibility to these. The central neighbourhood centre will include the following key destinations:

- Local Centre
- Central Park
- Primary School

It will be the social focus of the new community and will provide convenient connections to the rest of the Site. The illustrative plan to the right demonstrates one way this area could be delivered with strong continuous frontages, efficient back-to-back residential blocks and predominantly 2.5 to 3 storey building

Residential Neighbourhoods

Medium Density -

the applicant has advised that the medium density area will deliver more intimate residential neighbourhoods providing a transition between the higher density urban core and the softer character of the edges, of between 30 and 40 dwellings per hectare. It will have a verdant character with trees within verges and/or front gardens and varied soft and hard landscaped boundary treatments. Small neighbourhood green spaces will provide opportunities for natural play and neighbourly social interaction. Streetscape will include a variation of rooflines and ridge heights with mainly 2 storeys and a mix of small terraces, semi-detached and detached properties.

Edges – Low Density

the applicant has advised that the low-density residential edges, at around 30 dwellings per hectare, provides a soft interface with the surrounding open spaces, particularly to the north where the architectural response will be sensitive to the existing character of the Little Easton and Park Road. A varied architectural approach with high value, predominantly detached homes influenced by the local context will provide a rich distinctive frontage to the park loop which will provide a leisure walk with play and trim trail opportunities for residents. Private drives and soft boundary treatments will create a pedestrian friendly environment which will ensure existing hedgerows around the edges will be protected and biodiversity gain encouraged.

3.5 The application is also supported by a *Movement Strategy*, which provides details of the various transport modes throughout and beyond the site, thus:

- Walking – provides details of walkable neighbourhoods, and connectivity walking routes, particularly to key destinations within Great Dunmow
- Cycling – provides details of key cycling destinations and routes from the site, to include Stansted Airport and Great Dunmow
- Bus Services – the applicant has identified key destinations for future residents within the site, to include Stansted Airport and Great Dunmow. The applicant has also identified a *potential* shuttle bus to Great Dunmow and/ or Stansted Airport, which could connect with existing 42A and 133 bus services. Further, the applicant has advised for the *potential* for the above services to be diverted into the application site.

3.6 The planning application is further supported by a *Green and Blue Infrastructure Strategy*, to assess and respond to the site's topography, existing landscape assets and sensitivities. As an overarching landscape concept, the applicant proposes a "Green Ring", comprising a 75-hectare radial park encircling the proposed new settlement, a "Central Park" at the heart of the proposed development, with "Green Links" from the centre to the outer Ring. The submitted *Site-Wide Illustrative Landscape Masterplan* provides the wider context.

3.7 The submission also indicates an overarching Play Strategy, which indicates a variety of play facilities across age ranges, and across the proposed settlement. These include:

- A MUGA (Multi-Use Games Area)
- A NEAP (Neighbourhood Equipped Area for Play)
- LEAPs (Locally Equipped Area for Play)

- A Skatepark
- A Bike Track
- Trim Trails

3.8 The applicant also advises that the scheme introduces Biodiversity conservation and protection measures, the planting of native trees and areas of grassland for nesting skylarks.

3.9 Finally, the applicant advises that the application encompasses *Sustainability* at the heart of its proposals; a summary of these identified credentials is:

- Energy-efficient, low-carbon buildings
- All-electric energy: residual emissions will fall over time
- Enable switch to electric vehicles; walkable/cyclable layout
- Local facilities to reduce the need to travel
- Space + telecoms for remote working
- Range of affordable homes
- Design code for quality
- Retain and enhance natural features for wildlife.
- Streets and parks that invite active travel and active recreation.
- Outdoor sports
- Allotments
- Ready for climate change (rainfall, drought, heat)
- Natural flood management
- Trees for shade
- Planting for drought
- Water-efficient buildings

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The Environmental Impact Assessment (EIA) Regulations 2017, as amended, require that a proposed development will be subject to EIA where such development is likely to have 'significant' effects on the environment by virtue of factors including its nature, size or location. 'Screening' is the process for deciding whether EIA is required. Thresholds are provided in the EIA Regulations that determine when the need for EIA must be considered for different types of development. The Development falls within Category 10(b) of Schedule 2 of the EIA Regulations as an 'urban development project' exceeding the 150 dwelling and 5-hectare thresholds. Because the Development exceeds the Screening thresholds and is considered to have the potential for significant adverse effects on agricultural land and significant effects on population, the Applicant did not submit a request for a Screening Opinion from Uttlesford District Council, but prepared and voluntarily submitted an Environmental Statement in support of the planning application.

4.2 In February 2021, a Scoping Opinion was adopted by Uttlesford District Council in respect of the proposed development as described, and advised that the following topics would be Scoped Into the Environmental Statement, thus:

- Landscape and Views.
- Historic Environment.
- Transport and Access.
- Air Quality.
- Noise and Vibration.
- Biodiversity.
- Water Resources and Flood Risk.
- Agriculture and Soils.
- Population and Human Health; and
- Climate Change.

- 4.3 Upon receipt of the Environmental Statement, the Local Planning Authority (LPA) instructed Temple Group, who are specialists on such matters, to review its veracity. On the 28th June 2021, Temple Group advised the LPA that *There are a number of clarifications and potential Regulation 25 (of the 2017 Regulations) requests and we would recommend in the first instance that the Applicant respond to all these issues in one informal response, which we can then review.* The applicant was advised of this request for clarification on the same day.
- 4.4 On the 23rd July 2021, the applicant advises that.... *We are currently preparing our response to the ES review and will issue this early next week.* However, nothing ever arrived. On the 02nd August 2021, further correspondence was received from the applicant, who advised...*With regard to the ES review, we are just finalising our response and aim to issue this in the next few days.* Again, nothing arrived.
- 4.5 Finally, the applicant wrote to the LPA on the 24th August 2021, and advised that ...*At this stage, we do not envisage a Regulation 25 submission will be necessary but will provide clarification regarding the points raised.* Again, nothing has ever been submitted.

5. APPLICANTS CASE

5.1 The following documents have been submitted in support of the outline planning application:

- Application Red Line Plan
- Site Location Plan
- Development Parameter Plan – Land Use Zones
- Development Parameter Plan – Ground Levels
- Development Parameter Plan – Maximum Extent of Development Footprint and Maximum Building Heights
- Development Parameter Plan – Recreational and Ecological Corridors and Visual Mitigation Zone
- Development Parameter Plan – Ecological Mitigation and Major Open Space Zone
- Development Parameter Plan – Primary Movement Corridor
- Detailed Access Plan
- A Phasing Plan
- Environmental Statement (ES)
- ES Non-Technical Summary
- Design and Access Statement
- Planning Statement
- Design Code
- Bird Strike Risk Assessment
- Construction Phase Waste Management Technical Note
- Framework Travel Plan
- Health Impact Assessment
- Landscape and Biodiversity Management Strategy
- Operational Waste Management Strategy Technical Note
- Statement of Community Involvement
- Sustainability Statement
- Transport Assessment with Appendices
- Tree Survey
- Energy Strategy
- Environmental Lighting Report
- SUDS Checklist

6. RELEVANT SITE HISTORY

- 6.1 The application site has relevant planning history, which is apposite to the consideration of this planning application.
- 6.2 UTT/13/1043/OP Outline planning application with the details of external access committed. Appearance, landscaping, layout (including internal access), and scale reserved for later determination. Development to comprise: between 600 and 700 dwellings (Use Class C3); up to 19,300 sq m gross of additional development (including the change of use of existing buildings on site where these are retained) for Use Classes: A1, A2, A3, A4, A5 (retail); B1(a)(offices); C2 (residential institutions care home); D1, D2 (leisure and community uses); car parking; energy centre; and for the laying out of the buildings, routes, open spaces and public realm and landscaping within the development; and all associated works and operations including but not limited to: demolition; earthworks; and engineering operations. Refused 01st August 2013. Appeal Dismissed (Recovered by the Secretary of State) 25th August 2016
- 6.3 UTT/14/2285/OP Outline planning application, with some matters reserved, with the details of external access committed. Appearance, landscaping, layout (including internal access), scale reserved for later determination. Development to comprise: between 600 and 700 dwellings (Use Class C3); up to 22,300 sq m gross of additional development (including the change of use of existing buildings on site where these are retained) for Use Classes: A1, A2, A3, A4, A5 (retail); B1(a)(offices); C2 (residential institutions care home); D1, D2 (leisure and community uses); car parking; energy centre; and for the laying out of the buildings, routes, open spaces and public realm and landscaping within the development; and all associated works and operations including but not limited to: demolition; earthworks; and engineering operations. Refused 03rd November 2014. Appeal Withdrawn

7. CONSULTATIONS

- 7.1 Members may recall discussing this proposed application at the Pre – Application stage in January 2021, following a Presentation by the applicant, where the following Member issues were raised:
- Members are already familiar with the Local Plan and Land Supply position at Uttlesford, and this does not need repeating
 - Will Landsec be presenting their scheme to the Essex County Council Quality Design Panel?
 - How will the scheme be implemented; will it be a consortium led development?
 - How will the s106 matters be complied with? How will payments be made in terms of mitigating the impacts of the development?
 - Is the Rapid Transport provision to be introduced now, or is the scheme seeking to future proof its delivery?
 - How will energy efficiency and sustainable measures be locked into the development? PV on roofs?
 - There have been previous planning refusals at this site for circa. 800 homes; what makes the scheme acceptable now?
 - Why has this site been chosen within the overall area of Easton Park? Will the parkland character be maintained within the proposed development site?
 - What would the impacts be in terms of the oil pipeline; emergency access provision?
 - How are the character and heritage of Great Dunmow/Little Easton factored into these proposals?
 - Consideration needs to be given to urban sprawl/ density matters, particularly at the heart of the development?
 - How with the development mitigate its impacts upon increased pressures on health and wellbeing locally?
 - Climate change, air quality and ecological considerations need to be considered
 - Water consumption matters: will their new housing offer the environmental benefits of rainwater harvesting and grey water?
 - How will the development plan for potential traffic conflicts with the working Quarry?

- How can the developer reassure Members that a dormitory settlement is not being created, where are the jobs and employment provision?
- Impacts upon school provision, particularly secondary schools.
- Sewage/ water infrastructure provision?
- How does the development fit spatially within the Great Dunmow Neighbourhood Plan?
- Is there a Plan B?
- Is there provision for older persons accommodation?

Further, the Pre-Application proposals were presented by the applicant to the Essex Quality Review Panel (EQRP) on the 22nd February 2021; the comments of the EQRP are included within this Report as Appendix 1.

This summary of responses below generally only deals with the most up-to-date replies, to avoid any confusion. Full details of the consultation response can be found in Public Access on the Uttlesford DC website.

Great Dunmow Town Council

- 7.2 In summary, the Town Council strongly objects to the proposals. The location of the site is unsustainable, and it has unacceptable access arrangements.

The new homes would be heavily reliant on car travel and road congestion is unlikely to have a viable solution. This would impact on the general public on a daily basis, compromising access to the town, surrounding villages and the strategic road network. Detailed comments will be covered in our Transport Report. The development would form a poorly connected urban extension of the town into open countryside, with loss of high-grade agricultural land and creating urban sprawl. There would be unsustainable harm to the character and setting of the historic market town and neighbouring village, contrary to a range of UDC and Neighbourhood Plan policies. The development would fill the important gap between Great Dunmow and Little Easton, effectively making the two settlements coalesce. Landscape harm would be significant and wildlife corridors effectively destroyed, as described in our Landscape Report. A development of this size is not capable of delivering homes within a 5-year period therefore it would make no contribution to the 5-year housing land supply.

- 7.3 A full copy of the Great Dunmow Town Council comments are included as **Appendix 2** of this Report. Further, a copy of the Town Council Transport Report is included as **Appendix 3** to this Report. Finally, a copy of the Town Council Landscape Report is included as **Appendix 4** to this Report.

Little Easton Parish Council

- 7.4 Little Easton Parish Council (LEPC) have reviewed the above planning application and wish to register their formal objection to the proposed development.

History of the Site

- 7.5 The site, which is outside both Little Easton and Great Dunmow development boundaries, was the subject of a previous application by the same applicant for 700 homes in 2013. The application was refused by UDC for a variety of reasons, including the unsustainability of the proposal. A subsequent appeal by the applicant was also turned down by a planning inspector, a decision which was upheld by the Secretary of State. LEPC are of the opinion that the material facts have not changed since these decisions were made and that the application should again be refused by UDC. LEPC strongly object to this application for the following specific reasons:

Character and Landscape

- 7.6 The application will result in the loss of a considerable area of countryside and will involve development which will be visually intrusive. The applicants own Landscape and Visual Amenity assessment states (page 42, section 6.212)

“Visual receptors travelling along Park Road (Little Easton) will have open expansive views across the development” and “The development itself will however give rise to a Major Adverse significant effect and accordingly a Major Adverse significant effect will persist”.

- 7.7 The application includes a “Visual Mitigation Zone” in a failed attempt to try and mitigate the harm that will be caused to landscape views from Park Road and the Little Easton Conservation Area, including the Grade I listed church and village properties. The Design and Access Statement accompanying the application states that the Little Easton Conservation Area *“abuts the north western site boundary and in places extends into the site itself”*. The mitigation proposals in the application to protect the setting of the conservation area are woefully inadequate resulting in serious harm being caused to the setting and the views to and from the conservation area. The fact that the application includes a “visual mitigation zone” is tacit admission by the applicant of the serious harm that will be caused to the character of the wider setting of the Little Easton Conservation Area and the surrounding properties in Park Road. There are no dimensions included in the application for the zone, but it is obvious that the visual mitigation zone will not alleviate the harm caused to the landscape views and that the development will still be visible from Little Easton, particularly in Winter with reduced foliage on the trees.
- 7.8 The applicant had the opportunity to reduce the harm caused by proposing fewer properties and keeping the development below the ridge line, thus reducing the visual intrusion on Little Easton and the Conservation Area but decided not to do this. The visual impact of this proposal is unacceptable and will result in significant loss of views over the countryside, an urbanisation of the current rural views and a loss of tranquillity to the rural setting of Little Easton village and the Little Easton Conservation Area.

Coalescence between Little Easton and Great Dunmow

- 7.9 The importance of the strategic gap between Great Dunmow and Little Easton was recognised in the appeal dismissal APP/C1570/A/11/2146338 in August 2011 and in the previous appeal decision on the proposed site for this application in 2013 (APP/C1570/A/14/2213025). The proposed development of 1200 homes will have a significant adverse impact on the gap between Great Dunmow and Little Easton, resulting in unacceptable coalescence between Great Dunmow and Little Easton and the loss of Little Easton as a distinctive village.
- 7.10 LEPC are also have a major concern that the proposed site could act as a seed for further development and the creation of a new town on Easton Park, an ancient historic deer Park adjoining the site to the west. Such development has the potential to establish continuous built development from Great Dunmow westwards along the A120 corridor to Stansted Airport. This would have a catastrophic impact on the entire local area and result in coalescence between Great Dunmow, Little Easton, Broxted and Little Canfield parishes.

Access

- 7.11 The application site is significantly divorced and isolated from Great Dunmow and does not deliver appropriate access to provide connectivity and integration for future residents. The application proposes a new road skirting the edge of Highwood SSSI forcing future residents to drive out to the A120 Dunmow West junction before being able to journey back towards Great Dunmow and the retail outlets, health and education centres in the town.
- 7.12 The applicant has been transparent in articulating that they see this speculative application as an initial phase of a 10,000 home new town attached to the edge of Great Dunmow, utilising additional land that they own adjacent to the west of the application site. The applicant submitted this application site as part of a larger proposal within the wider Easton Park site as part of the recent UDC 2019 local plan which was withdrawn in 2020 following the plan being found unsound by the planning inspectors. It is easy to see how the proposed access road fits with the applicant’s wider ambitions, however on its own it does not make sense and is clearly not an acceptable solution from either an environmental or sustainability perspective.

- 7.13 It must not be assumed that the land to the west of the site will be allocated within the emerging UDC Local Plan. The Local Plan inspectors were unambiguous in pointing out that they did not endorse Easton Park as an appropriate allocation and raised several significant issues with the site, including the impact on the numerous heritage assets and highways issues. There is also a restrictive covenant on the land restricting development to no more than ten dwellings which, as well as bringing into question the feasibility of Easton Park as a development site, could impact the feasibility of the access road itself.
- 7.14 The new UDC local plan is still in the early stages of development and the spatial strategy and site allocations will not be known until 2022. This application must be treated as a standalone development.

Sustainability

- 7.15 Although UDC does not currently have a five-year housing supply and thus there is a presumption in favour of sustainable development, LEPC contend that this proposal is not a sustainable development as set out within the NPPF. The reasons for this are:

Economic Role

- 7.16 The application site sits outside of the development boundaries of both Little Easton and Great Dunmow. The site is not identified in the Great Dunmow Neighbourhood Plan as a development site and does not propose appropriate access to provide adequate connectivity. The access point forces future residents into a journey away from Great Dunmow and will contribute to a sense of separation and isolation of future residents.
- 7.17 The application site has been refused before and is not supported by the Great Dunmow Neighbourhood Plan. It is not therefore deemed to be in the right place or at the right time to enable co-ordination of infrastructure in line with paragraph 8(a) of the NPPF. The applicant should submit the site as part of the UDC call for sites process and enable the Local Plan process to establish the appropriate spatial strategy for the district.

Social Role

- 7.18 Although the development would appear capable of meeting some of the day to day needs of future residents through a small-scale local centre, future residents would still be dependent upon the wider community for their health, social and cultural well-being as well as jobs and they would be relatively isolated from these due to the location and the lack of connectivity of the site. Great Dunmow has expanded significantly over the last few years and has existing plans to further expand significantly over the next ten years. As a result, services and healthcare are already over capacity and the additional needs of a new 1200 home development would have an unacceptable impact upon the ability of local services to cope. The proposal does not meet the requirements of paragraph 8(b) of the NPPF.

Environmental Role

- 7.19 Much of the large application site is the best and most versatile agricultural land which would be lost were the development to proceed. There is also an ancient woodland within the site and another adjacent to the site which is also a SSSI. The impact of the development would result in the loss of the countryside setting to the west of Great Dunmow and to the south of Little Easton as well as the landscape impact to the setting of the Little Easton Conservation Area and Park Road in Little Easton. There would be a significant adverse impact on the wildlife corridor detailed in the Great Dunmow Neighbourhood Plan, leaving only a very narrow corridor which would be further reduced by the access road running adjacent to Highwood SSSI.
- 7.20 The footpaths and cycling routes identified in the masterplan as being used for school routes are not currently acceptable as safe routes and would need upgrading with lighting and hard surfacing which would have further negative impacts on the local environment. The application does not meet paragraph 8(c) of the NPPF

Transport and Highways

- 7.21 Great Dunmow is a town expanding at an alarming rate. LEPC contend that the applicant's transport assessment underplays the significant impact that the development will have on the local transport network. The cumulative assessment in the transport study has demonstrated that the B1256/Woodside Way junction and the B1256 /Land West of Woodside Way site access junction will both exceed their theoretical capacity. We note that Highways England have not yet completed their review and assessment of the transport assessment and have recommended that any planning permission decision is not made prior to the 17th of September 2021. LEPC request that the consultation period be extended until after this date so that statutory consultees will have the opportunity to review the comments of the highways agency before responding fully to the planning application.
- 7.22 Little Easton Parish Council respectfully request that this planning application be refused.

Uttlesford District Council New Communities and Local Plan Team

7.23 Local Plan Adopted 2005

The plan is a material consideration in determining this application. The site lies beyond any settlement boundary and beyond the greenbelt and therefore policy S7 applies in so far as it protects the intrinsic character and beauty of the countryside. The development of the site would result in loss of countryside between settlements and lead towards coalescence of Great Dunmow with neighbouring settlements such as Little Easton.

5-year land supply

The Council's latest Housing Trajectory and 5-year Land Supply Statement was published for the situation as at 1 April 2020 and covers the 5 year period 2020/21 to 2024/25. The statement concludes that the Council can demonstrate 3.11 years of supply with a deficit of 1,402 dwellings. Since April 2020 just under 700 new dwellings have been granted permission on sites of 10 plus dwellings. Detailed permission has been granted for 190 dwellings on large sites indicating their delivering in the next 5 years.

Withdrawn Submission Local Plan 2018

The Local Plan was submitted for examination in January 2019. The examination commencing in July 2019 but was subsequently withdrawn from the examination in May 2020. Consequently, no weight can be attached to the proposals in this withdrawn Local Plan.

In the Submission Local Plan 2018, land to the west of this site was identified for a new community of 10,000 homes and associated development. Policy SP6 required the provision of a new Country Park and the master plan submitted by the applicant identified this site (East of High Wood Quarry) as a country park. The applicants are continuing to pursue the development of a new community at Easton Park through the emerging Local Plan and the call for sites process. The development of the two sites would result in a loss of land for a potential country park. This was an ideal location for a country park offering accessibility to residents of Great Dunmow and acting as a buffer between Great Dunmow and development at Easton Park.

One of the reasons the Inspectors' found this plan unsound was that the housing trajectory was overly optimistic and relied upon early completion of the garden communities. They advised that a Local Plan would need to allocate smaller to medium sized sites that could deliver homes in the short to medium term to help bolster 5-year housing land supply. This site of 1200 homes and the associated infrastructure described in the development description is not considered a small to medium sized site. There are concerns as to whether this development would contribute to bolstering the 5-year land supply in the short term prior to adoption of the Local Plan.

UTT/13/1043/OP

The site was subject to a planning application and the subsequent appeal recovered by the Secretary of State for determination.

There are significant differences between this application and the current application. The 2013 application was for 600-700 dwellings. As can be seen from the attached Illustrative Masterplan, development was in the southeast of the site with significant green space in the northwest of the site. In paragraph 15.39 of the Inspectors conclusions, he notes that the development would largely follow the contours and be focussed on the lower slopes and considered that there was harm to the landscape.

The current application is for twice the amount of housing, over a larger site, extending further north and west thus having a greater impact on the landscape. The 2013 application proposed 2 vehicular accesses, one from the B1256 and one from Park Road. In paragraph 15.55 the Inspector concluded that the limitations with regard to accessibility should only weigh moderately against the scheme.

The current application has only one vehicular access from the B1256. This is not attractive to a high-quality bus route. Footpath and cycle routes are shown but advice needs to be taken from ECC as to their attractiveness to encourage a modal shift away from the car. Compared to the 2012 NPPF, the 2019 NPPF puts more emphasis on sustainable transport modes. (See paragraphs 108 and 110 compared to paragraph 34 of the 2012 NPPF).

The weight to give the inspector's comments to the 2013 application need to be considered in the light of these differences.

The new Local Plan

The Council is still to determine its development strategy and so it might be considered that this planning application is premature. However, it is not considered that the circumstances of Paragraph 49 of the NPPF are met as criterion b, that the Plan is not at an advanced stage is not met and therefore the whole paragraph is not met. However, the following provides an update on what stage the Council is at in preparing a new Local Plan and the findings of the Issues and Options consultation. Between October 2020 and April 2021, the Council has been on consultation on the Issues and Options Stage of the Local Plan. People have told us through that consultation, that when deciding where development should be located the following should take into account

- Brownfield land should be prioritised
- Holistic new settlements applying 15-minute neighbourhood Principles
- Sympathetic developments within and adjacent existing settlements
- Village clusters
- Make use of existing infrastructure
- Connection to public transport hubs
- Connections to Cambridge, Science Parks, Stansted Airport, Chelmsford and London
- Balances across the district
- Protection of countryside and greenbelt. The rural environment and access to the countryside is valued

When determining this application, it is worth considering whether this site meets these criteria.

Concerns are raised that it is not within or adjacent to existing settlements and has poor connections to public transport. Although the site is close to Great Dunmow connectivity is poor with the site being separated by Woodside Way, which pedestrians/cyclists would need to cross, and public transport would need to enter and leave the site by the single access, making it a circuitous route for passengers.

Members of the Local Plan Leadership Group and Cabinet will be confirming housing numbers at their meetings in June 2021 and the preliminary outline strategy and settlement hierarchy in July and September respectively.

Essex County Council as Local Highway Authority

7.24 Advise that an initial response dated 04/08/2021 was issued by the Local Highway authority on the 16th September 2021, this included a number of issues which required further work or information. These included the following:

- Trip Generations and Distribution
- Junction assessments
- Sustainable Transport Links, walking, cycling and public transport and crossing arrangements
- Travel Plans
- Access arrangements

It should be noted that detailed assessments of the junction modelling cannot be undertaken until the trip generation and distribution have been agreed.

The National Highways (formally Highways England) has also issued a Technical Note 04 which outlined several issues to be addressed before a formal recommendation on the strategic highway network could be made.

The applicant has not demonstrated to the satisfaction of the Local Highway Authority that the impact on the local highway network caused by this proposal is acceptable in terms of highway safety, capacity and accessibility

To conclude, Essex County Council as Local Highway Authority have advised that that from a highway and transportation perspective, the impacts of the proposal are unacceptable to the Local Highway Authority.

National Highways (formally Highways England)

7.25 National Highways have issued a 65no. point Technical Note, identifying the deficiencies in the application from a highway's perspective, and how the proposal impacts upon the strategic road network.

Uttlesford District Council Housing Enabling Officer

7.26 Have advised that the delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units. The affordable housing provision on this site will attract the 40% policy requirement as the site is between 1,000 and 1200 units. This amounts to between 400 and 480 affordable housing units and it is expected that these properties will be delivered by the Council's preferred Registered Providers.

It is also the Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair user (building regulations, Part M, Category 3 homes) as well as 5% of all properties to be bungalows delivered as 1- and 2-bedroom homes. This would amount to between 50 and 60 bungalows across the whole site depending upon the total number of new homes.

The specific mix and tenure split of the properties can be agreed at a later date, but the affordable housing should be indistinguishable from the market housing with good integration within the scheme and be predominately houses with parking spaces. Homes should meet the following standards: 1 bed property house 2 people, 2 bed properties house 4 persons, 3 bed properties

house 5 persons and 4 bed properties house 6 persons. Compliance with the NDSS is recommended especially in view of the potential number of new homes upon the site.

The new homes provided need to be in a sustainable location with good connectivity/transport links to the surrounding area. In view of the number of homes being proposed, it is hoped that there is an opportunity for discussions to take place at an early stage to ensure any development fully meets the various needs and aspirations of those seeking market housing as well as those seeking affordable/social housing. With this in mind, the ability for a proportion of Community Led Housing (CLH), including self-build, upon the proposed site should be explored. Other tenure options such as build to rent and land provision for social/affordable housing with direct delivery by the Council could also be explored.

Anglian Water

7.27 Wastewater Treatment: The foul drainage from this development is in the catchment of Great Eason (Essex) Water Recycling Centre that will have available capacity for these flows.

Used Water Network: Development will lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development if permission is granted. We will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. We therefore request a condition requiring phasing plan and an on-site drainage strategy

Surface Water: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Environment Agency

7.27 No comment

Essex County Council as Lead Local Flood Authority (LLFA)

7.28 Advise that having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission, subject to conditions.

Uttlesford DC Environmental Health

7.29 Object to the application, on Noise and Vibration grounds; on the 14th October 2021, Environmental Health provided further clarification of their commentary, and advised thus:

The purpose of this response is to provide some further clarification on this services stance on the objection to parts of the proposal. In particular the objection to their proposed planning condition with regard to mitigating the effect of noise from the Quarry – “No dwellings or the school will be occupied within 250m of active extraction, infilling and restoration activities associated with Highwood Quarry unless modelling and / or monitoring data is submitted in support of Reserved Matters applications to demonstrate that noise and vibration levels arising from the quarry could be managed or mitigated to create acceptable levels within those properties (including private gardens and school playing fields) located within 250m of active quarrying works

This has been qualified by the statement “Preliminary calculations indicate that at a distance of 250m noise levels from Highwood Quarry should not exceed 55dB LAeq,T during the daytime period, which is considered acceptable for residential amenity. As such, it is considered unlikely that future residents would raise complaints as a result of the quarry operation and therefore, the Site would comply with the Agent of Change Principle of the NPPF

In summary our objection is based on the opinion that insufficient information has been provided in support of this application to define and fully assess to potential impact of noise on the proposed occupiers arising from the activities of the quarry.

We also consider that scope of BS 4142 does include the activities of the quarry and is therefore an appropriate method of assessing the potential effects of noise and should be used in conjunction with the proposed use of BS 8233 and WHO guidance. We would also consider that a target value of 50 LAeq,T is used as opposed to the upper WHO guidance of 55dB LAeq,T which has been proposed.

We also note that the proposed buffer zone and the preliminary calculation have been “Based upon baseline noise measurements completed by Waterman and operational noise levels presented in a 2006 noise report prepared for the site by BL Acoustics”. In order to make a valid assessment we consider that current and representative real time data should be obtained and presented in a revised noise survey report to also incorporate an assessment in accordance with BS 4142. In doing so, we would expect the acoustic consultant to liaise with the quarry operator to ensure that the assessment is representative of their operations.

No objections are raised from Environmental Health in terms of air quality.

BAA Safeguarding

- 7.30 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria, subject to demolition and construction control measures, together with matters relating to bird strike/ lighting/ solar PVs.

Sport England

- 7.31 Object to the application.

NHS Clinical Commissioning Group

- 7.32 No comments received but had previously advised at the Scoping Stage that they did not wish to raise an objection, but mitigation would be required.

Essex Police Crime Prevention

- 7.33 Advise that It is noted that this project is at an early stage of its proposed development and that there is little for us to comment on at this time. This is a significant development for the Uttlesford District, and it is important that the right considerations are taken to ensure that the crime and ASB risk is reduced by ensuring that such is designed out at the earliest opportunity. We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and to assist at the same time achieve a Secured by Design Home award for the entire development thus demonstrating a desire to develop a safe and secure place to live. From experience pre-planning consultation is always preferable in order that security, landscaping, and lighting considerations for the benefit of the intended residents and those neighbouring the development are agreed prior to a planning application.

Essex County Council as Minerals and Waste Planning

- 7.34 Advise that Essex County Council is the Minerals Planning Authority and the Waste Planning Authority for the Uttlesford administrative area. The Essex Minerals Local Plan (2014) and Essex and Southend-on-Sea Waste Local Plan (2017) form part of the development plan in relation to this proposal and are a material planning consideration. Paragraph 8 of the NPPF recognises the importance of “using natural resources prudently and minimising waste” to ensure the protection and enhancement of the natural environment and to achieve sustainable development. It also reiterates the need to mitigate and adapt to climate change and move towards a low carbon economy. An efficient and effective circular economy is therefore important to achieving these objectives. We would expect to see a Site Waste Management Plan and will need to work with the

developer in suitable access and logistical arrangements regarding the adjoining High Wood quarry operation. This must be in place and agreed before any development is commenced.

It is vitally important that the best use is made of available resources. This is clearly set out in the NPPF and relevant development plan documents. We would therefore recommend that, in lieu of these issues being addressed prior to a decision, conditions are attached to require the applicant to prepare an appropriately detailed waste management strategy through the Site Waste Management Plan. It would be expected that this Site Waste Management Plan would establish forecasts in relation to expected waste arisings for construction, phased as per each stage of the development, and address how materials are to be managed efficiently and disposed of. The waste management strategy should also include waste reduction/recycling targets and report against these and identify waste management facilities that are likely to receive waste derived through the construction of this development. Any impacts of the transport of waste material from the site will also need to be taken into account.

We recommend that the developer prepares a Minerals Supply Audit to identify the amount of aggregate needed, how this would be phased over the lifetime of this development, and whether a supply market has been identified to support the delivery of the development. The transport of minerals material to and from the site will also need to be taken into account to demonstrate adherence to Clause 3 of Policy S4 of the Minerals Local Plan, which requires the application of procurement policies which promote sustainable design and construction in proposed development.

Essex County Council as Waste Disposal Authority

7.35 Essex County Council (ECC) as the Waste Disposal Authority (WDA) has a statutory obligation under the Environmental Protection Act 1990 to provide facilities for residents of Essex to dispose of their household waste. This obligation is discharged through the provision of a network of Recycling Centres for Household Waste (RCHW) in Essex. Developers should set out their calculations for such provision required arising from the proposed development, in order that adequate provision, for facilities can be agreed:

- average amount of waste generated per each household/dwelling proposed given that the average amount of waste generated per Essex household via the RCHW service only excluding kerbside collected waste is 217kgs pa. This would give rise to an uplift of bulky waste to be calculated for the relevant RCHW site and assessed against its design capacity

ECC can seek contributions towards RCHW improvements or municipal waste treatment sites, as established in the Essex Developers Guide to Infrastructure Contributions (2016). The emerging updated guide provides further guidance on contributions to be sought from development proposals at £120 per house and £90 per flat on developments of 100 dwellings or more. We therefore recommend that appropriate financial contributions will be sought through a Section 106 agreement with review mechanisms as the household dwelling mix in different phases are confirmed.

Fisher German on behalf of Exolum Pipeline System Ltd

7.36 Advise that existing Exolum Pipeline System Ltd apparatus will be affected by these proposals

Cadent Gas

7.37 Advise that existing Cadent and National Grid apparatus will be affected by these proposals

UK Power Networks

7.38 Advise that existing UK Power Networks apparatus will be affected by these proposals

Defence Infrastructure Organisation

7.39 Advise that an existing redundant Ministry of Defence pipeline will be affected by these proposals

Place Services Ecology

7.40 Holding objection due to insufficient ecological information on European Protected Species (bats), designated sites (Hatfield Forest SSSI & NNR), ancient woodland (Hoglands Wood/Broomhills Local Wildlife Site) and Priority habitats (Lowland Mixed Deciduous Woodland)

Natural England

7.41 Natural England objects to this proposal. As submitted, they consider it will:

- damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest has been notified.

Natural England requests further information on the following issues to fully assess the effects of the development upon the integrity of High Wood Dunmow SSSI:

- Details of changes to the ground level of the site near the SSSI.
- A review of the consequences of the implementation of permission for the development of the site immediately to the east of High Wood and the S106 requirement for the provision/maintenance of deer fencing to its eastern and northern boundaries.
- Details of the likely relationship between the proposed access route to the development and High Wood Dunmow SSSI in view of the potential for air quality impacts on its special features and its capacity to achieve favourable status.
- Clarification of the predicted air quality impacts on High Wood Dunmow SSSI as set out in the Environmental Statement.

7.42 On the 14th October 2021, Natural England provided supplementary commentary, thus:

The applicant's consultants (Essex Ecology Services Ltd) have responded to our original consultation response by letter dated 17th September 2021 and this letter comments on that response under the same headings. This letter should be considered alongside the other advice provided in Natural England's original response.

Impact on Hatfield Forest SSSI/NNR

Natural England welcomes the applicant's agreement in principle to a financial contribution towards the mitigation measures to address the risk of damage to the SSSI's habitats and features as a consequence of increased visitor pressure. As indicated in our original consultation response, discussion on the bespoke package of mitigation measures that would need to be funded should be undertaken with the National Trust (as landowners and managers) rather than Natural England. If your Authority is minded to grant permission for this development, the applicants should be encouraged to pursue that discussion and the agreed mitigation should be secured by planning obligation. In the absence of such an agreed mitigation package, Natural England would maintain its objection to this application.

High Wood Dunmow SSSI - Changes in ground level

The letter from Essex Ecology Services Ltd provides clarification on the minimum distance between the boundary of the SSSI and any potential change in ground levels and confirms that there would be no changes to ground levels within the 15m buffer zone for the SSSI. The letter also notes that High Wood lies across a watershed which means that any planned development will take place at a lower level which would leave rainfall/runoff reaching the wood and drainage from it unaffected. On this basis, Natural England would not raise objection to this aspect of the proposals. Nevertheless, as the final details of any changes in ground levels have yet to be settled (at reserved matters stage), any permission granted should require the submission of full details of ground level changes to ensure that these expectations will be met.

High Wood Dunmow - Provision/Maintenance of Deer fencing

Natural England welcomes the applicant's agreement in principle to funding the installation of a deer-proof fence along the western boundary of the SSSI. Further discussion will be required to determine the exact design, location and extent of the fence as well as the appropriate mechanism for ensuring that it is installed prior to the commencement of development and maintained in perpetuity. The only solution that would satisfactorily address the problem of deer-grazing would be a fence that encircles the entire wood, joining up with the existing deer-proof fencing on the eastern, southern and northern boundaries. The application site (red line boundary) does not follow exactly the western boundary of High Wood but it appears that a connection could be made with the existing deer-proof fencing if its alignment followed the red line boundary where it diverges southwards towards the northern highway boundary of the spur road from/to the roundabout. This would enclose an area of land that sits outside the SSSI but as discussed below, this could provide scope for mitigation in relation to air quality impacts. A further meeting with Natural England would be required to agree these location details and ensure that the complete enclosure of the SSSI can be secured alongside this development. The meeting would need to be arranged through our [Discretionary Advice Service](#)

Relationship of the proposed access route to the development and High Wood Dunmow SSSI

The letter provides clarification on the relationship between the existing access route to the mineral extraction site and High Wood and the relationship between the proposed access route to the development and High Wood. This information confirms that the proposed access route (which will also serve as the access to the mineral site until mineral extraction ceases) would, for the most part, be further from the Wood than the existing access to the mineral site.

Clarification of the predicted air quality impacts on High Wood Dunmow SSSI

The further clarification on future levels of NO_x and Nitrogen deposition is based on predicted trajectories of air quality improvement that Natural England has not been able to fully assess in the time available. Nevertheless, on the basis of the levels predicted for the date at which the development would be complete, the NO_x levels attributable to the development would not appear to justify an objection on grounds of adverse impacts upon the SSSI. However, Nitrogen deposition levels are predicted to remain above the High Critical Load Limit despite the predicted improvement due to reducing levels associated with vehicle emissions. In this context, the

development would have the effect of delaying the return of the SSSI to an acceptable air quality environment and the Local Planning Authority should explore the scope for mitigation to meet its duty under Section 28G of the Wildlife and Countryside Act 1981. As indicated earlier in this letter, the creation of an additional area of enclosed land at the southwestern corner of the SSSI would create scope for mitigation through the provision of suitable tree planting to provide an additional buffer between the A120 and the SSSI. Again, further details of the provision and necessary quality would need to be submitted and agreed with Natural England to ensure that:

(a) the planting scheme promotes natural regeneration of SSSI community woodland vegetation, with supplementary suitable tree planting of native, local provenance, typical SSSI character tree species at low densities where necessary,

(b) the buffering land can be secured, effectively delivered, and appropriately

managed

in perpetuity.

Uttlesford District Council Landscape Officer

- 7.43 The existing landscape character of the site and surrounds has been adequately described in the submitted LVIA. The proposed development reads as a stand-alone development with a physical disconnect from existing settlement. The development would have a significant detrimental visual impact on the existing rural character of the site. The development extends onto the upper slopes of the valley which exacerbates the potential impact on the wider landscape. Whilst structural planting may reduce to some extent the visual impact of the proposed development, the form and scale of the development is not considered to sit comfortably in the context of the surrounding landscape. The proposed development is unacceptable

National Trust

- 7.44 The proposed development is approximately 4km from the SSSI, National Nature Reserve areas and ancient woodland of Hatfield Forest which extends over 424 hectares, including Wall Wood and Woodside Green. The area has been owned and managed by the National Trust since 1924. Of greatest significance is that Hatfield Forest is the finest surviving example of a small Medieval Royal Hunting Forest. The Forest's ecological and historic importance is reflected in its designations - for its considerable ecological significance and especially for its veteran trees and old growth woodland on undisturbed soils.

The forest is experiencing rapid and unsustainable growth in visitor numbers which is putting it under considerable pressure and there are signs that the SSSI, NNR and other designated/protected features there are being damaged. In order to advance its understanding of these issues as well as an understanding of visitor numbers, origin and behaviour when visiting the Forest, the Trust, with support from Natural England (NE), commissioned consultants Footprint Ecology to undertake visitor surveys and prepare an impact management report to help build a practical strategy for the Forest going forward. This established a 'Zone of Influence' (ZOI), within which this site falls. A copy of this report (the Hatfield Forest 'Visitor Survey and Impact Management Report 2018') has been sent to Uttlesford District Council. Natural England also wrote to your planning department in April and September 2019 to alert you to this evidence and advise that where relevant, planning decisions are informed by this. The National Trust and Natural England also sent a joint letter in June 2021 to notify you of the Hatfield Forest Mitigation Strategy.

Planning Policy

The Footprint Ecology report describes the issues arising from recreational pressure in more detail and recommends the development of a strategy to mitigate these impacts in order that new development can meet planning policy requirements (including NPPF 2021 para.174 & 180). Policy ENV7 (The Protection of the Natural Environment - Designated Sites) of the Uttlesford Local Plan (2005) seeks to protect nature conservation sites of national importance and local areas of nature conservation significance from adverse impacts from new development and states that planning conditions or obligations will be used to ensure the protection and enhancement of such sites. There are also duties on LPA's under section 28G (2) of the Wildlife and Countryside Act 1981 to take reasonable steps as part of the authority's functions to further the conservation and enhancement of SSSI's. Furthermore, there is a specific obligation on an authority under

section 28I where it is proposing to permit an operation likely to damage a SSSI, to give Natural England prior notice.

Whilst it is acknowledged that this was not an issue when the current Local Plan was adopted and that the draft new local plan was withdrawn from examination in 2020, there is nonetheless evidence now available which identifies an issue at a SSSI which Natural England has identified as warranting mitigation. This evidence formed part of discussions with the LPA, Natural England and the Planning Inspectorate as part of the Local Plan process. The Post Stage 1 Hearings letter from PINS to the LPA (dated 10th January 2020) acknowledged that the Inspector's shared the concerns raised by NE about a lack of mitigation measures to address recreational impacts of new housing development on Hatfield Forest and stated that the matter needed resolving. Although the submission Local Plan was withdrawn, the issue remains and on the advice of Natural England a bespoke solution should be sought on a case-by-case basis in the absence of an up-to-date Plan.

Proposed Development and Mitigation

The application site falls within the Hatfield Forest Zone of Influence. We are grateful to the applicant's consultant for engaging with us prior to the submission of the application to discuss the proposals and the issues at Hatfield Forest concerning recreational pressure.

It is noted that Chapter 11 of the EIA deals with biodiversity, but we have been unable to locate this on the online application file. It is important that a development of this scale provides on-site Suitable Accessible Natural Greenspace (SANG), in accordance with guidance and advice issued by Natural England.

It is understood that the application is based on development parameters rather than a fixed masterplan. The proposal includes a substantial amount of publicly accessible greenspace, including proposals for a country park and a 3km shared walking/cycle route around the edge of the development, as shown on the Illustrative Landscape Masterplan and within the Design Code document. Whilst it is not explicit within the application documents how the development will mitigate impacts on Hatfield Forest, these features will help with reducing recreational pressure at the Forest and are welcomed. However, key to their success will be design and timing. It is noted that the development of the site will be phased over an 8-year construction period. Four phases of residential development are shown on a Phasing Plan, but there is no information about how or when the open space and green infrastructure will be delivered. A key concern is that the proposed country park is located adjacent the development shown in Phases 3 and 4 and that this may not be delivered until later in the construction period once dwellings in Phases 1 and 2 have been built and occupied.

To minimise the impacts of increased recreational pressure on Hatfield Forest it is important that these are provided prior to the occupation of residential development in order to mitigate off-site recreational pressure. A site wide masterplan with clear triggers and responsibility for delivery should be agreed as a priority, prior to the commencement of development. It should not be left to piecemeal reserved matters applications. If planning permission is granted it should be ensured that it includes provisions to secure the early delivery of publicly accessible greenspace via appropriately worded conditions or through a S106 Agreement.

Notwithstanding the above, we consider that on-site provision alone would not fully mitigate the impacts of increased recreational pressure on Hatfield Forest arising from the development. Hatfield Forest offers other visitor experiences which could not be replicated on a new site. It is used for a range of recreational activities including jogging, cycling, wildlife watching, family outings and photography. It also includes visitor infrastructure such as a café, toilet, shop and education building. This makes it vulnerable to current and future demand. Even if on-site mitigation is proposed, it is considered that there will still be a residual recreational impact on Hatfield Forest which needs to be mitigated.

It is therefore considered that if outline planning permission is granted a financial contribution should be sought from the developer to mitigate the residual impact on Hatfield Forest and deal with concerns regarding the timing of the delivery of public open space. This should be

secured through a S106 Agreement. Based on recommendations set out in the 'Hatfield Forest Visitor Survey and Impact Management Report', the National Trust, in consultation with Natural England has prepared a costed Mitigation Strategy (a copy has been sent to your planning department). This includes a costed package of mitigation measures. The Strategy seeks a proportion of costs to be met through developer contributions, the rest would be met by the National Trust. Examples of priority works from the Strategy include veteran tree management, soil decompaction, ride side ditching, temporary ride closures. Furthermore, now that we have this evidence and baseline information, fundamental to the monitoring of this will be on-going survey work. This includes independent visitor surveys every 5 years, annual impact surveys, soil compaction analysis and gate counter data. The costed measures are set out on Pages 13-25 of the Mitigation Strategy.

Natural England have indicated in their response that the submitted EIA refers to a "financial contribution to NT" but this is not included within the draft Heads of Terms for a S106 agreement set out in the Planning Statement.

Place Services Specialist Archaeological Advice

7.45 No objections, subject to conditions

The Gardens Trust

7.46 Have advised that thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects Easton Lodge, an historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade II. We have considered the information provided in support of the application and liaised with our colleagues in Essex Gardens Trust. Based on this, we confirm we do not wish to comment on the proposals at this stage. We would however emphasise that this does not in any way signify either our approval or disapproval of the proposals.

Place Services Built Heritage

7.47 The 149ha development Site is situated in an area of agricultural land to the west of Great Dunmow. To the north-west and marginally overlapping the boundary of the Site is the Little Easton Conservation Area. The northern boundary of the Site is formed by Park Road. The eastern boundary of the Site is formed by Woodside Way. To the south is High Wood, an ancient woodland, and the development site 'Land West of Woodside Way' which is currently being developed on the north side of the A120. To the west is the mineral extraction site of Highwood Quarry and the former Second World War airfield constructed on the site of the Easton Lodge parkland. A planning application for 700 homes on the Site was refused in 2013 and dismissed at appeal in 2016. The appeal decision identified that the loss of open fields and impact on views would be harmful to the character of the landscape (para 15.44).

There are no listed buildings or scheduled monuments within the Site. There are several designated heritage assets within a 1km radius of the Site, and the development has the potential to affect the setting and significance of these:

- Grade I: Church of St Mary the Virgin, Little Easton (list entry no: 1097465)
- Grade II*: Barn at Little Canfield Hall (list entry no: 1054762); Easton Glebe (list entry no: 1332055); Stone Hall (list entry no: 1334091)
- Grade II: 63 buildings
- Grade II registered Easton Lodge Park and Garden, located c. 850m north-east of the site (list entry no: 1001484)
- Little Easton Conservation Area
- Great Dunmow Conservation Area

There is also a locally listed building situated within the Little Easton Conservation Area (Church Cottage, ref: 198) and a Second World War pillbox which is considered a non-designated heritage

asset. The development will also have an impact on Ravens Farm, an undesignated historic farmstead which is shown on historic mapping of the Site. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) on *The Setting of Heritage Assets* has been considered in assessing the proposal. An Historic Environment Assessment and Landscape and Visual Assessment have been submitted as part of the application documents. These identify the overall scale of impact of the development on designated and non-designated heritages assets as minor adverse, equating to a low level of less than substantial harm to the assets.

The methodology of the assessment is considered acceptable, and I broadly agree with the conclusions, but consider that the harm caused to the setting of the Little Easton Conservation Area and neighbouring listed buildings has been underestimated. Setting is defined as the immediate and extended environment in which a heritage asset is experienced that is part of, or contributes to, its character and significance. It is agreed that the impacts on the setting of the listed buildings to the south of the Site are largely minor. The construction of the new development West of Woodside Way will have a greater impact on these listed buildings and will comprise a strip of built form between the heritage assets and the development Site. The construction of an access road at the southern side of the Site will have a limited additional impact on these assets as the A120 has already had a significant adverse impact on their settings. It is considered that the new road will have a minor adverse impact on the setting of Grade II* Stone Hall, but the proximity of the A120 has already affected the tranquillity of its setting and the new road will be largely screened from Stone Hall by mature woodland.

It is agreed that the development will have little direct impact on the Great Dunmow Conservation Area or listed buildings to the east of the Site because of the distance between them and the Site, the low level of intervisibility and subsequent modern development on the west side of Dunmow providing a visual barrier, although the infilling of the wider agricultural landscape would make it harder to appreciate the town's historic landscape setting. Of particular concern is the way that the development would bridge the open landscape buffer between Great Dunmow and Little Easton, which enables them to be understood as historically distinct settlements. This would mean that the two settlements would effectively coalesce, causing harm to their historic interest as discrete historic settlements within a wider agricultural setting.

The assessment considers the listed buildings and Little Easton Conservation Area to the north of the site in one group; however, the impacts vary depending on the distance of the heritage assets from the development Site. While the development may be visible in longer views from the listed buildings along Duck Street, its impact on their wider setting would be minor adverse.

In contrast, the impact on the setting of the Little Easton Conservation Area and the listed buildings especially on the southern boundary of the Conservation Area would be more considerable. The open and undeveloped character of the development Site has remained largely unaltered since at least the eighteenth century, providing a rural context which forms an integral part of the historic setting of Little Easton, contributing to our understanding of it as a small, historic rural settlement surrounded by agricultural land. The undeveloped landscape permits vistas across the historic agrarian landscape from and towards the listed buildings at the southern part of the Conservation Area, including the Grade I listed church.

Although there is a buffer of a small field and proposed additional hedgerow planting between the Site and the Conservation Area, the development would still be visible from the Conservation Area and would lead to a fundamental change in setting. It should also be noted that the screening afforded by planting is seasonal and subject to change or removal. The physical presence of the development would have an impact not just as a cluster of dense built form on the edge of the Conservation Area, but also through increased noise, traffic movements and light spill, fundamentally altering the tranquil rural character of the Little Easton settlement. The urbanising effect of the development would be a permanent and irreversible change to the setting of the Conservation Area, detracting from its character and the appreciation of its significance. This impact would also affect the settings of the listed buildings on the southern side of Little Easton, especially Church Row (list entry no: 1097468) and St Mary's Church itself.

Similarly, the cluster of listed buildings along Park Road: Portways (list entry no: 1055739), Park Road Cottage and Yew Tree Cottage (list entry no: 1097467) and the Old Library (list entry no: 1055743), would have their settings fundamentally altered. Although there would be a field buffer between the new development and these listed buildings, this would be insufficient to reduce the harm caused to their setting by the proximity and size of the proposed development, which would erode the openness and undeveloped qualities of their setting within the rural agrarian landscape. The development would also have an adverse impact on the setting of the historic rural farmstead of Ravens Farm through the urbanising impact of a large housing development in its immediate vicinity.

Overall, I largely agree that with the findings of the Historic Environment Assessment that the harm caused to the heritage assets would be less than substantial, and that this level would be low for the assets to the south and east of the development site, and those around Duck Street. However, I consider that for the Little Easton Conservation Area, the listed buildings at the southern part of the Conservation Area and the listed buildings along Park Road, this harm would be at a medium (rather than low) level of the spectrum.

Paragraph 202 of the NPPF (2021) should therefore be applied. Consideration should also be given to paragraph 199 which affords great weight to the conservation of heritage assets, as well as the statutory duty of Sections 66(1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 under which local planning authorities should have special regard to the desirability of preserving the settings of listed buildings and the character and appearance of Conservation Area

Essex Country Council Growth and Development Team

- 7.48 ECC is a key infrastructure and service provider and is responsible for delivering and commissioning a wide range of strategic and local infrastructure requirements and public services to support and shape inclusive and healthy communities. ECC's role covers a wide range of statutory services including, but not limited to, highways and transportation, education, early years and childcare, minerals, waste, surface water management, passenger transport, adult social care, and public health. We also advise on, and have a material interest in, a number of other related place-making matters to assist in the determination of planning applications.
- 7.49 The Growth and Development team at ECC is responsible for coordinating single corporate responses for major development schemes and Nationally Significant Infrastructure Projects. We aim to work with Districts and to ensure that the County Council's interests and responsibilities to deliver quality and sufficient infrastructure in the right places and at the right time are effectively communicated, and to support good place-making and place-keeping for existing and future communities.
- 7.50 ECC has reviewed this outline proposal and accompanying documents and sets out here comments and recommendations on the proposed development at this site. Please note that transport comments are provided separately. ECC trusts that the following comments will be considered in the spirit within which they are provided, to assist with and to be taken into account, in the determination of this planning application.

Summary

- 7.51 ECC is a key infrastructure and service provider with statutory responsibilities to ensure that the right infrastructure is delivered in the right place at the right time to support new and existing communities. ECC has carefully considered the information submitted in support of this planning application and would need to raise concerns about potential impact on residents if this development is unable to provide the timely necessary infrastructure, services, and facilities to ensure effective mitigation. This is applicable primarily to accessibility and connectivity issues.
- 7.52 ECC is not including financial contributions in this letter but requests a discussion with the District on the headings and details at the appropriate time in your consideration of this application.

- 7.53 If sufficient contributions are not secured on behalf of ECC, then there is a significant risk that the right infrastructure will not be delivered in the right place, and at the right time to the detriment of our residents. This will impact on the inclusivity and sustainability of the proposed development and the wellbeing of residents if they are unable to access appropriate local services and facilities, when needed.
- 7.54 Overall, ECC raises concerns over this application in relation to the transport and accessibility matters (see detailed comments separately) and over the provision of adequate education provision and connectivity, alongside the other comments, recommendations and section 106 outline requirements set out in this letter. These matters will need to be addressed in order that the proposal is acceptable to meet county requirements.

Education and Early Years and Childcare

Early Years and Childcare

- 7.55 The planning application will generate approximately 108.00 Early Years and Childcare places. EY&C will require a co-located facility but there may well be a need for a stand-alone setting as well.

Primary Education

- 7.56 As set out in the Essex School Organisation Service's Ten-Year Plan to meet demand for school places, additional primary school capacity will be needed to serve the Dunmow area (Uttlesford Primary Group 4). Additional provision is being planned in conjunction with the Helena Romanes School, to meet immediate need. Longer term a new school may also be required and two potential site options have been secured through s106 agreements, albeit neither site is yet available. This development is potentially large enough to support a new primary school and the proposal makes reference to land for education use. The area of land required for a primary school is 2.1ha, which also allows space for commensurate Early Years and Childcare provision.
- 7.57 All new school sites should meet the criteria set out in sections 4.2 and 5.28 of ECC's Developers' Guide.
- 7.58 A Land Compliance Study report must also be submitted, as set out in section 4.3 of the Guide, before the Essex School Organisation Service can confirm that the development can support delivery of sufficient primary school places. This planning application does not fix the location of a school site but, *for information, the configuration indicated by the illustrative masterplan would not be fully compliant.*

Secondary Education

- 7.59 Additional secondary school provision is also likely to be needed to support development in the area. The proposed relocation of Helen Romanes does not facilitate expansion beyond that required to meet demand from developments that already have permission. In the absence of an adopted Local Plan, which sets out a holistic picture of potential further growth, developing a sound proposal to accommodate a development of this size is problematic. Further expansion of Helena Romanes should not be assumed and would likely require additional land. If this is not feasible, pupils could be bussed to an alternative school, but the long term financial and environmental implications would need to be addressed. A longer-term solution would be a new school, but around 5,000 homes in total may be required to generate the pupils and funding to sustain one. Permanently expanding an existing school could undermine that level of excess demand being reached.

Contributions

- 7.60 With regards to contributions a formula-based agreement will need to be applied. Primary will be based on the standard clauses using the new build multipliers plus free land. For secondary it is more difficult to estimate because since there are the three potential outcomes i.e. expansion plus cost of additional land: expansion plus transport or new build (plus land contribution as necessary).

When County meets with the Uttlesford District for the section 106 discussion the highest estimate would be applied, and the finer detail discussed if and when an agreement is drawn up.

School Transport

- 7.61 County will need to discuss the requirements for school transport, in advance of deciding on the option for the secondary school. In any case it is not clear that there are safe walking route(s) to appropriate school(s), and particularly in the earlier phases of the development.

Special Education Needs and Disabilities, Post-16 and Adult Community Learning, Libraries

- 7.62 As the scheme develops county will need to discuss special education needs and potentially post-16 education along with appropriate library service provision.

Economic Growth and Skills

- 7.63 The following comments cover County's concerns regarding Economic Infrastructure.

- 7.64 The NPPF requires that large developments provide a realistic level of self-containment. The planning application is not accompanied by an Economic Development Strategy or Socioeconomic Statement, and the Health Impact Assessment that is provided does not assess employment impacts sufficiently. High-level analysis by ECC estimates that around 300 jobs may be accommodated on-site. This is well below the one job per dwelling originally envisaged for the Easton Park Garden Community and expected in new large settlement extensions.

- 7.65 The proposed shuttle bus route does not adequately facilitate access to off-site employment opportunities locally in Great Dunmow, or along the A120 in Bishop's Stortford and Braintree, or in the major employment centres of Chelmsford and Harlow though bus links to London Stansted Airport are of higher quality.

- 7.66 Non-residential development on in the proposed 'Village Centre' should be flexible and adaptable, including to accommodate office- or studio-based SME's or third sector organisations. At detailed stage and in the supporting statement to this application we would expect to see proposed designs that can incorporate unit sizes and construction that facilitate subdivision; broad spans between columns with consolidation of mechanical and electrical services; floor-to-floor heights that allow a variety of economic activity and provide potential for mezzanine floorspace; floors with higher specifications for loading and vibration; doors / lifts that facilitate loading and unloading of goods and plant; security measures conducive to storage of high value stock and plant. Not all floorspace needs to have the same level of flexibility but we would expect to see a greater indication of this in larger applications of this scale.

- 7.67 In order to help boost the local economy the streetscape should maximise footfall along non-residential frontages, with areas provided for outdoor tables and chairs. Where appropriate, "meanwhile uses should be facilitated to promote habitual visits to the Village Centre and mitigate the negative impacts of vacant land / floorspace.

- 7.68 We welcome the proposal for 2,300 sq m GIA of office floorspace to accommodate higher productivity activity. This should be delivered by the developer in a single phase in the Village Centre and, as per the Essex Developers' Guide, tied to occupation of housing. Adequate space should be provided for collaboration, as well as business services not available to those working from home – break-out areas, meeting rooms, conference facilities, printing facilities, reception desk etc. A managing agent should be appointed, and funding provided to cover void periods in the early years.

- 7.69 Residential design and layouts should provide flexible and adaptable spaces to support homeworking. For example, in larger properties, a dedicated study may be provided, or bedrooms and garages may be designed to facilitate conversion. In smaller properties, partitions on landings or in bedrooms could provide quiet space away from other household activities.

- 7.70 As per the Essex Developers' Guide, futureproofed internet access should be provided for all homes and businesses, ideally Fibre to the Premises (FTTP). Plans for such an approach should be submitted for review by Local Planning Authority.
- 7.71 Regarding Employment and Skills, under the proposed draft S.106 Heads of Terms in the Planning Statement, the developer has agreed to make appropriate provision for Local Employment and Training. This should be in accordance with the recently updated and adopted Essex County Council Developer's Guide covering guidance on employment and skills measures, including the requirement for employment and skills plans, and a financial contribution for skills provision.
- 7.72 The contribution for skills and employment training of local people will help to ensure that residents are given access to the right skills training so they can take advantage of opportunities created by new developments.
- 7.73 Reference should be made to employment opportunities created through the construction process, and consideration should be given to ensuring local residents can benefit from these jobs, and associated skills training. Details for these should be included as part of the employment and skills plan, which will focus on the benefits for local people through jobs, apprenticeships, traineeships, and work experience opportunities.

Adult Social Care and Independent Living

- 7.74 ECC, in our capacity as the Adult Social Care Authority, must ensure that the needs of vulnerable people are reflected in line with our duty under the Care Act 2014 and the national wider prevention and maximising independence agendas. This includes reviewing both general needs housing, and any specialist housing provision. As part of this proposed development, it needs to be ensured that housing and communities are accessible and inclusive over the life course and enable people to age with dignity in their homes.
- 7.75 With that in mind we would require the proposed development to be delivered to a high level of accessibility and space standards to ensure new homes are suitable for ageing households and those with disabilities so that they can live in their homes for longer if their mobility reduces over time. Allowing residents to age well within their homes reduces their dependency on care provision and facilitates healthier, more independent lifestyles.
- 7.76 We would therefore for example seek assurance of conformity with nationally described space standards if applicable, wheelchair accessibility, need for lifetimes homes/ supported living developments etc.
- 7.77 Accessibility requirements extend within the new home, and we would encourage the overall scheme to be designed with the needs of residents with impaired mobility in mind. For example, close attention should be given to wheelchair-friendly streetscapes, surface materials, street furniture and lighting, as well as careful consideration of the safety of non-car users also with reference to the Essex Design Guide and Manual for Streets so that the anticipated experiences of residents with impaired mobility are considered throughout the design of the development.

Digital Connectivity

- 7.78 In line with the objectives stated in the Government's [Future Telecoms Infrastructure Review](#) 2018, all new developments should include provision of future proofed internet access, ideally Fibre to the Premises.
- 7.79 Where possible, provision of fully operational 5G mobile connectivity may also be accepted as appropriate broadband coverage, with arrangements made for all premises in the development to access this at affordable prices, comparable to a fixed-line fibre broadband service, and this access is fully available at the time of completion of the build. Plans for such an approach should be submitted for review by the Planning Authority.

- 7.80 Developers are expected to work with a telecommunications network operator to plan for internet connectivity installation as part of the build process, and to provide plans to install internet connectivity as part of the submitted detailed planning matters.
- 7.81 The Developer should be aware that in Essex, alternative network operator [Gigaclear plc](#) has a significant full-fibre network deployment in the Epping Forest, Uttlesford, Braintree and north Colchester areas. Gigaclear is likely to be keen to extend its own FTTP network to new housing, or business parks.
- 7.82 Flood Risk and Drainage matters will need to be discussed in some detail at the reserved matters stage and conditioned to ensure no development is commenced until they have been agreed with the drainage authority. The natural topography of the land and the levels required for the development will give rise to altered gradients, ground levels, natural drainage, and environmental conditions that will need to be considered in addition to opportunities for environmental net gain that can be incorporated in these designs. Development should be planned with detailed consideration of local flood risk and drainage at the earliest stage of development should outline consent be granted.

Net Zero Carbon and Renewable Energy Generation

- 7.83 The UK is bound by the Climate Change Act 2008 to achieve net zero Green House Gas (GHG) emissions by 2050. This shift to net zero target from the previous target of 80% reductions on a 1990 baseline has brought into sharp focus the need to tackle radically GHGs across all sectors including the built environment. Essex County Council (ECC) has a commitment to formulate a Climate Action Plan to reduce carbon emissions across the county of Essex. In addition, ECC has inaugurated an independent, cross-party Essex Climate Change Commission with the purpose of: Identifying ways in which ECC can mitigate the effects of climate change, improve air quality, reduce waste across Essex and increase the amount of green infrastructure and biodiversity in the County, explore transport modal shift, research energy generation and fully engage with communities around behavioural change. Reducing the carbon footprint of both ECC and Essex as a whole. The Commission is expected to recommend ambitious but realistic targets to work towards achieving net zero greenhouse gas emissions with the report anticipated in late July.
- 7.84 The Climate and Ecological Emergency declared by Uttlesford District Council in 2019 further emphasises the importance of decarbonisation.
- 7.85 The National Planning Policy Framework (NPPF) recognises the key role of the planning system in supporting the transition to a low carbon future in a changing climate, mitigating and adapting to the impacts of climate change, and minimising the impacts of new developments through reducing GHG emissions. We welcome the applicant's stated commitment in 'delivering a highly sustainable development to mitigate the development's climate change impacts and the proposals for fully electric solutions and no fossil fuels onsite. It is stated that a minimum of 10% renewable energy will be provided to the site against the regulated energy use, but we strongly encourage further consideration of more renewable energy generation on site to meet a larger proportion of the energy demand of the development. The integration of renewable energy systems into developments will increase the sustainability of homes, reduce pressure on fossil-fuels, and cut running costs, as well as aligning with ECC and the national target to be net zero by 2050. New development projects are expected to include ambitious sustainable energy infrastructure sufficient to meet a significant proportion of the needs of the development. The Essex Design Guide states that "Sustainable energy systems and supplies should be designed into the layout of developments and homes",[p41] and that "Consideration should be given to how smart infrastructure can be integrated into the communal areas, including waste disposal points, shared batteries for renewable energy sources etc",[p79].
- 7.86 It is stated that CO2 reductions of 60% will be achieved in dwellings. This exceeds current requirements and is encouraging but the aim should be net zero recognising that homes built now

that do not reach this standard further will add to the size of the challenge to be net zero by, at the latest, 2050.

Environment and Green Infrastructure

7.87 Essex County Council (ECC) welcomes the opportunity to assess and advise on the proposed landscape and green infrastructure (GI) strategy and high-level plans in the outline planning application. The County currently provides advice on GI for major developments and has been consultee on GI since 2018. The 25-Year Environment Plan and emerging Environment Bill and planning reform (white paper) will place significant importance on protecting and enhancing GI, accessibility and biodiversity net gain to create 'beautiful and sustainable places'.

7.88 In providing advice we look to ensure that adequate provision, protection and improvements of high-quality GI comply with the objectives and planning principles set out in the following documents:

- Uttlesford Local Development Plan extant policies and equivalent green and open space strategies regarding the Council's approach to GI provision in the local authority area.
- Essex Green Infrastructure Strategy, 2020 aims to enhance the urban and rural environment, through creating connected multi-functional GI that delivers multiple benefits to people and wildlife. The strategy has achieved Building with Nature Accreditation as a national exemplar and meets the Council's aspirations to improve GI and green spaces in our towns, cities and villages, and close to areas of deprivation. This can be viewed here: <https://www.placeservices.co.uk/resources/built-environment/essex-gi-strategy/>.

7.89 ECC Green Infrastructure Position: _Reviewing the Design and Access Statement (DAS), Design Code, Landscape and Biodiversity Management Strategy, Environment Impact Assessment and Environment Statement and the associated documents which accompany the planning application, we do not object to the proposals. However, we would request that the following recommendations are considered to improve the GI network further and to help achieve net environmental gains:

1. Green and Blue Infrastructure Strategy

The Design and Access Statement includes a green and blue infrastructure strategy chapter (Chapter 7) and the proposed landscaping and green and blue infrastructure features for the scheme are welcomed. However, this chapter refers to a Landscape Strategy only. While the Landscape and Biodiversity Management Strategy on page 22 (Para 5.38) refers to a wider GI strategy, clarity is needed on whether a separate green (and blue) infrastructure strategy and landscape strategy will be submitted as part of reserved matters or whether the green and blue infrastructure proposals will be included within the Landscape Strategy.

For the Landscape or GI Strategy, it should include a specification of soft landscaping/ GI features, including proposed trees, plants and seed mixes. This should be accompanied by a schedule, with details of quantity, species and size/type (bare root, container etc). The Strategy should signpost and reference the Landscape and Biodiversity Management Strategy for the management and maintenance measures, that include the preparation, implementation, materials (i.e. soils and mulch), and any protection measures that will be put in place (i.e. tree guards).

2. Design Code

The Design Code on page 10 regarding the avenue design includes a list of tree species to be considered and specifies hedgerow types for the residential front boundaries. However, we would expect a list of potential species for all the street

type parameters within the Site-wide Design Instructions in chapter 2 for the Street and Movement codes. Alternatively, it is noted that a list of potential tree species and recommendation to select tree mix from the Essex Tree Palette, 2018 is referenced in various sections of Chapter 3: Detailed Design Instructions, and these could be signposted for all the street type parameters within chapter 2.

3. Landscape and Biodiversity Management Strategy

We welcome the Landscape and Biodiversity Management Strategy that sets out the management and maintenance regime over phases of the development and beyond six years. This strategy will also need to include the responsible body for GI assets (including any surface water drainage system) to deliver the maintenance activities and details on how management company services for the maintenance of GI assets and green spaces will be funded and managed for the lifetime of the development. This will ensure appropriate management and maintenance arrangements and funding mechanisms are put in place to maintain high-quality value and benefits of the GI assets. We would recommend these are submitted at the earliest opportunity of the planning process and included in section 106 considerations.

- a) Para 5.12 on page 15 mentions the use of tree guards. We would recommend these are inspected and part of the inspection regime for habitats. To reduce the need for guards' removal we would encourage the use of biodegradable guards. Given many of the products on the market need to be removed and composted in industrial facilities to biodegrade, we recommend plastic free guards to avoid removal at the end of their lifespan.
- b) Where trees are proposed within areas of hard landscape of public realm, we recommend that soil cell systems are proposed (greenblue.com/gb/product-category/soil-cells/) These are load-bearing and are conducive to root growth, meaning they can be laid under parking and traffic areas, provide rooting volume and space for utilities if needed.
- c) The strategy proposes grasslands and wildflower meadows, particularly for management zone 6. It is also recommended that amenity grassland (low biodiversity value) is replaced where possible by features with high biodiversity value (e.g. amenity grassland with bulbs/naturalised grassland and flowering lawns). Flowering lawns provide visual interest, improve biodiversity value, establish quickly and are easy to maintain long-term.

Amenity grass might be described as a "green desert" but does provide some carbon sequestration. Some specific grass varieties sequester 13t/Ha/Pa, produce 45% less clippings and are wear tolerant. For example, deep rooting grass mixes are more drought resistant, reduce need for irrigation, increase rainwater infiltration, reduce surface runoff and improve performance of sustainable drainage schemes. From a management point of view, this means a reduction in mowing costs and time, savings on fuel usage and emissions, with reductions in green waste resulting in reduced environmental impact and less maintenance and are all beneficial.

Rigby Taylor has been working on carbon sequestering grasses with comprehensive trials, see Carbon4Grass: https://www.rigbytaylor.com/wp-content/uploads/Fixing-the-Greenhouse-effect_Carbon4Grass.pdf. We advise that these seed mixes are explored as an alternative to the standard amenity grass/turf.

Construction Environmental Management Plan (CEMP)

- 7.90 The Environment Statement references that a Construction Management Plan will be prepared and will include the mitigation measures for retained trees and vegetation and implementation of planting. We request a schedule of advanced planting to create a landscape structure and that

substantive GI is secured as early as possible in subsequent phases. The inclusion of phased implementation within the CEMP of new GI and protection of retained vegetation during construction will allow for the GI to mature and provide further benefit of reducing/buffering the aesthetic impact from the construction work.

GI Standards

- 7.91 It is recommended that the development proposal applies the Building with Nature standards and achieves an accreditation to highlight what 'good' looks like at each stage of the GI lifecycle to strengthen the development and to demonstrate that the development goes beyond the statutory minima, to create places that really deliver for people and wildlife. The Building with Nature Standards have been developed by practitioners and policymakers, academic experts and end-users, and have been tried and tested in multiple schemes from Cornwall to Scotland. They are endorsed by Natural England in their review of current national GI standards. For more information please see: <https://www.buildingwithnature.org.uk/about>
- 7.92 If the developer has any queries regarding GI matters raised above, please ask them to contact Green.Infrastructure@essex.gov.uk (Jayne Rogers)

Conclusion

- 7.93 The proposed development is for a scheme that will impact considerably on local communities, the natural environment, transport, and community infrastructure and adjoining on-site developments. It is presented as a standalone development, not part of a new community nor as a clear and connected extension of an existing settlement and its sustainability in these respects is therefore unclear. Considerable work needs to be done to ensure its careful knitting into the spatial pattern of settlement and potential growth in this rural district. I will need to demonstrate a clear Vision with bespoke design style, character and ensuring the infrastructure demands arising from the scale of infrastructure can be met adequately to meet new residents' needs, without adverse impact on existing residents. These concerns must be adequately addressed in a sustainable way, and funded adequately providing for options, with acceptable access and connectivity arrangements that reduce car dependence. In the context of sustainable development, healthy living principles, and addressing the full climate change agendas of the county and district, then the development may be acceptable.
- 7.94 ECC requests that if planning permission for this development is granted it should be subject to a Section 106 Agreement to mitigate its impact on ECC's service areas as outlined above.
- 7.95 The final contributions requested will be considered in connection with CIL Regulations 2010 (as Amended). Our standard formula Section 106 Agreement clauses that ensure the contribution would be necessary and fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

8. REPRESENTATIONS

A Site Notice was posted on the 03rd June 2021; the Press Notice was also published on the same day. Representation was received from neighbouring residents, and the following observations have been made:

- Impact upon the local wildlife and countryside
- Urban sprawl and coalescence between Great Dunmow and Little Easton
- 40% increase in the size of Great Dunmow
- Likely traffic congestion on A120 and towards Junction 8 of the M11
- Noise and pollution impacts
- Landscape impacts
- Impact upon High Wood SSSI and the ancient Hoglands Wood
- Impact upon the adjoining Conservation Area and Heritage Assets within Little Easton
- Conflict of the access with the working Quarry use
- Lack of real consultation locally by the applicant at Pre-Application stage
- Loss of agricultural land for food production; food security concerns
- Unsustainable location
- Climate impacts
- Lack of infrastructure locally to support this development i.e., GP surgery, Schools, Shops, Dentists
- Lack of connectivity/ permeability to existing service centre in Great Dunmow
- Proposed Bus Service improvements are unrealistic
- Lack of job opportunity alongside the housing
- Cumulative impacts of additional housing and traffic to the west of Great Dunmow, alongside the new Secondary School
- Increased prospects of surface water flooding
- Lack of modal shift; the car will dominate
- Increased pressure on Hatfield Forest
- Cumulative impacts of new housing development upon local infrastructure
- Development is out of keeping with the established pattern locally
- Resulting poor air quality by additional cars on the road
- Single point of vehicular access is insufficient for a development of this scale

9. POLICIES

9.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

(a) the provisions of the development plan, so far as material to the application,

(aza) a post-examination draft neighbourhood development plan, so far as material to the application,

(b) any local finance considerations, so far as material to the application, and

(c) any other material considerations.

9.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

9.3 National Policies

9.4 Uttlesford District Local Plan Adopted 2005

- Policy S1 – Development Limits for Major Urban Areas
- 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 ENV1 – Conservation Areas
- Policy ENV2 - Listed Buildings
- 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
- 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

9.5 Supplementary Planning Documents/Guidance

SPD – Accessible Homes and Playspace (2005)
The Essex Design Guide
Parking Standards: Design and Good Practice (2009)
Uttlesford Local Residential Parking Standards (2013)

9.6 Great Dunmow Neighbourhood Plan 2016

Whilst most of the application site is outside the Great Dunmow Neighbourhood Plan Area, parcels of land to the southeast of the site around Hoglands Wood, are within the Neighbourhood Plan Area. The Neighbourhood Plan was made in December 2016.

The following policies of the Neighbourhood Plan are relevant to the proposed development.

- DS8: Buildings for Life
- DS9: Hedgerows
- DS10: Eaves Height
- DS11: Rendering, Pargetting and Roofing
- DS12: Integration of Affordable Housing

- DS13: Local Housing Needs.
- LSC1: Landscape, Setting and Character
- NE1: Identified Woodland Sites
- NE2: Wildlife Corridors
- NE3: Street Trees on Development Sites
- NE4: Screening
- SOS2: Sporting Infrastructure Requirements
- GA1: Core Footpath and Bridleway Network
- GA2: Integrating Developments (Paths and Ways)
- GA3: Public Transport
- HEI3: Primary School Provision

The Great Dunmow Town Design Statement (2007-2008) also provides relevant design guidance.

10. APPRAISAL

10.1 The issues to consider in the determination of this Outline Application are:

- i) Principle of Development**
- ii) Housing Land Supply**
- iii) Layout**
- iv) Affordable Housing**
- v) Highways**
- vi) Heritage**
- vii) Ecology and Trees**
- viii) Environmental Health**
- ix) Flooding**
- x) Infrastructure Provision to support the development**
- xi) Planning Balance**

Principle of development

- 10.2 The development of the site needs to be considered and assessed against the current Local Plan and the National Planning Policy Framework 2021 (NPPF). The application site comprises 150 hectares of land and is located within the open countryside on the edge of Great Dunmow. The site is outside the development limits of Great Dunmow as defined by the Proposals Map and is therefore located within the countryside where ULP Policy S7 applies. This states that the countryside will be protected for its own sake and that planning permission will only be given for development that needs to take place there or is appropriate to the rural area, with development only being 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.
- 10.3 The Council's Review of the adopted policies of the Local Plan found Policy S7 to be partly consistent with the NPPF but that while the NPPF takes a positive approach, rather than a protective, Policy S7 is still compatible with the aims of the NPPF in protecting the countryside.
- 10.4 The key aims of Local and National policies which seek to protect development in the countryside are whether:
- The site is remote
 - Whether the site has good access to services
 - Whether the site is accessible to those services by means other than the use of the private motor car
- 10.5 The leading legal Case on this issue is *Braintree District Council v Secretary of State for Communities and Local Government and others*. This Case advises that that accessibility to services, facilities, and employment from the site, other than by car, needs to be considered, and also whether there are existing dwellings nearby.
- 10.6 In terms of the remoteness of this site, the site does contain existing farm buildings at Ravens Farm; further, residential development is approved and allocated within the Uttlesford Local Plan 1995 and the Made Great Dunmow Neighbourhood Plan 2016 to the southeast. In those terms, it is therefore considered that the site is not remote.
- 10.7 In terms of whether the application site has good access to local services within Great Dunmow, the application advises that the site provides the following walking routes and distances from the *edge of the site* (first quoted distance from the east, and the second from the west of the site)
- To Great Dunmow High Street - between 2.7 km and 3.6km
 - Existing Helena Romanes School – between 1.9km and 4.1km
 - Tesco Superstore – between 2km and 2.5km

- 10.8 It is suggested that these distances do not give good access to local services, which would be via existing public footpath networks, many of which are un-lit and have poor surface treatments, which would not be accessible for the less mobile or those using pushchairs.
- 10.9 In terms of whether the site is accessible to those services by means other than the use of the private motor car, the applicant has provided the following analysis of suggested walking routes and time taken (again first quoted distance from the east, and the second from the west of the site)
- To Great Dunmow High Street - between 32 minutes and 44 minutes
 - Existing Helena Romanes School – between 23 minutes and 49 minutes
 - Tesco Superstore – between 24 minutes and 31 minutes
- 10.10 It is further suggested that these walking times are greater than what someone would reasonably wish to walk to access these services, and to encourage them not to use their car.
- 10.11 Turning to the central issue of development in the countryside, and an assessment against the provisions of Policy S7 of the adopted Local Plan, and the NPPF, the Uttlesford District Councils Landscape Officer has advised that the development would have a significant detrimental visual impact on the existing rural character of the site. The development extends onto the upper slopes of the valley which exacerbates the potential impact on the wider landscape. Whilst structural planting may reduce to some extent the visual impact of the proposed development, the form and scale of the development is not considered to sit comfortably in the context of the surrounding landscape. The proposed development is unacceptable
- 10.12 The proposal is therefore considered to be inconsistent with the provisions of Policy S7 of the adopted Uttlesford Local Plan 2005, and Policy LSC1 of the Made Great Dunmow Neighbourhood Plan – December 2016.

Housing Land Supply

- 10.13 The National Planning Policy Framework 2021 describes the importance of maintaining a five-year supply of deliverable housing sites. The Council's housing land supply currently falls short of this and is only able to demonstrate a supply of 3.11years (Five Year Housing Land Supply update April 2020).
- 10.14 Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or where policies which are most important for determining the application are out-of-date. This includes where the five-year housing supply cannot be delivered. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).
- 10.15 The provision of up to 1,200 residential units represents a significant proportion of the annual housing supply based on the district. In this respect the proposal would make a valuable contribution to housing supply within the district.
- 10.16 As advised, this presumption in favour of sustainable development is increased where there is no 5-year land supply for housing. In this regard, the most recent housing trajectory for Uttlesford District Council identifies that the Council has a 3.11-year land supply. Therefore, contributions toward housing land supply must be regarded as a positive effect.
- 10.17 It is therefore necessary to assess whether the application proposal is sustainable and a presumption in favour is engaged in accordance with the NPPF. There are three strands to sustainability outlined by the NPPF which should not be taken in isolation, because they are mutually dependent. These are all needed to achieve sustainable development, through economic, social, and environmental gains sought jointly and simultaneously through the planning system.

Social: The site is up to 4km from the nearest larger settlement (Great Dunmow) There are reasonable public transport services in the immediate area, including 42A, 133, 451, 313, X10 and 508, all providing services locally and to the larger urban areas nearby; the existing bus stops are however some distance from the application site. This means that potentially the occupants of new dwellings would not be solely reliant on the car. It is clear that the development would provide up to 1,200 new dwellings at a time when the Council is unable to demonstrate a deliverable 5-year supply of housing land, and therefore consideration needs to be had as to the level of positive contribution these new houses would provide for the 5 year housing land supply and the level of harm that might be caused as a result of the development on the character and appearance of the area and the countryside more widely.

Economic: The development will deliver an economic role through the creation of an amount of employment during the construction phase and the occupiers of the houses would contribute to the local economy in the long term, as such there would be some, but limited, positive economic benefit.

Environmental: The site is outside of the development limits and currently undeveloped. It is considered that the dwellings on this site would be harmful to the character of the landscape. Policy S7 is therefore a very important consideration for the sites, as it applied strict control on new building. Ensuring that new development will only be permitted if its appearance protects or enhances the character of the part of the countryside within which it is set or that there are special reasons why the development in the form proposed needs to be there.

10.18 In light of the NPPF presumption in favour of sustainable development, it is considered that the proposed development would bring some limited social and economic benefits, but these would be outweighed by the environmental harm as identified within this Report.

Layout

10.19 The proposed indicative layout and Design Code for the development is being evaluated by Uttlesford DC against the *Building for a Healthy Life Assessment Tool*. This Tool identifies a set number of criteria against which the proposal is assessed on a Red/ Amber/Green basis i.e., Green is an acceptable approach and Red requires significant attention. Following discussions with the Uttlesford DC Principal Urban Design Officer, the proposed scheme layout has now reached the stage where there are no Red matters identified, and most issues are now Green. However, the following issues are still at Amber, i.e.

- Existing public rights of way are incorporated into scheme however key opportunities for connections to south are not taken, and there is no edge-to-edge vehicular connection. Also existing public rights of way are relied on heavily for the movement strategy and these currently do not have an all-weather surface. BHL specifies amber when constraints are outside of applicant control
- Green corridors shown on parameter plans however oil pipeline severely restricts planting to only grass over majority of green corridor - there is also a risk that trees might not be agreed to be allowed resulting in a green corridor which is mainly only grass - Landscape Officer to comment
- Connections understood to be outside of applicants control - all tbc with Highways - sustainable transport hub and increased bus services would help rather than hinder
- Street types show segregated cycle infrastructure which is positive. Fritch Way surface treatment is more suitable for recreational cycling than commuter travel. Ditto for the bridleway and Saffron Trail which cross the site, whilst suitable for recreational use are questionable for everyday commuting or general needs - suggest all-weather surface treatments - Highways Officer to confirm
- Concern raised over whether 1200 homes with associated non-residential uses could foster the levels of internalised travel required to create a true sustainable community. It is likely that this development would function as an unsustainable extension to Great Dunmow with over-reliance on private cars Parking solutions shown are varied which is positive but more innovative solutions could be explored

- Parameter plans show zones for ecological corridors/recreational space, but sustainable drainage specified at risk of not being included due to oil pipeline constraints - recognised this is outside applicant control - Landscape Officer input required

10.20 Therefore, and purely dealing with the matter of the indicative site layout and proposed Design Code, the Local Planning are of the opinion that the application is consistent with the implementation of Policy GEN2 of the adopted Uttlesford Local Plan 1995, Policy DS8 of the Made Great Dunmow Neighbourhood Plan 2016, and the National Planning Policy Framework 2021

Affordable Housing

10.21 As advised, the Housing Enabling Officer has stated that that the delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units. The affordable housing provision on this site will attract the 40% policy requirement as the site is between 1,000 and 1200 units. This amounts to between 400 and 480 affordable housing units and it is expected that these properties will be delivered by the Council's preferred Registered Providers.

10.22 On the face of it, the proposal is consistent with the delivery of Policy compliant affordable housing; however, given that the application is being recommended for refusal, the proposal is considered contrary to the implementation of Policy H9 of the adopted Uttlesford Local Plan 2005.

Highways

10.23 As advised at paragraphs 7.24 and 7.25 of this Report, there are significant matters that have not been resolved between the applicant and both Essex County Council as Local Highway Authority together with National Highways (formally Highways England).

10.24 At this time, the scheme is unacceptable in terms of highways safety and sustainability grounds, and application cannot be supported by the Local Planning Authority. The proposal is therefore contrary to the implementation of Policy GEN1 of the adopted Uttlesford Local Plan 2205, and the National Planning Policy Framework 2021.

Heritage

10.25 Place Service Heritage have advised that whilst there are no listed buildings or scheduled monuments within the Site. There are several designated heritage assets within a 1km radius of the Site, and the development has the potential to affect the setting and significance of these:

- Grade I: Church of St Mary the Virgin, Little Easton (list entry no: 1097465)
- Grade II*: Barn at Little Canfield Hall (list entry no: 1054762); Easton Glebe (list entry no: 1332055); Stone Hall (list entry no: 1334091)
- Grade II: 63 buildings
- Grade II registered Easton Lodge Park and Garden, located c. 850m north-east of the site (list entry no: 1001484)
- Little Easton Conservation Area
- Great Dunmow Conservation Area

10.26 Overall, Place Services have advised that they largely agree that with the findings of the Historic Environment Assessment that the harm caused to the heritage assets would be less than substantial, and that this level would be low for the assets to the south and east of the development site, and those around Duck Street. However, they consider that for the Little Easton Conservation Area, the listed buildings at the southern part of the Conservation Area and the listed buildings along Park Road, this harm would be at a medium (rather than low) level of the spectrum.

10.27 Paragraph 202 of the NPPF (2021) should therefore be applied. Consideration should also be given to paragraph 199 which affords great weight to the conservation of heritage assets, as well as the statutory duty of Sections 66(1) and 72 (1) of the Planning (Listed Buildings and

Conservation Areas Act) 1990 under which local planning authorities should have special regard to the desirability of preserving the settings of listed buildings and the character and appearance of Conservation Area

- 10.28 These proposals are therefore considered contrary to the implementation of Policies ENV1 and ENV2 of the adopted Uttlesford Local Plan 2005, *Position LSC-A: The Historic Environment* of the Made Great Dunmow Neighbourhood Plan 2016, and the relevant passages contained within Section 16 of the National Planning Policy Framework 2021.

Ecology and Trees

- 10.29 Place Services Ecology have issued a Holding objection due to insufficient ecological information on European Protected Species (bats), designated sites (Hatfield Forest SSSI & NNR), ancient woodland (Hoglands Wood/Broomhills Local Wildlife Site) and Priority habitats (Lowland Mixed Deciduous Woodland).
- 10.30 The National Trust have advised that if outline planning permission is granted a financial contribution should be sought from the developer to mitigate the residual impact on Hatfield Forest and deal with concerns regarding the timing of the delivery of public open space. This should be secured through a S106 Agreement. Based on recommendations set out in the 'Hatfield Forest Visitor Survey and Impact Management Report', the National Trust, in consultation with Natural England has prepared a costed Mitigation Strategy (a copy has been sent to your planning department). This includes a costed package of mitigation measures. The Strategy seeks a proportion of costs to be met through developer contributions, the rest would be met by the National Trust. Examples of priority works from the Strategy include veteran tree management, soil decompaction, ride side ditching, temporary ride closures. Furthermore, now that we have this evidence and baseline information, fundamental to the monitoring of this will be on-going survey work. This includes independent visitor surveys every 5 years, annual impact surveys, soil compaction analysis and gate counter data. The costed measures are set out on Pages 13-25 of the Mitigation Strategy.
- 10.31 Finally, Natural England have recently made representations regarding the following issues.
- Impact on Hatfield Forest SSSI/NNR (as per the National Trust above)
 - High Wood Dunmow SSSI - Changes in ground level
 - High Wood Dunmow - Provision/Maintenance of Deer
 - Relationship of the proposed access route to the development and High Wood Dunmow SSSI
 - Clarification of the predicted air quality impacts on High Wood Dunmow SSSI

- 10.32 Given that this application is not recommended for Approval, the proposal is therefore considered contrary to the implementation of Policies GEN7 and ENV7 of the adopted Uttlesford Local Plan 2005, Policies NE1 and NE2 of the Made Great Dunmow Neighbourhood Plan 2016, and the relevant passages contained within Section 15 of the National Planning Policy Framework 2021.

Environmental Health

- 10.33 Advise that in summary our objection is based on the opinion that insufficient information has been provided in support of this application to define and fully assess to potential impact of noise on the proposed occupiers arising from the activities of the quarry. The proposal is therefore considered contrary to the implementation of Policy ENV10 of the adopted Uttlesford Local Plan 2005.

Flooding

- 10.34 Essex County Council as Lead Local Flood Authority (LLFA) have advised that having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission, subject to conditions.
- 10.35 The proposal is therefore considered consistent with the provisions of Policies GEN3 and ENV12 of the adopted Uttlesford Local Plan 2005, and Section 14 of the National Planning Policy Framework 2021.

Infrastructure Provision to Support the Development

- 10.36 Given that the application is being recommended for refusal, the application is not delivering infrastructure through an appropriate S106 of the Town and Country Planning 1990 process, to mitigate the impacts of the development locally, including:
- Lack of Early Years and Childcare, Primary and Secondary Education contributions
 - Lack of financial contributions to mitigate impacts upon Hatfield Forest
 - Lack of financial contributions to mitigate impact on Primary Health Care
 - Non-delivery of contributions towards the delivery of a viable bus strategy
 - Lack of affordable housing
- 10.37 The proposed development therefore fails to deliver appropriate infrastructure in order to mitigate any impacts and support the delivery of the proposed development. The proposal is therefore considered contrary to the implementation of Policies GEN6 - Infrastructure Provision to Support Development, of the Adopted Uttlesford Local Plan 2005, and the National Planning Policy Framework 2021.

Planning Balance

- 10.38 It is acknowledged that Uttlesford District Council cannot demonstrate a five-year supply of deliverable housing sites, and this development would contribute to this shortfall. At 3.11 years supply, the deficit is significant. In such circumstances, paragraph 11 of the National Planning Policy Framework 2021 indicates that housing policies should be regarded as out of date.
- 10.39 However, paragraph 11d) makes it clear that the presumption in favour of sustainable development does not apply if the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. In this respect, Footnote 7 sets out that this includes, amongst others, designated heritage assets.
- 10.40. Given that the Local Planning Authority have found that there would be harm caused to the significance of designated heritage assets that is not outweighed by the public benefits of the scheme, I consider that this is a clear reason to refuse the development proposed in accordance with the Framework. In this regard, the scheme would also not comply with Policy ENV1 of the ULP. Since the presumption (at paragraph 11d) of the Framework does not apply, then paragraph 14 of the Framework is not engaged.
- 10.41 Further, Policies GEN1, GEN7 and ENV7 of the Uttlesford Local Plan 2005 are generally consistent with the Framework in terms of its aims to promote sustainable transport and conserving and enhancing the natural environment. The Local Planning Authority therefore afford considerable weight to the conflict of this proposal with these policies. Uttlesford District Council Environmental Health Officers have raised concerns as to the potential impacts of noise on the proposed occupiers of the development arising from the activities of the adjoining quarry; the proposal is therefore contrary to the implementation of Policy ENV10 of the Uttlesford Local Plan 2005.

- 10.42 In addition, Policy S7 of the Local Plan refers to development outside of settlement boundaries. In isolation of other considerations, this would not be wholly aligned with the more flexible and balanced approach implicit in the objectives outlined in the Framework. However, this does not fundamentally undermine the continued relevance of such an approach, particularly as its aim is to protect or enhance the character of the countryside from development that does not need to be there. This differs only slightly from the aim in the Framework to recognise the intrinsic character and beauty of the countryside. There is therefore still a clear rationale for development boundaries to protect the countryside while focusing growth within designated settlements. Considering this, the Local Planning Authority have regarded the underlying objectives of the policy, as being partially consistent with the current Framework.
- 10.43 In considering the benefits and adverse impacts of the scheme, it is concluded that the harm and policy conflict identified would significantly and demonstrably outweigh the proposal's benefits when assessed against the NPPFs policies taken as a whole. Therefore, the presumption in favour of sustainable development, as set out in the National Planning Policy Framework, does not apply. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead to a decision otherwise.

Equality Act 2010

- 10.44 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

09/03/2021

Essex Quality Review Panel: Land East of Highwood Quarry, Great Dunmow, Essex
Confidential in advance of a planning application

Chair: Maggie Baddeley

Panel Members: Clive Burbridge, Gill Wynne-Williams, Mike Jamieson, Robin Buckle

Panel Manager: Chris King

Panel Admin: Adam Fall

Land East of Highwood Quarry, Great Dunmow, Essex

Architects/Masterplanners: Barton Willmore

Developer/Client: Landsec

Panel Description

The Essex Quality Review Panel (EQRP) were appointed to undertake a review of a proposed residential-led development on land east of Highwood Quarry, Great Dunmow, Essex. The proposal includes circa 1200 new homes, as well as provision for a primary school, local centre, formal and informal open space, green infrastructure, and semi-natural areas, on a site of approximately 155ha.

The following report summarises the Panel's comments and recommendations made during the review session held on Monday 22nd February 2021.

General

The Panel would like to thank the design team for a clear presentation. They recognise this is a challenging site - particularly in relation to its planning history and policy context - and appreciate that considerable work has been undertaken to develop the presented proposals to their current stage. As an overview, the Panel's view is that there are a number of fundamental elements that require reconsideration and review, and further design development is needed for the proposal to continue to be promoted as being 'intrinsically sustainable'. These elements include the need for a clear vision and defining principles underlying the project, together with a detailed narrative of how they will create a distinctive place.

At present, the proposal is problematic, in that it is unclear and uncertain whether it would function as an urban extension to Great Dunmow or form a phase of the Easton Park garden community, should it come forward. Key to the project is also its landscape framework, and its relationship with the wider countryside. While recognising efforts made to date, wider transport connectivity issues need to be resolved, particularly to push the use of green forms of travel further; as a point of principle, without better links to the south, the deliverability of a sustainable development on this site has to be questioned. These recommendations and comments are made by the Panel to ensure this proposed application continues to proceed positively and achieves greater design quality standards.

The following topics were discussed during the review session. The Panel recognise that some topic areas have been or are to be addressed. These comments are for guidance purposes only.

Masterplanning & Layout

The Panel consider that a significant amount of work is still required regarding creating the vision for this scheme and the subsequent design principles that are derived from it. Whilst there is an appreciation of the current masterplan, the Panel would have found it useful to have seen a number of different options within the presentation, in order to provide further comment on the suitability of the proposed design. There are concerns that as currently envisioned, this site could become an isolated enclave, and not the sustainable neighbourhood

that should be created here. Further consideration is required, in terms of what will make this a distinctive place. The landscape and SuDs water management features could become the heart of this development and make it very distinctive in terms of creating a place, by forming an integral part of the streets, with water filtering through the site leading down into attenuation ponds.

The Panel understand that 'edges', rather than character areas, have been identified as the preferred approach used to explore and create distinctiveness. However, there are concerns that this approach may result in a lack of differentiation across a site largely occupied by new homes. Reviews of proposed densities, changes in height, access arrangements, views into and out of the site and adjacent land uses etc. will all have significant roles to play in defining the character of this scheme, which in turn needs to come out more through the development of a revised masterplan.

The formation of housing layouts with long boulevards presents a clear ambition in terms of connecting different parts of the site together. However, there is no clear precedent for this urban form in the surrounding area. If retained, these routes would further benefit from the introduction of a sequence of spaces, marker buildings or 'moments' that would each help to address a perceived mismatch between formality and informality and help to make the boulevards more village-like. This mismatch between village characteristics and what is proposed for the site could be addressed for example by identifying more opportunities for creating spaces of intimacy and informality that are currently missing from the masterplan. Adding these spaces could help to improve the wayfinding narrative and create more moments where residents can meet, play or relax. With regard to any community buildings, such as the new primary school, further consideration should be given to the role these buildings can play within the masterplan. This may require additional investment to make the most of the architectural opportunity, but it offers the chance to generate enhanced social value and better place making. As part of this approach, character studies should be undertaken to understand the surrounding settlements and landscape, which should help inform the masterplan design - and create stronger links to its immediate context.

The Panel strongly recommend that every street has trees; it appears from the masterplan that some residential streets are lacking in green infrastructure. In terms of the proposed car parking strategy, it is understood that parking courts are mainly centralised towards the centre of the perimeter housing blocks; this form highlights an area of concern for the Panel, specifically in terms of increasing opportunities for anti-social behaviour. The Panel suggest exploring methods of breaking up the sections of parking to increase perceived safety, for example by allowing people to walk through these areas thereby creating transitional zones as opposed to closed-off spaces. It is believed that the more that revised parking strategies are explored and worked up, then alternative arrangements to the apparent perimeter block housing layout used throughout will be discovered. Furthermore, it is questioned whether parking space numbers could be reduced through the longer-term phasing of the development's transport strategy, to promote the modal shift from private vehicular usage to alternative modes of travel – particularly active forms.

With regard to health and wellbeing, it is important to consider combatting locally identified issues such as obesity and poor air quality - and the wider concern of loneliness - along with providing food growing opportunities for residents within the design proposals. Integrating elements such as trim trails, 'edible streets' and community hubs into the project from the outset may provide far stronger ways in which to promote and achieve healthier, more active lifestyles in this scheme. Mapping out an average 'day in the life' of a range of potential residents within different parts of the development is recommended, to better understand how neighbourhoods will evolve, while highlighting areas for social and active interactions to be created and maintained between people.

In terms of defining quality within the Design Code for the site, the Panel believe that further review is required of ways in which this could be achieved. Through good quality precedents and reference to the Essex Design Guide, the document could showcase how residential developers can create distinctive architecture through a variety of bespoke housing models and/ or utilise standard house types with distinctive facades and features that embrace tailored design in key locations. Off-site modular construction may be feasible in such circumstances, as currently being promoted by Homes England. Research into more innovative construction methods could also help to identify further opportunities to enhance the built form. Overall, there are concerns that if architectural distinctiveness and landscape character are not clearly defined within the project and its Design Code from the outset, then this site will become a continuation of the series of incremental residential developments that have extended Great Dunmow, including on land immediately to the south.

On review of the presentation, it is clear that a lot of work has been put into creating the setting for the proposed housing. The landscape framework setting, and its delivery and phasing, are key to this project; how the framework addresses connections to the wider countryside, such as the ancient woodland and broader landscape to the west, is fundamental too. The ecological strategy is bound in too, into how the landscape and SuDs are treated and whether the character and thinking given to the periphery of the site can be 'pulled in', into green corridors through the proposed development. For example, the area leading to the central park could include more of the countryside character. This could be derived within the green corridor linking this space to other sub-character areas such as Hoglands Wood and Ravens Farm. This approach will ensure that the route does not simply become a footpath with a generic planting scheme, but instead creates a series of landscape features that together inform the overall character of the green infrastructure strategies for the site.

Going forward, it will be important to ensure that the level of landscape character desired is captured within the Design Code for this scheme, along with the protection of development phases and long-term management of green spaces. It was unclear to the Panel during the presentation what the exact amount of land within the red line boundary that would be designated for public access would be in the future. For instance, there remain questions regarding if the adjacent farm will continue to be a discreet area that is commercially managed with limited footpaths, or whether more public access will be provided for residents to this space. As a result, it is recommended a clear public access strategy for this scheme is produced, which demonstrates further connections to the wider open areas and beyond.

Due to the extent of open space proposed within the development, it is believed that the site presents an ideal opportunity for biodiversity net gain (BNG). If the mosaic of habitats can be developed in the Design Code, along with the approach and management for different spaces and green infrastructure across the scheme, then the Panel consider there to be a serious opportunity for achieving BNG on this site. It is recommended that the extent of the proposed gain should be explored to the site's full potential capability, while also being considered in relation to the requirements that are emerging within the Environment Bill. Points have been raised within this report regarding how the setting for the development will evolve with the potential emergence of a garden community immediately to the west. In landscape terms, the current proposals portray a discretely designed development. However, if the new garden community were to proceed, there are questions regarding how that extension will 'fit' with this scheme - in particular, the way in which linkages are established between the two sites. Furthermore, a review of the provision of amenity, sports and leisure space will be required to ensure they can support the wider community, as well as those living on this particular site.

Access & Connectivity

The Panel welcome the efforts made to embrace ways to provide for sustainable transport measures to and within the site. However, concerns remain regarding the proposed single site access arrangements for vehicles, which in effect create a cul-de-sac. Whilst this may not necessarily be an issue for car accessibility and deliveries, there are apprehensions of how this layout will work for public buses. Due to the 4km diversion between the single-entry and exit point of the site, there are not only concerns that this will impact on the extent to which new residents will use any bus service, but also the potential negative impact on the existing patronage of buses and associated costs on running a service.

The Panel's view is that to achieve the fundamental success of this site in terms of access and connectivity, a southern connection through to adjacent residential schemes and the existing town centre is essential, allowing buses to follow a circular route through the site and providing better pedestrian and cycle connectivity. It is clear from the way Great Dunmow is developing, the emphasis of new development is shifting to the south and east (where the existing high street is located). It is understood that new leisure, retail, and educational land uses are proposed towards the south, therefore it is essential for this scheme to show better connections and linkages in response, and to fully justify the proposed site's location in terms of suitability and long-term sustainability.

The site's current lack of connectivity adds to it having the character of another urban extension to Great Dunmow, and it is considered that creating a clearer differentiation will be important if this scheme is to proceed. Unless the new garden community comes forward to the west, there are concerns over the sustainability of this development as a single entity; its access arrangements and current size mean that while it is not considered to be large enough to support a self-contained development, it would in effect be an isolated enclave. Links to the south towards adjacent residential developments and the existing town centre may mitigate these issues; strong outward connections would make this a much more anchored scheme, providing it with a greater sense of purpose within the existing settlement of Great Dunmow. Whilst the provision of pedestrian and cycling routes is welcomed, further consideration of connections for public transport and the filtering of cars through the development would significantly contribute to the success of the masterplan. The Panel suggest considering ways in which car usage and movement can be frustrated within the site, to move

away from a 'car-first' strategy. As seen within other successful modern developments, a reduction in road and highways infrastructure not only helps save on construction costs, but also provides more space and opportunities to enhance cycle and pedestrian routes. As the detail of the masterplan evolves, the Panel would like to see more of this approach adopted.

It is felt that in order to elevate the sustainable links within this site, there is an opportunity to create an exciting sustainable transport hub within the development, which would encourage residents to cycle or walk as opposed to drive, as well as providing a centralised zone for local bus services which will be key in connecting residents to the wider urban context. Whilst it is understood that there may be concerns with regard to viability, it is suggested that opportunities are fully explored for increasing the frequency of the route to Stansted to give a better offer of connections for new and existing residents in the area. Additionally, it is considered that the crossings located along Woodside Way need to be of high-quality, and the Panel would also like to see an upgrade to the treatment of Flich Way to an all-weather surface to improve the sustainable connections towards Stansted.

Summary

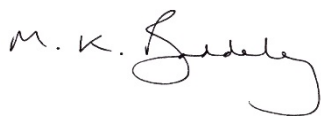
Overall, the Panel has a series of questions relating to the fundamental objective of this project: there is a lack of clarity on whether this scheme will be a freestanding development on the edge of Great Dunmow, or the first phase of an emerging garden community. Consequently, this deficiency and the lack of an obvious evidence base supporting the proposal – whichever form and character of the two it is to take - needs to be made clear through a future planning application. The site's role, context, and character also all need to feed a lot more into the design objectives for this scheme.

Another serious issue to be resolved is in regard to the vision; information was presented on some worrying statistics in Uttlesford, such as high vehicle emissions, low active travel, and high obesity rates in young children. Along with the changes in national policy and guidance over the last two to three years surrounding emissions, health and wellbeing and promoting alternative and active modes of transport, there is scope for this development to raise the bar by being highly sustainable; this will be absolutely essential for it to be considered a success. Whilst references have been made to a Design Code and parameter plans that would be conditioned, it is difficult for the Panel to see what distinguishes this development as a special place. The Panel believe that a clear design vision and defined principles would help to understand more about what this scheme is seeking to achieve, and how it will do so.

From the current proposals, it appears that detailed landscape elements are more resolved than transport connectivity. The idea of a single point of access for all vehicular traffic is considered to be counter-intuitive, particularly in relation to promoting bus use. The lack of integration of the site particularly with development to the south of the site also needs further review - analysing a day in the life of new residents will be critical research, as the awkwardness of some journeys to the local centre, key public amenities and other transport links means it is very difficult to justify this development in sustainability terms, as it is currently proposed. Once again, this leads back to the overall vision for this scheme, where it is felt that a clearer understanding and narrative given to sustainable aspects of design would help to improve on what is currently considered to be an inward-looking enclave of residential-led development.

The Essex Quality Review Panel would be happy to engage with the proposed application further should the above comments and observations be developed.

Yours Faithfully



Maggie Baddeley
Panel Vice-Chair



22nd June 2021

Dear Mr Allwood

Re: UTT/21/1708/OP – 1200 Homes at Land East of Highwood Quarry

Summary

The Town Council strongly objects to the proposals. The location of the site is unsustainable, and it has unacceptable access arrangements.

The new homes would be heavily reliant on car travel and road congestion is unlikely to have a viable solution. This would impact on the general public on a daily basis, compromising access to the town, surrounding villages and the strategic road network. Detailed comments will be covered in our Transport Report (to follow).

The development would form a poorly connected urban extension of the town into open countryside, with loss of high grade agricultural land and creating urban sprawl. There would be unsustainable harm to the character and setting of the historic market town and neighbouring village, contrary to a range of UDC and Neighbourhood Plan policies.

The development would fill the important gap between Great Dunmow and Little Easton, effectively making the two settlements coalesce. Landscape harm would be significant and wildlife corridors effectively destroyed, as described in our Landscape Report (attached).

A development of this size is not capable of delivering homes within a 5-year period therefore it would make no contribution to the 5-year housing land supply.

Supporting documents and request for extension of time to comment

Our detailed landscape and transport objections should be read in conjunction with the attached Landscape Report (March 2021) by Sophie O'Hara Smith and a Transport Report by Lawrence Walker Ltd (to follow).

We respectfully request additional time to submit our Transport Consultant's Report on the Transport Assessment.

Policies and the 5-year housing land supply

The proposal conflicts with ULP Policies S7 – The Countryside, ENV5 - Protection of Agricultural Land, ENV7 The Protection of the Natural Environment - Designated Sites, Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation and GEN1 – Access and potentially Policy ENV10 - Noise Sensitive Development and Disturbance from Aircraft.

Furthermore, it is contrary to the Neighbourhood Plan (GDNP) Policies DS1: Town Development Area, NE1: Identified Woodland Sites, NE2: Wildlife Corridors and LSC1: Landscape, Setting and Character.

This is an unsustainable site; details of the site's planning history are summarised in section 6 of our Landscape Report, produced by Sophie O'Hara Smith, where the site was previously ruled by the Secretary of State to be unsustainable.

GREAT DUNMOW TOWN COUNCIL

There is no evidence that the site for 1200 homes is capable of delivering housing within a 5-year period, therefore, the application would not contribute to Uttlesford's 5-year housing land supply.

There is, however, evidence of anticipated delivery rates for schemes over 1,000 homes. Lichfields have prepared a report, 'Start to Finish', which sets out the factors affecting build-out rates of large-scale housing sites. This is a recent insight, published in February 2020, and its purpose is to inform the production of realistic housing trajectories for plan making and decision taking. The research paper produces empirical evidence that facilitates a better understanding of housing delivery and Local Authorities' five-year housing land supply positions.

The Lichfields Report gives the average planning approval period for larger sites (1000-1499 dwellings) as 4.6 years and the average planning to delivery period is 2.3 years; this is therefore a total of 6.9 years from the validation of first application to completion of the first dwelling.

Comparable evidence of slow housing delivery in Great Dunmow includes the adjacent 2013 application for Land West of Woodside Way for 790 homes, which has only just started on site. Woodlands Park is another example, where the development has so far taken over 20 years to be built out.

Given the site's poor connectivity, constraints of an adjacent working quarry and a backdrop of over-supply of housing sites in the immediate vicinity, housing delivery is likely to be challenging. To the west of Gt Dunmow, there is permitted development for an additional 2,000 homes at Woodlands Park Sectors 3 and 4, Land West of Woodside Way and Land South of Stortford Road.

Strategic issues

There is a fundamental argument against this proposal being put forward as both an acceptable urban extension and/or the first phase of a Garden Community and this does not seem to be adequately addressed in the outline application.

This area of land cannot function as both a well-connected urban extension for Great Dunmow and the open space and strategic gap between settlements that is required to go with a Garden Community.

The planning application can only deal with current proposals where it fails to meet policy requirements but, as the Planning Statement at 7.10 warns:

“choosing to grant planning permission now for the Landsec planning application to help meet the immediate 5 year housing supply shortfall could be seen as allowing development of a site that may well be a preferred housing allocation within the new Local Plan.”

The Town Council strongly objects to the planning application for 1200 homes and has previously strongly objected to the Easton Park proposal for 10,000 homes in the withdrawn Local Plan.

Coalescence

The Town Council objects to the proposal, which would effectively join Great Dunmow and Little Easton, as described in our Landscape Report at para 9.11,

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'The scale of the proposed built development at some 925m by 750m almost completely fills the strategic gap between the settlements of Gt Dunmow and Little Easton leaving a strip of only one field between the new residential area and Little Easton Conservation Area and listed buildings on Park Road as "retained open landscape character". It would be effectively contiguous with Great Dunmow to the south, continuing on from approved (Barratts) development south of the brook and north of the B1256 and west of the town.'

The impact on the character and setting of Gt Dunmow does not meet the 2016 Great Dunmow Neighbourhood Plan's (GDNP) Town Development Area (TDA) Objective, which states:

'This Neighbourhood Plan will support the housing market in Great Dunmow to cater for local demand, while protecting the distinct rural identity of the parish. The identity and character of Great Dunmow is heavily influenced by its setting, and this is to be retained as a priority. The requirements of a growing population must be met, but the price of this need not be the destruction of the local rural and historic character. Great Dunmow should be contained to prevent urban sprawl encroaching on the surrounding countryside, and to prevent amalgamation with the neighbouring settlement of Little Easton or any other settlement'.

Landscape and views

Our Landscape Report at 7.7 comments on 'the loss of the countryside setting to the west of Great Dunmow,' which the Neighbourhood Plan seeks to prevent in the GDNP Policy DS1: Town Development Area 'Protecting the rural setting of Great Dunmow'.

Clearly, this would also be contrary to policy LSC1: Landscape, Setting and Character, albeit this proposal is largely outside the GDNP boundary, as it would harm the approach to the Town and the character and setting of the town 'as a whole.'

Significant adverse visual impact on the long views and existing Public Rights of Way are described in section 8 of our Landscape Report, with a list of 14 locations, with photographs in the Appendices.

At 9.9 the Report describes 'potential for a significant adverse impact on the Broxted Farmland Plateau and wider Central Essex Farmland Landscape Character Areas with the scale of the development and the change of use from rural to urban covering such an extensive area'.

The Secretary of State ruled on this specific site on appeal in 2016, commenting on the 'harmful effect on the landscape as a result of the loss of open fields and the impact on views. He further agrees with the Inspector that the proposals are contrary to LP policy S7, for the reasons set out at IR15.44'

The countryside gap is significant as an open landscape not only for its intrinsic countryside and wildlife value but as the setting for both historic communities.

Woodland and wildlife corridors

We strongly disagree with the Planning Statement at 7.9 that this site 'completes the

GREAT DUNMOW TOWN COUNCIL

“rounding-off” of the Great Dunmow settlement to the west by expanding the development already permitted at the West of Woodside Way site.’

The ancient woodland SSSI and Local Wildlife Sites are highly sensitive for biodiversity and the development at Land West of Woodside Way has been carefully mitigated. These efforts would be undone by this proposal, as described in 7.9 and 7.10 of our report,

‘There is the potential for a significant adverse impact on the Wildlife Corridor as identified within the Great Dunmow Neighbourhood Plan Policy NE2 and its potential for future enhancement. The position of the proposed development mirrors that of the approved housing scheme south of the brook.’

‘This would leave only a narrow corridor with development and potential recreational and access pressure from north and south especially with the direct desire-lines to services and facilities in Great Dunmow from the proposed development. The access road also runs adjacent to High Wood further severing the corridor.’

Key features of the north-west approach to Great Dunmow, described in the GDNP para 62, would be lost:

‘the importance of Hoglands Wood, Broomhills and Frederick’s Spring in biodiversity and landscape terms; the views to the undulating landscapes north east; the importance of trees in the landscape; the footpath network linking the town to the Eastons.’

Landscape and biodiversity harm far outweighs the benefits of this proposal.

Historic environment

The harm to the setting and views from the Little Easton Conservation Area and other heritage assets, including Stone Hall in Little Canfield Parish, conflicts with ULP ENV2 - Development affecting Listed Buildings. The harm is described in our Landscape Report paragraphs 9.3 and 9.6.

Transport and access

The proposed single point of access at the remote A120/B1256 interchange and the unsustainable location of the development, being over 1.4km from the centre of town it is beyond normal walking expectations and makes the use of the private car essential. The introduction of public transport would be economically unviable and traffic congestion is unlikely to find a viable solution from this proposal.

Our Transport Report will comment in detail on the Transport Assessment documents and the potential effect on the local road network.

Other constraints

Residential use is considered to be sensitive receptor to the adjacent ongoing minerals extraction, which will constrain housing delivery.

Stansted Airport, a short distance to the west, has consent to almost double in capacity from 2018 levels, to a capacity similar to Gatwick Airport. It is unclear how the development will mitigate potential noise disturbance from ground operations and overflying.

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Design Code

The planning application description itself gives rise to concern, in stating that 'All development, works and operations to be in accordance with the Development Parameters Schedule and Plans'.

Adherence to the Design Code is not specifically mentioned in the description and detailed collaborative work would be required between the developer, the planning authority and parish councils prior to any such commitment. This matter cannot be an afterthought because it would be bound into the grant of any planning permission via S106 agreement.

The Design Code is unclear on the applicants' intentions as to status of the document, other than reference to conditions, for example, on page 4 it refers to 'broad guidelines'. It is important that details are scrutinised as its purpose is to ensure that the climate change objectives underpinning the EIA are delivered.

There is concern that there is an expectation is that the Design Code will be 'adapted and adjusted' therefore UDC cannot rely upon it. The document also refers to the NPPF regarding 'unnecessary prescription or detail' and this perception should be explored.

Conclusion

The Town Council's strongly objects to the application as an urban extension to the town or as a stand-alone settlement due to its unsustainable location and the immense harm it would inflict on the town and surrounding communities.

The Town Council has commissioned consultant reports on Landscape and Transport matters, to evidence the scale of harm to Great Dunmow and our concern over impacts on the wider community in Uttlesford.

Yours faithfully

Jackie Deane

Deputy Town Clerk
On Behalf of Great Dunmow Town Council

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Great Dunmow Town Council (GDTC)

**Great Dunmow
Essex**

LAND EAST OF HIGHWOOD QUARRY (Planning Ref UTT/21/1708/OP) (Technical Note TN2)

**Report on Proposed
Development Impact
Within Great Dunmow
(Stage 2 – LS Application)**

June 2021

**Great Dunmow
Essex**

**LAND EAST OF HIGHWOOD QUARRY
(Planning Ref UTT/21/1708/OP)
Technical Note 2**

**Report on Proposed
Development Impact
Within Great Dunmow
(Stage 2 – LS Application)**

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B Traffic Assignments (VECTOS TA)
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GREAT DUNMOW - ESSEX

LAND EAST OF HIGHWOOD QUARRY (Planning Ref UTT/21/1708/OP)

Technical Note 2

Report on Proposed Development Impact within Great Dunmow Stage 2 – LandSec Application

1.0 [Introduction](#)

General

- 1.01 This Technical Note (TN2) has been prepared by *Lawrence Walker Limited* (LWL) in response to a request by *Great Dunmow Town Council* (GDTC) to examine transport infrastructure serving the town in the light of a proposed large-scale housing development on *Land to the East of Highwood Quarry* (termed LEHQ herein) This latest application by LandSec for some 1,200 units (Planning Ref UTT/21/1708/OP) comes on the back of a combination of proposed Local Plan allocations, historic planning consents and a number of windfall sites which would themselves in total see over 3,000 units constructed across the town as shown at **Appendix A**, with only a limited number of localised road improvement schemes being offered in support. Today, there are 4,000. This degree of expansion, coupled with the recent fast-tracked approach to new educational facilities in the centre of the town, has led GDTC to be concerned that wide-spread congestion will result, even without the LandSec scheme. With it, the town would more than double in scale, leading to inevitable problems in GDTC's view.
- 1.02 TN1 provided a critique of transport-related issues facing the area over the next decade and pre-dates the LandSec application. It incorporated a specific request by GDTC that LWL liaise with all major players in and around the town to establish the most accurate picture in relation to transport at that time (Oct 2020). It is provided at **Appendix C** for ease of reference. TN2 provides an up-date to that report, but in the form of a critique of the LandSec scheme so as to allow it to be used as part of GCTC's formal response to the application.
- 1.03 In so doing, it should be noted that the site is not allocated and was historically part of a larger scheme known as Easton Park that itself formed part of the now withdrawn 2019 UDC Draft Local Plan. The Inspector's report dated 10th January 2020 following the EiP is thus relevant and has been cited herein where it has a material bearing on the current application. Interestingly, that application has been made by LS Easton Park Development Ltd., suggesting that LandSec is likely to pursue further submissions to expand the site in the future.

Overview

- 1.04 Great Dunmow is essentially served by a single carriageway road that passes along the southern side of the town (**Figure 1**). Known locally as the Stortford Road, it was historically designated as the A120 but following the bypassing of the town in the 2003, is now the B1256. It is narrow; busy; multi-functional (serving both as a Local Distributor and the main bus route around the town) and fast, even though it is subject in general to a 40mph Speed Limit. All traffic produced by the LandSec site between it and the town would have to use this road, as only one point of access to the development is proposed and it sits way to the west of the urban area. Based on the findings of TN1 therefore, this road will simply not have the capacity to serve an additional 1,200 units, and by some margin.

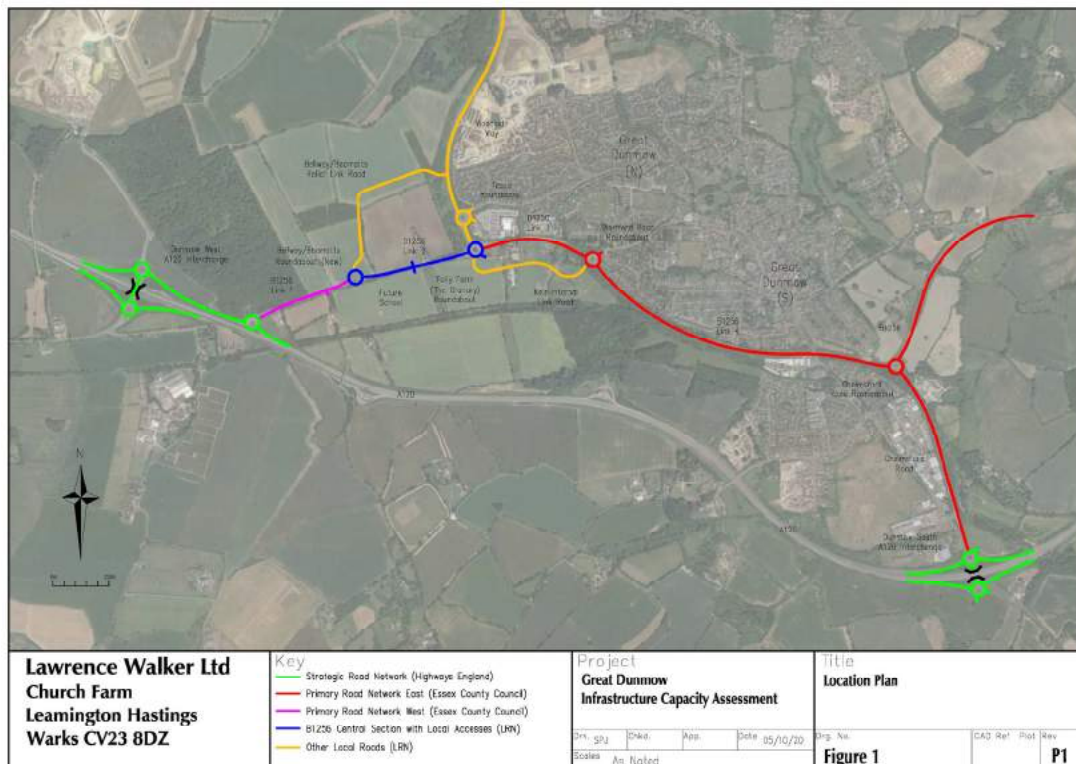
- 1.05 To quantify this, TN1 demonstrated that once urbanised as part of the recently consented Helana Romanes School re-location, the route past Tesco will have a one-way capacity of no greater than 1,200 vehicles per hour and possibly as low as 900. It is projected to be carrying at least 1,500 by VECTOS in their supporting Transport Assessment (Appendix D – Traffic Flow Diagram 74). The accuracy of this figure is the subject of later scrutiny, but even so at that level, journey times along the B1256 will be much slower in the future than they are today and peak-hour congestion will be prevalent. This is the inevitable consequence of disparate planning and the lack of any new strategic infrastructure being provided to serve it - a conclusion that was in fact independently reached by *White Young Green* (WYG) in 2019 acting on behalf of the District Council as part of their now withdrawn Local Plan (see extract below from their supporting report). The WYG assessment did, of course, include the first phase of Easton Park as noted above, which at 1,925 units was not dissimilar to the current stand-alone LEHQ submission. For reference, the dashed-red line is the UDC Boundary.



Scope of Report

- 1.06 TN2 provides a summary of the TN1 work and its findings, which is then followed by a critique of three specific aspects of LandSec scheme. These are broken-down further in the report itself, but essentially cover:-
- i) The accuracy of the technical submission; traffic modelling; traffic impacts and current thinking as far as it affects the B1256 & A120;
 - ii) Whether the infrastructure covered by Figure 1 of TN1 is adequate to meet the needs of the development and if not, what are the implications, and;
 - iii) Non-car access (Public Transport, Walking & Cycling) and the adequacy of the proposals to provide for the development's sustainable travel needs and thereby comply with current Planning Guidance.
- 1.07 Each aspect is now assessed in more detail to determine whether, in LWL's view, the application is robust. In so doing it should be noted that TN1 considered only Road Infrastructure and not *Public Transport* (PT), so this component is dealt with from first principles. Specific references to the 2020 Inspectors Report have been included, since it was highly critical of the Eason Park PT provision.

1.08 It should also be noted that the level of consented development when coupled with that proposed herein or otherwise likely to occur will inevitably lead to the central and western sections of the B1256 within the *Local Road Network* (LRN) being over capacity as concluded by TN1. Either additional new roads or road widening will be required to alleviate this situation going forward. It cannot be reversed (given the number of extant planning consents already in the system) and is unlikely to be materially affected by improved modal split away from the private car in a Covid-free world out towards the west. Great Dunmow residents are served by what is essentially a narrow single carriageway road connecting them to their jobs, and it cannot be expected to serve a town of in excess of 8,000 dwellings. The LandSec scheme will undoubtedly worsen that situation, based on simple arithmetic alone.



2.0 [Summary of Previous Work \(TN1\)](#)

Summary

- 2.01 Technical Note TN1 was prepared by *Lawrence Walker Limited* (LWL) in October 2020 in response to a request by *Great Dunmow Town Council* (GDTC) to examine road infrastructure serving the town in the light of planned large-scale housing growth. It pre-dates the current LandSec application but provided a critique of all documentation available at that time in a written format in response to that request. In so doing, it also incorporated the results of discussions held between LWL and the main interested parties. The only material changes since its release are the LandSec application and the granting of the Helena Romanes School re-location submission and its associated B1256 access scheme.

Conclusions

- 2.02 With reference to its Figure 1, the main findings of the TN1 Report are reproduced below. It should be noted that these do not include any additional impacts resulting from the LandSec site itself:-

- i) Roads and junction to the north, east and south-east of The Granary are likely to remain adequate and fit for purpose to at least 2033. These groups are shown in Red, Orange and Green on Figure 1;
- ii) The Magenta western section of the B1256 will be operating at around 130% of capacity by 2030 and will need to be either widened or dualled;
- iii) The Blue central section of the B1256 Stortford Road will be under severe stress and could be faced with levels of operation in excess of 170% by 2033. A micro-simulation is urgently needed to properly assess this section, coupled with moves to eliminate the proposed Helena Romanes School left-in-left-out access if at all feasible. A longer-term re-signing strategy to direct strategic traffic away from this area may also be needed;
- iv) At The Granary Roundabout, the proposed improvements consented to Kier will be inadequate if the proposed Helena Romanes School left-in-left-out access is implemented. It is suggested that Kier be informed, with a view to both raising an objection with UDC/ECC and also possibly amending the design of their Site Access Arm before it is built, and;
- v) The West of Woodside Way Site Access Roundabout could quite possibly be over-capacity from the day it is built. It is recommended that the **Appendix G** preliminary design be championed by GDTC, with a view to establishing a consensus that the option has benefits and should therefore be pursued as an alternative to the current layout.

- 2.03 Since October 2020, Planning Permission has been granted for the Helena Romanes School access as noted above, which did not include a micro-simulation in evidence. The impact of this access and the multiplicity of associated Toucan Crossings have never been fully assessed therefore. No re-signing strategy has been adopted either. Whilst Kier was alerted to the potential problems the scheme created for them at their site access, it is unclear if any amendments were made. The West of Woodside Way Site Access Roundabout was not amended and is currently due to start construction in a form that remains at risk of being over-capacity from the day it opens. TN1 achieved very little therefore, and certainly in terms of averting major problems that are being stored-up along the B1256. Problems, of course, that the LandSec scheme can only exacerbate.

3.0 [Traffic Modelling & Accuracy of Current Submissions](#)

General Synopsis

- 3.01 As outlined in TN1, the largest impacts along the B1256 are likely to come from the identified housings schemes, compounded by the Helena Romanes School because of its convoluted means of access. Each was supported by its own bespoke Transport Assessment(s) or TA as usually termed; the accuracy, validity and scope of which were examined in detail by LWL as part of TN1.
- 3.02 There was at the time of TN1's release no over-arching assessment of the B1256 and this remains the case today. Instead, the VECTOS TA for the LEHQ site follows the same manual precedent set by previous applications and works solely on the basis that sites are covered as either committed individual schemes if close-by, or more generally through the use of TEMPRO growth factors applied to a range of traffic surveys if not. Possibly, but inconsistencies between the various submissions identified in TN1 and the age of some are bound to make any conclusions so reached dubious, since they are based on those same inconsistent submissions. It would have been better for VECTOS to have taken a more holistic view, but they did not and instead sought only to show that whatever the situation on the roads as predicted by others a decade hence is not made any (or at least much) worse by them. An interesting premise, but one that then conveniently never needs to quantify what that situation might *actually* be. This, as is always the case, is the problem with the "consume your own smoke" approach much-coveted by Developers and adopted, it would seem, ad-verbatim throughout Great Dunmow over the last ten years. It matters not that in the real world no houses actually get sold because at the end of the day, no-one wants to live somewhere where they can't travel anywhere at peak times.

Strategic Traffic Modelling

- 3.03 Factually, there is currently no *Strategic Traffic Model* (STM) that covers Great Dunmow and this was a matter taken up by LWL at the UDC Draft Local Plan EiP Hearings. That Plan was withdrawn, leaving the area devoid of any long-term traffic prediction tool. Whilst the matter was again taken up by LWL at the NEA EiP, those Plans too fell and again no progress was made on an STM. That which was put forward covered Great Dunmow only at its extremities and Stansted (the area's main employer) not at all, making it largely useless as far as the town is concerned. ECC has since confirmed that this remains the position today, meaning that in turn LWL's view remains that without one a proper determination of the site's impact in accordance with Planning Guidance is not possible. The application cannot therefore be determined as it stands, unless of course it was to be refused.
- 3.04 To expand on this premise, documents prepared by WYG on behalf of UDC for use at the EiP were re-provided at Appendix B of TN1. They purported to indicate "Network Stress" in 2033 based on a manual analysis and showed a series of over-stretched links between the A120 and The Granary Roundabout. Figures provided suggested that over the critical central section usage would be as much as 126% of available capacity, whilst to the west it would be as high as 139%. The appraisal did not include the Helena Romanes School however, which will reduce capacity still further. Clearly at the EiP, it had already been accepted that the impact of the UDC Draft Local Plan on Great Dunmow would be severe. Since many of the schemes associated with it have, or are about to, still come forward, that situation has not really changed. No road improvements have or were to be provided, and instead the Plan relied upon an ill-fated and unviable *Bus Rapid Transit* system to mitigate impacts.

- 3.05 Looking then more specifically at the VECTOS TA and without disputing the figures at this point in time, Appendix D would suggest that the one-way count on the B1256 past The Granary will be about 1,500 vehicles by 2031, based on Scenario 15. Without LEHQ, a figure of 1,374 movements has previously been accepted by LWL as being appropriate, suggesting that 1,500 would seem reasonable with it. That, however, would still put the road at around 125% of capacity at best by 2031, and potentially as high as 167% once the draining effects of the Helena Romanes School access and its multiple Toucan Crossings have been allowed for (see **Section 1.05** above). Consistent with the WYG forecasts yes; but only as far as the base figure is concerned.
- 3.06 Now the key here is not what LandSec traffic does to the existing road, but instead what the existing road does to LandSec traffic. At 125% of capacity the B1256 will not be able to accommodate everyone's needs at peak times and at 167% it certainly won't, meaning that some or all of that generated by LandSec will need to go elsewhere. Conversely, if it has no alternative route as may well be the case, then existing road users will by necessity be displaced and where they then go needs to be assessed. It has not been to date and this can only be done using a proper STM that re-assigns traffic according to journey times, including delays.
- 3.07 Essentially, the more LandSec traffic uses the B1256 the more other road users will be forced off it and this is the crux of the **Section 3.03** argument. It is not acceptable to simply argue that a 3%, 5%, 10% impact or whatever is not material when the existing traffic cannot be accommodated on the road in question today, let alone that produced by the development in the future. Manual assignments are only valid where the road network can take the resultant flows. Where it cannot, then an approach that may seem conservative initially quickly becomes wrong.
- 3.08 Fundamentally, manual assignments do not consider where diverted or development traffic actually goes when roads get congested and therefore what impacts that traffic then has elsewhere. Without knowing this, it is not possible to determine whether those impacts are acceptable or not and at 167%, diversions will be widespread. Buses have to use the same route too of course, meaning that they would also be significantly delayed. It is a pre-requisite therefore that the Applicant be asked to model the post-development situation accurately using a multi-modal STM to determine the site's true impact along the B1256; the A120 (the logical bypass route around Great Dunmow) and other alternative routes, as well as on projected bus patronage and timetabling.

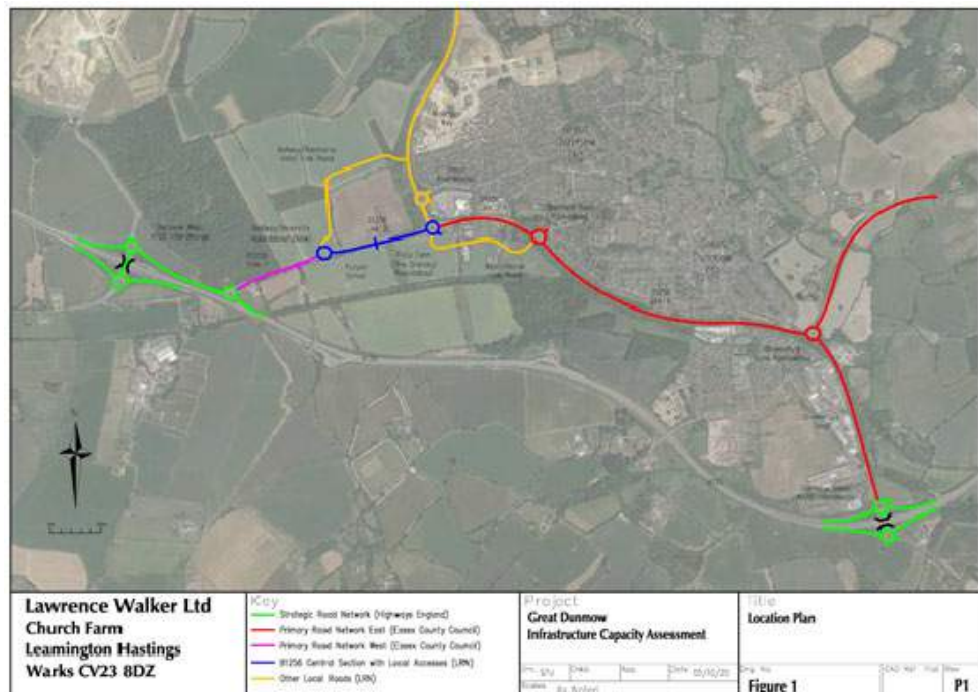
Local Traffic Modelling

- 3.09 As noted in TN1 and re-produced above, the Blue central section of the B1256 Stortford Road will be under severe stress and could easily be faced with levels of operation in excess of 170% by 2033. This figure is not really in dispute (since the VECTOS TA would suggest 167% by 2031 anyway) suggesting that the problem is a genuine one.
- 3.10 To reflect this, a micro-simulation is urgently needed to properly assess this section; the results of which should then feed into the STM in an iterative way so that a true picture of the development's impact can be established. This will fundamentally involve firstly establishing the capacity of the Blue section and then feeding that back in to the STM to determine the degree to which traffic then diverts to alternative routes such as the A120 around Great Dunmow. The STM results will then need to be fed back into the simulation to verify that the flows produced can still be accommodated. As with the strategic modelling, this micro-simulation work must be seen as a pre-requisite to any outcome other than refusal.

Accuracy of Current Submission

3.11 A full review of the arithmetic minutia contained in the TA is not possible at this time due to two significant short-comings contained within it. These comprise:-

- i) The lack of an STM assessment and micro-simulation as noted above. Without these two it is not possible with any degree of certainty to determine what levels and where the impacts produced by the site will be. Whilst it may seem that a manual assignment process is conservative, this is not at all the case where large-scale diversions take place as a result of congestion. For example, it may be quicker for development traffic to reach Tesco via the A120 and the Red link shown below by effectively bypassing Great Dunmow than it would for it to grind past the Helena Romanes School in the mornings once it has been re-located. This would certainly be true of third-party traffic that is already on the A120 west of the town. The impact at (say) The Granary Roundabout would then be totally different, and potentially more severe as traffic turns right instead of left.



- ii) The woeful Public Transport (PT) offer. This is discussed in more detail in **Section 5** of this TN2 but in essence, the lack of an independent route via Woodside Way will greatly reduce the attractiveness of this key non-car option, suggesting that the 14% claimed for PT use in Table 7.19 is simply not credible. As result, car traffic would increase and by anything up to the same 14% above assumed in the TA, negating at a stroke all of the assessment work contained within it. Whatever the final PT offer, the actual take-up associated with it will need to be determined properly using the STM in a multi-modal guise before the residual levels of car traffic can be trusted. Given the poor PT provision, they are highly likely to be greater than those assumed in the TA.

3.12 A further review of the consequences of these two key shortcomings will need to be undertaken once the data has been provided by VECTOS, but in the meantime their presence dictates that the application cannot be determined now, unless of course it is refused.

4.0 [Traffic Impacts & Adequacy of Road Infrastructure](#)

Current Position

4.01 As summarised in **Section 2.02** above, TN1 looked at the key infrastructure identified in Figure 1 to determine where deficiencies might lie in the real world. In so doing, it was intended to feed into the new Draft Local Plan currently under preparation by UDC in order to guide development in and around Great Dunmow to the best locations. In this context, Para 20 of the NPPF states that:-

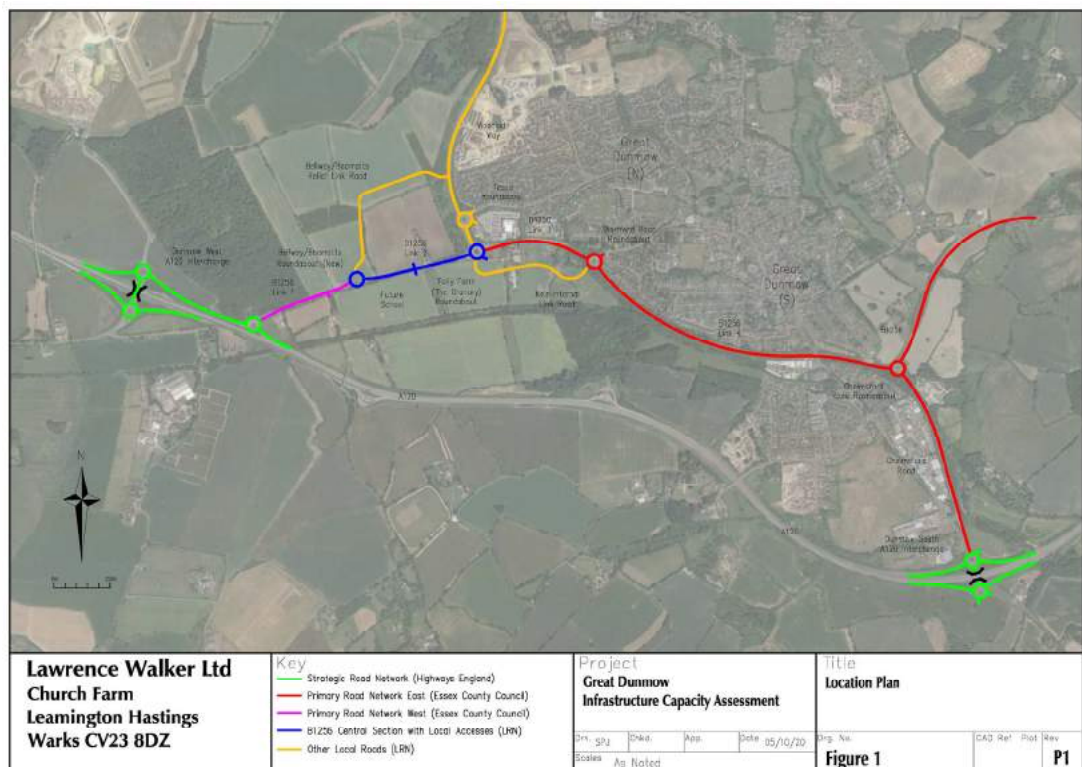
The strategic policies required for the area of each Local Planning Authority should include policies, and strategic site allocations, necessary to provide:-

- a) an overall strategy for the pattern and scale of development, and;*
- d) infrastructure for transport...*

4.02 Clearly sites that are located towards the south and east of the town are much better placed to comply with this than those located to the north-west, where LEHQ sits. The Red links below generally have sufficient capacity to accommodate new development in combination with the Green, whereas those shown in Blue and Magenta do not. Locating sites in the “Badlands” so-to-speak by putting them in areas that can only be served by over-capacity roads is poor planning and it remains to be seen if UDC would have actually chosen to do so in their Plan. They have not been given that choice in this case however, as the application is pre-emptive. It is worth nothing that the NPPF does state at Para 50 (a) that prematurity is a reason for refusal, where:-

a) ...its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing;

4.03 Indeed so, and given the constraints imposed by the existing Blue and Magenta sections of the LRN, the site’s impact must surely be regarded as “so significant”.



Adequacy of Road Infrastructure

The Local Road Network (LRN)

- 4.04 The main conclusions reached by TN1 were that the Blue and Magenta roads indicted on Figure 1 will be over-capacity in the future and to a significant degree, even without the LandSec scheme. For the Magenta link, the TN1 analysis indicated that by 2030 the figure would be 130%, whilst for the Blue it would be in excess of 170% by 2033. Both would result in the large-scale diversion of development traffic to alternative routes, yet the degree of over-stress is not actually in dispute here. As noted in **Section 3.05** above, VECTOS themselves quote a through-movement along both sections of 1,500 vehicles one-way by 2030, suggesting that the Blue section will be operating at 167% of capacity once the detrimental effects of the Helena Romanes School access have been allowed for. By 2033 that would rise to about 172%, which is clearly in line with the TN1 forecast. Whatever the actual figure though, the B1256 will clearly be over-capacity and struggling to cope by that date and that is not in dispute.
- 4.05 Looking then at the TA more critically, it appears that VECTOS relies on the NPPF and Para 109 as a way of avoiding the issue. This is discussed in more detail later, but what is of more concern is that Section 11 does not actually consider the B1256 through Great Dunmow at all, which is a major short-coming. It can be of little comfort that the TA purports to show that the junctions along it work, when the links between them clearly do not.
- 4.06 Turning to the actual numbers, Scenario 15 suggests an increase of 88 vehicles eastbound in the AM Peak against a background flow of 1,458, which is a 6% impact. In the opposite direction the figures are 140 and 823 respectively, which is a 17% change. Yes the flow is less, but an impact of this magnitude is still likely to cause issues past the School, which have not been addressed. The PM Peak is similar in terms of percentage impacts, but in reverse.
- 4.07 Based on the above, it is clear that both the Magenta and Blue sections of the B1256 through Great Dunmow need to be improved in order to accommodate the LEHQ scheme. Roads operating at in excess of 170% of their operational capacity are in fact not operational at all in any practical sense at peak times, so these improvements must be provided. None have been specified.
- 4.08 For the Magenta link, LandSec should be required to dual the road, or at the very least contribute towards such a scheme via the Section 106 process. It is likely that UDC will be looking at this link as part of their IDP for the new Draft Local Plan anyway which would no doubt involve Developer funding, so it would be wholly wrong for LandSec to avoid contributing by pre-empting that work.
- 4.09 For the Blue, it is unclear what the exact capacity is and thus what impacts result from the LEHQ site. Given it is the main bus route through the town, it is difficult to see how they could then be dealt with. However, TN1 adopts a more pragmatic approach and suggests that a micro-simulation is urgently needed as a way forward. In line with **Section 3.10** above, this should fall to LandSec to provide and must be seen as a pre-requisite to any outcome other than refusal.

Local Junctions

- 4.10 Looking next at individual junctions on the LRN, TN1 concluded that only The Granary Roundabout and The West of Woodside Way Site Access Roundabout would be over-capacity and this is consistent with the VECTOS TA.

4.11 At these two exceptions:-

- a) The proposed improvements consented to Kier at The Granary Roundabout will already be inadequate once the proposed Helena Romanes School left-in-left-out access is implemented, so will become more so should the LandSec scheme be consented. Table 10.29 of the TA suggest that this arm would in fact be operating at over twice its capacity by 2020, which effectively renders it inoperative. As a result, Kier should be informed, with a view to them raising an objection with UDC/ECC and also possibly amending the design of their Site Access Arm before it is built (at LandSec's expense and risk) and;
- b) The West of Woodside Way Site Access Roundabout is likely to be over-capacity from the day it is built and this situation will clearly be made worse by LandSec. As the "Gateway" to the town through which all traffic must pass, it is vital that this junction is either built now to the correct standard or subsequently improved by LandSec should they be granted consent. With RFC's (*Flow to Capacity Ratios*) being consistently reported by VECTOS as being over 1 against a design limit of 0.85, it is not acceptable to state simply as they do at Para 10.122 that... *"The addition of traffic growth results in the performance of the junction decreasing and approaching capacity without the development and marginally being over capacity with the development in the PM Peak hour on one approach. The impact of the proposed development remains marginal."* The junction must be properly assessed using a micro-simulation tool in line with **Section 4.09** above and then appropriate mitigation provided so as to leave it fully operational at peak times in the Design Year. As with *The Granary Roundabout*, this might well be best achieved before it is built; again at LandSec's expense and risk. It should be noted however that the land to do so may not be available and that refusal might therefore be the appropriate option.

The Strategic Road Network (SRN)

4.12 In line with TN1, it is unlikely that parts of the SRN close to Great Dunmow cannot, or cannot be made to, accommodate a scheme of 1,200 units. It concluded that both junctions serving the town would remain within capacity over the previously identified Local Plan period out to 2033 and while some improvements are proposed by VECTOS to the west, these are manageable and likely to prove acceptable to Highways England in one form or another. As a consequence, the Green roads shown on Figure 1 are adequate in line with the TA's conclusions.

4.13 To the west however, things are not clear-cut and evidence presented by WYG on behalf of UDC at the EiP Inquiry suggested that the A120 towards Stansted would be operating significantly above capacity by 2033. The exact degree was never quantified (due to the lack of an STM) and this remains the case today - meaning that its impact on re-routing in particular still needs to be considered. The STM work noted in **Section 3.08** above should therefore include this section by default. Once the results are provided, it will then be possible to determine whether works to the slip roads are needed; whether the A120 itself is adequate as it stands at two lanes wide and what re-routing results from either.

Planning Guidance

4.14 Much weight is attributed by VECTOS to Para 109 of the NPPF, which states:-

Development should only be prevented or refused on highways grounds if the residual cumulative impacts on the road network or road safety would be severe.

- 4.15 However, that is not the complete picture and even if it were, the TA does not provide sufficient information on what is a congested network to allow an accurate assessment of its actual impacts to be made. Without an STM, it is not possible to say if they are indeed severe, or as is claimed, not. The current application cannot be determined until one is provided, other than by refusal.
- 4.16 So what does the NPF actually say? Well the opening gambit at Para 11 is quite clear in that plans and developments should enjoy “...*a presumption in favour of sustainable development.*” Indeed so, but that presumption can surely only apply to developments that are *actually* sustainable, as that is the exact wording. It clearly cannot then apply to one that can only be accessed by car. Since the latter is the case with the LandSec scheme (as discussed in later sections of this TN2), Para 11 is not relevant in this case and as a result, it cannot carry any weight in determining the application.
- 4.17 Turning then to Para 109, it too aligns with the above in seeking to support only sustainable ventures through the two paragraphs either side. Para 108 (b) for example states that a site should provide “...*safe and suitable access for all users*”, while Para 110 (a) advises that development should “...*give priority first to pedestrian and cycle movements, both within the scheme and within neighbouring areas*”. There is in fact no suitable access provided to the site for any non-car user in LWL’s view, meaning that the test at Para 109 is also not relevant.
- 4.18 Finally (and as noted in **Section 4.15**) in order to determine if an impact is severe it is first necessary to identify what that impact actually is. This has not been done and requires the use of an STM. Only then can a case be made one way or the other in line with Para 109, out-with of course any sustainability issues. It is worth noting however that serving 1,200 houses off a single carriageway road that is already over capacity may well cause “severe” impacts as new traffic simply has nowhere to go. It will thus divert, or at best cause other road users to do so, and that in turn might cause severe problems elsewhere. Do slip roads block-back onto the A120 for example? Can the Toucan Crossings accommodate the necessary stationary vehicles between them and do queues at the School make them unsafe for children to use? All must be regarded as “severe” occurrences and all would be perfectly legitimate reasons to refuse the application.

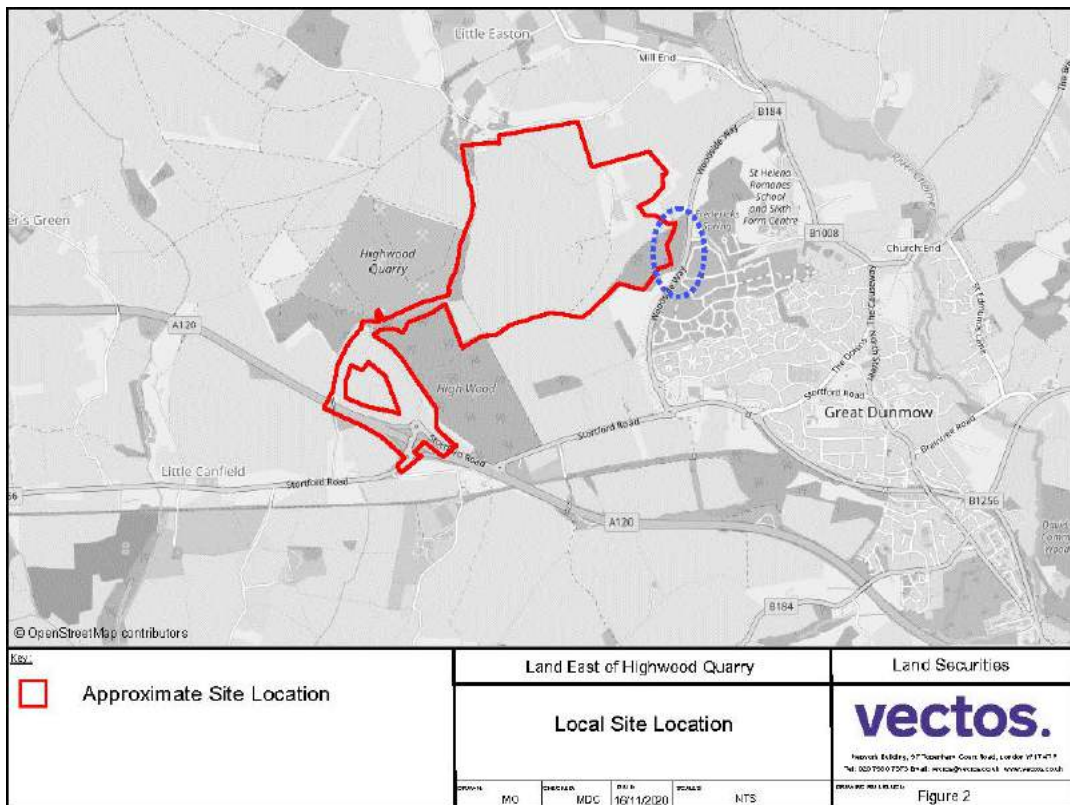
Summary

- 4.19 With reference to Figure 1 of TN1, primary infrastructure encompassing the B1256 over its central section shown in Blue and to the west as far as the A120 West Interchange shown in Magenta will be over-capacity and by some margin by 2030. The Granary Roundabout by Folly Farm will be inadequate leaving the Kier housing site with no usable access onto the B1256, whilst the West of Woodside Way Site Access Roundabout will be over-capacity from the day it is built. All will be exacerbated by the LandSec scheme, leading to mass diversions and the potential for rat-running. None have been assessed accurately to date however and whilst further modelling work is required to fully understand the implications, widening of the Magenta sections should be a pre-requisite of any consent. The Blue section is likely to become inoperable at peak times too, no matter what.
- 4.20 Given that the site is not easily accessible by any non-car means, it should be refused in accordance with the NPPF unless large-scale improvements to the B1256 are forthcoming. These should be supported by proper STM modelling and detailed micro-simulation work.

5.0 **Public Transport**

The Base Offer

5.01 The *Public Transport* (PT) offer described in Section 5 of the VECROS TA falls way short of modern-day expectations for a development of this scale. The site is not allocated, meaning that it has not gone through any kind of selection or public scrutiny process. No proper assessment of non-car access has been undertaken and no comparison against other available and potentially competing sites provided. As such, the PT offer should have been exemplar (if the Developer was indeed to successfully circumvent that process) but is instead weak, convoluted and best described as a *Technical Evasion of Reality* designed solely to avoid third-party land. Without a connection to Woodside Way (shown below in the blue) the site cannot be described as sustainable under any stretch of the imagination and should simply not be allowed to proceed on that basis alone.



5.02 Good Public Transport is a fundamental provision for any site, but particularly one which is being put forward as an un-allocated and unwelcome remnant of a development that has already been rejected once at Public Examination. Out-of-town development that stands alone is one thing, but edge-of-town that does not then connect back to the very town it purports to serve is quite another. As it stands, the site fulfils neither objective; being too small to be regarded as sustainable in its own right and having no proper connection in the real world back to the higher order services within Great Dunmow upon which it must then depend. And simply because LandSec does not own an intervening strip of land.

Planning Guidance (NPPF)

5.03 In allocating sites, *Local Planning Authorities* (LPA's) are required to follow a selection process mapped-out in the NPPF. With respect to Public Transport, Para 103 applies and states that:-

Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

c) opportunities to promote walking, cycling and public transport use are identified and pursued;

5.04 This part of the selection process has not happened as the site is being promoted out-with the Local Plan process. If it had, then it would surely have identified the over-riding need for a connection to be provided to Woodside Way. Without it the site performs poorly in relations to others that are still currently available and would not therefore have been allocated. Of course the LPA may have chosen to use CPO powers to right this and bring the site forward anyway, but this option is not open to LandSec. Circumventing the Local Plan process without having first acquired the necessary land to deliver a proper PT connection is not then an acceptable proposition, and clearly one that is not NPPF compliant.

5.05 Perhaps more telling is the Inspector's response to the 2019/20 Local Plan Examination which included the for-runner of the current application known at that time as the Easton Park Garden Community. It would have seen 1,925 dwellings provided initially, so is not dissimilar. The Inspector noted the following:-

39. It is a core planning principle of the Framework to 'actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling and focus significant development in locations which are or can be made sustainable' (paragraph 17).

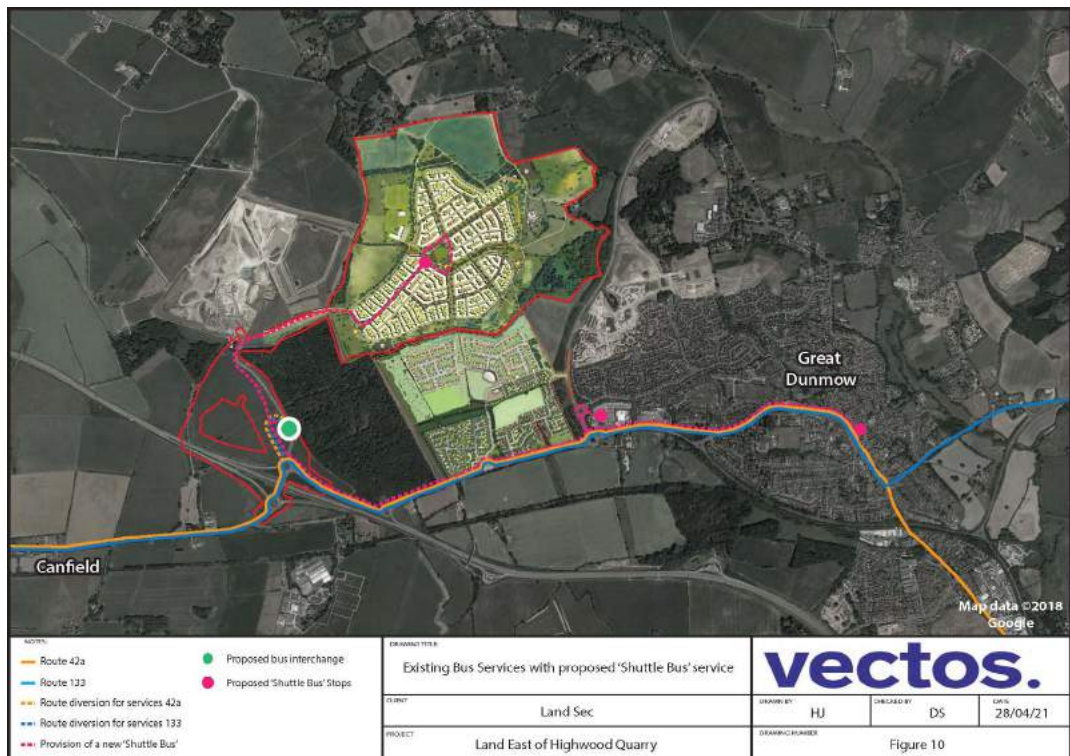
46.there is a danger that the Garden Communities would be served by little more than a conventional, regularly running bus service for a good number of years. This would use the existing road network, which is at times congested and there are concerns that such a bus service would be no quicker, and potentially slower, than travelling by car.

5.06 Patently LandSec has failed to live-up to its own low expectations here and far from improving on the previous provision, has actually back-slid from it. The roads are indeed congested and as busses have to use the same route as cars but with intermediate stops, it is difficult to see why anyone would use the bus as opposed to simply driving into town which would be much quicker. Without a direct and bespoke connection to the east to offer an advantage, the PT provision is a token gesture and would undoubtedly command an Inspector's interest again should it ever come under scrutiny. As noted above, it is clearly unsound as presented and therefore a legitimate reason for refusal from the outset.

The Proposal in Detail

5.07 It would appear two options are being put forward by VECTOS in their TA; both of which have clearly been designed to avoid the third-party land to the east of the site needed to connect to Woodside Way. They serve no other end.

5.08 Option 1 would involve a Shuttle Bus (which would travel around a 8km loop via the A120 Interchange to arrive back at the town centre) whilst Option 2 would see one or other of the existing bus services diverted into the site. Other peripherals including a local hub and an exchange facility near to the site entrance are mooted, but neither significantly adds to the basic provision. The route of the Shuttle Bus is shown below for ease of reference:-



- 5.09 Turning first to Option 2, this is surely laughable and cannot be regarded as a serious proposition. VECTOS notes at Para 5.34 that it would result in a 10 minute delay to existing bus users, which they describe as a “material diversion”. Indeed, and whilst LandSec may well have offered to pay for it, the suggestion that the cost could somehow be off-set by increased patronage from the site is naïve in the extreme. Clearly it ignores the obvious loss of existing customers as they flock back to their cars in droves to avoid being late for work. Perhaps more seriously though, in determining the overall net impact of the site, existing losses would need to be considered and it is hard to imagine such a scheme resulting in *more* total bus users after the service is diverted than already exist today. A bizarre proposal indeed therefore and one that clearly cannot be regarded as a practical or sustainable solution to the Woodside Way issue.
- 5.10 Turning then to Option 1, the Shuttle Bus would require all travellers to the west to places such as Stansted to interchange with one of the existing services at the site entrance. It is a main destination by VECTOS’s own admission, yet would be served by only the existing convoluted routes via the B1256 which themselves require a change just to get to. It must surely be quicker to go by car and by some considerable margin - the Inspector’s point 46 noted above in fact.
- 5.11 Eastbound, the service would fair little better because it would use the same route as the alternative car journey but would include intermediate stops. It must, by definition therefore, be slower. It would in any event not serve the existing Helena Romanes Secondary School, which is not a fixed part of the current re-location proposals down to the B1256 and does not have funding. Some 58% of school children currently travel to it by bus according to Table 7.12. For them it would seem, and also disabled travellers or those who do not own a car, to clearly confine them to the rank of second class citizen and cannot be regarded in any way as an acceptable provision for a modern development.
- 5.12 Finally, the claim that 14% of all trips will be made by PT as is implied by VECTOS at Table 7.19 is simply not credible. Currently 1% do so in accordance with Table 7.6, which itself would appear optimistic in light of the above findings.

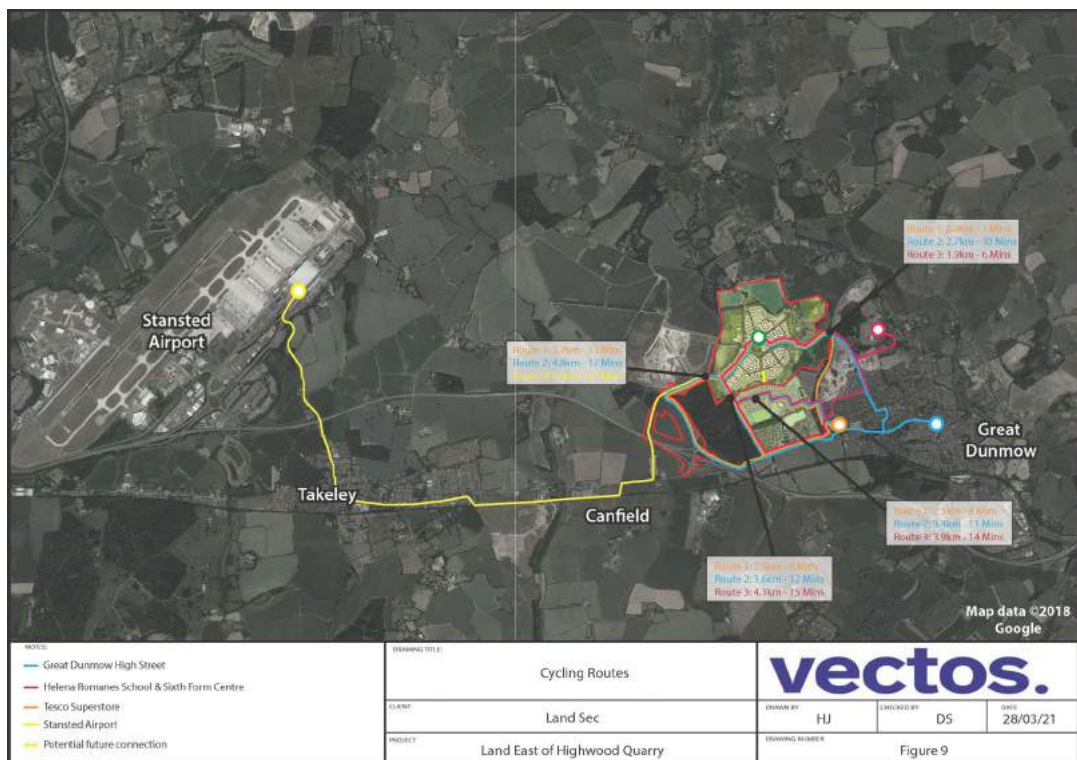
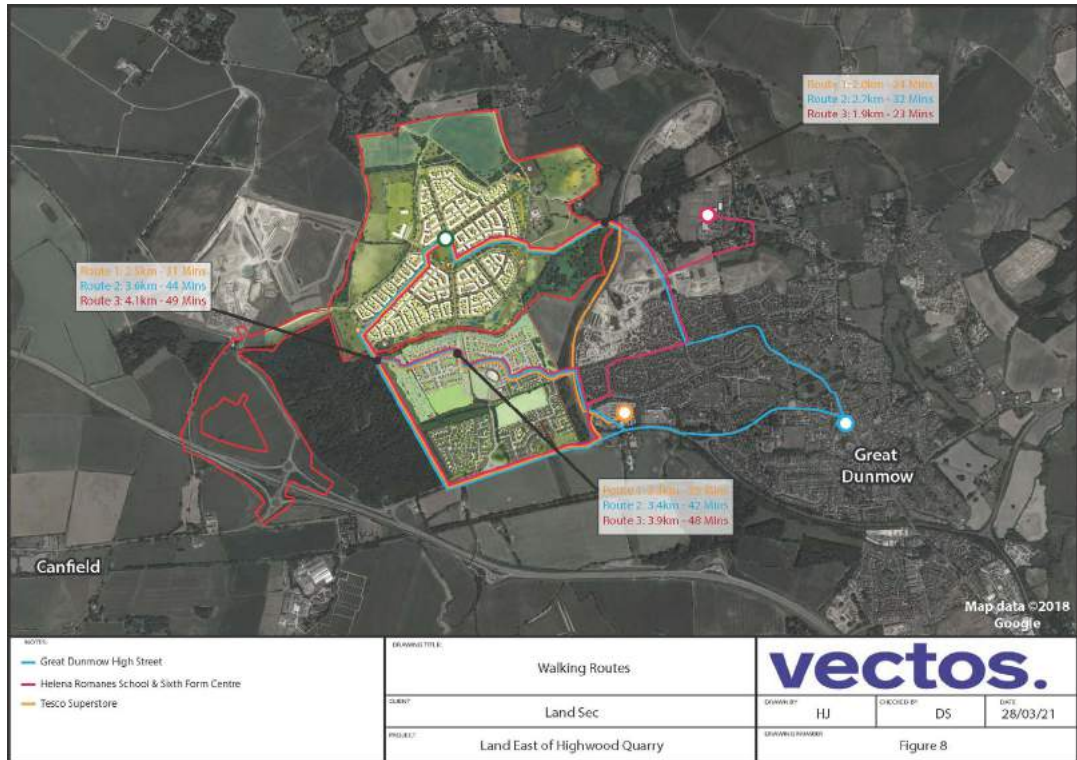
Summary

- 5.13 At the most basic of levels, the site is not accessible by Public Transport without a proper and dedicated route out to Woodside Way being provided. This route is not currently within LandSec's Blue Line and cannot therefore be delivered due to land ownership constraints. The site is otherwise non-NPPF compliant and the two alternative options put forward by VECTOS are not credible, workable or indeed desirable. It would appear in fact that lessons from the recent Local Plan Examination encompassing Easton Park have not been learned by the Developer.
- 5.14 The site is unsustainable as a result and would provide for only a wholly car-based development where other options are paid only lip-service. Irrespective of other considerations, it should be refused on this premise alone.

6.0 [Walking & Cycling](#)

The Base Offer

6.01 Proposals for Walking & Cycling are provided as Figures 8 & 9 of the VECTOS *Travel Plan* (TP) respectively and these are reproduced below for ease of reference. The combined scheme raises a number of issues and these are also examined in more detail below.



Maximum Walking Distances

- 6.02 Guidance on preferred maximum walking distances is given in the *Chartered Institution of Highways and Transportation* (CIHT) document, “*Providing for Journeys on Foot*” (2000). The Guidelines indicate that a walking distance of 400m is acceptable to access local shops, whilst for trips to work and school distances of 1,000m are acceptable. The preferred general maximum walking distance is 2,000m. According to Figure 8, no parts of the site will sit within 1km of the Secondary School and the only higher-order food retail outlet in Great Dunmow (Tesco) is more than 2km distant from even the centre. As a consequence, walking is very unlikely to enjoy any reasonable level of take-up and this is a significant shortcoming for what is a new development.
- 6.03 In line with the NPPF and as noted in **Section 5** above, LPA’s are required to identify and promote sites that provide a good opportunity for journeys to be made on foot. The site is un-allocated however and the submission of a planning application by LandSec has circumvented the normal process. As a result, it has not been subjected to proper public scrutiny and its performance in relation to other sites that are still currently available has not been determined. It is clearly a remote settlement however and too far removed to be reached easily by pedestrians, which suggests that it would by necessity have scored badly in any such assessment. This must weigh heavily against the site and, like the PT offer, makes it more likely that the private car will prevail than less.

Surety & Quality of Footpath Connections

- 6.04 From Figure 8 and Para 3.5 of the TP the main connections back into Great Dunmow rely either on PRoW’s or a route through the development to the south that is neither required to be provided by Barratts, nor is in any way currently physically available on the ground today. It may not be for some time or potentially ever, meaning that the two PRoW’s form the only guaranteed forms of non-car access for the entire development.
- 6.05 Using PRoW’s for occasional leisure access to rural sites is common in developments, but they are not usually required to serve jointly as main non-car routes because they are generally not owned by the Developer. His ability to upgrade, surface and particularly light such routes is thus suspect and in this case, may not be in keeping with the protected rural nature of at least one of the routes anyway. This means in that the key route out to Woodside Way (the main route that school children would have to take) is likely to remain sub-standard and particularly so in the darker winter months. It is a 4km round-trip across fields when looked at objectively, and its remoteness would suggest that it is highly unlikely that parents would ever allow their children to use it to get to school. Putting it on plan in bright colours might look good, but in reality it simply highlights how remote and unconnected the site actually is. Again, the result can only be more car usage and not less.

Links to Stansted

- 6.06 Finally, Stansted Airport is the largest employer in the area and non-car connections to it are of great importance to the success of any development in the Great Dunmow area. Looking at Figure 9, the only provision for cyclists is in fact re-use of the existing Flitch Way former Railway Line, which in truth is literally miles from the site to the south and follows no definable desire line between it and Stansted. It is of course unlit. As a consequence, it is pure fiction to suggest that it will ever be used by cyclists as a commuter route to Stansted, meaning again that the car will prevail and an opportunity to promote sustainable travel lost.

Planning Guidance (NPPF)

6.07 Within the context of the NPPF, it is worth noting the requirements of Para 110 which states that with respect to walking and cycling, sites should:-

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas.

6.08 It is difficult to see how a development that provides no direct or easy to access non-vehicular routes to anywhere can be said to comply with this requirement.

Summary

6.09 Looking at the proposal as represent by Figures 8 & 9 of the VECTOS TP, it is safe to assume that walking and cycling will not make up a significant proportion of trips to and from the site each day. The routes proposed may enjoy a good leisure take-up if they indeed can be delivered, but commuter routes aimed at encouraging travellers to switch from car to non-car modes they certainly are not. They are too indirect; the site is too remote making them too long to use and the potential to upgrade and light them as would be befitting of such connections is limited. As such, the site would fall well down the list if assessed against other potential housing allocations and in effect, means that it is not a sustainable location. Planning permission should not therefore be granted in accordance with the NPPF.

7.0 [The Travel Plan](#)

Summary of Proposals

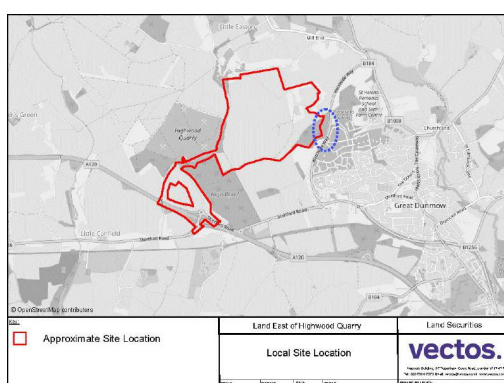
7.01 A separate *Travel Plan* (TP) is provided by VECTOS as part of the application but it contains no targets and this is a fundamental shortcoming. Instead, at Para 4.8 it is noted that:-

It is not possible to set aim targets for each land use within this FTP since the baseline information is not known. Following initial travel surveys (see Section 8) appropriate targets will be set for Years 1, 3 and 5 after implementation of the Travel Plan. These will be agreed with the Travel Plan Forum.

7.02 Without any ambition, this bland statement does little to re-assure the reader that non-car usage has been taken at all seriously as is required by Paras 110 & 111 of the NPPF. It would have been easy and indeed sensible to take existing modal-split data for the surrounding areas and set a specific target for reducing existing single occupancy car usage, but this has not been done. Given the extremely poor *Walking, Cycling & Public Transport* connections, it is perhaps unsurprising as it is difficult to see how any such reduction might actually have been achieved anyway. Without targets, the function of the document is limited; other than committing LandSec to such meaningless things as supplying maps of routes into town that are too long for anyone to ever use.

7.03 Looking at the specifics and as discussed in the previous two sections of this TN2, the main limitations of the site (and hence the TP) stem from its location and land ownership constraints. Relying on PRoW's to gain access to higher-order services within Great Dunmow is a poor option, especially when the routes so achieved are long and unlit and clearly do not comply with Para 105 (d) of the NPPF. It requires sites to *"...provide for high quality walking and cycling networks."* A lengthy route across a muddy field in the middle of a deep and dark December hardly meets this expectation. Equally, the PT proposal is so poor that it will never be used and is a token gesture at best.

7.04 Without these two key components, the site is a car-based development and can only ever be so without a proper connection being provided back to Woodside Way. No amount of Travel Planning will ever alter that fact and the site is simply in the wrong place to make it sustainable.



8.0 Summary & Conclusions

Summary

- 8.01 This Technical Note (TN2) has been prepared by *Lawrence Walker Limited* (LWL) in response to a request by *Great Dunmow Town Council* (GDTC) to examine transport infrastructure serving the town in the light of a proposed large-scale housing development on *Land to the East of Highwood Quarry*. This latest application by LandSec for 1,200 units (Ref UTT/21/1708/OP) comes on the back of a combination of proposed Local Plan allocations, historic planning consents and a number of windfall sites which would themselves in total see over 3,000 units constructed across the town, with only a limited number of localised road improvement schemes being offered in support. Today, there are 4,000. This degree of expansion, coupled with the recent fast-tracked approach to new educational facilities in the centre of the town, has led GDTC to be concerned that wide-spread congestion will result, even without the LandSec scheme. With it, the town would more than double in scale, leading to inevitable problems.
- 8.02 TN1 provided a critique of transport-related issues facing the area over the next decade and pre-dates the LandSec application. It is provided at **Appendix C** for ease of reference. TN2 provides an up-date to that report, but in the form of a critique of the LandSec scheme so as to allow it to be used as part of GCTC's formal response to the application.
- 8.03 In so doing, it should be noted that the site is not allocated and was historically part of a larger scheme known as Easton Park that itself formed part of the now withdrawn 2019 UDC Draft Local Plan. The Inspector's report dated 10th January 2020 following the EiP is thus relevant and has been cited herein where it has a material bearing.

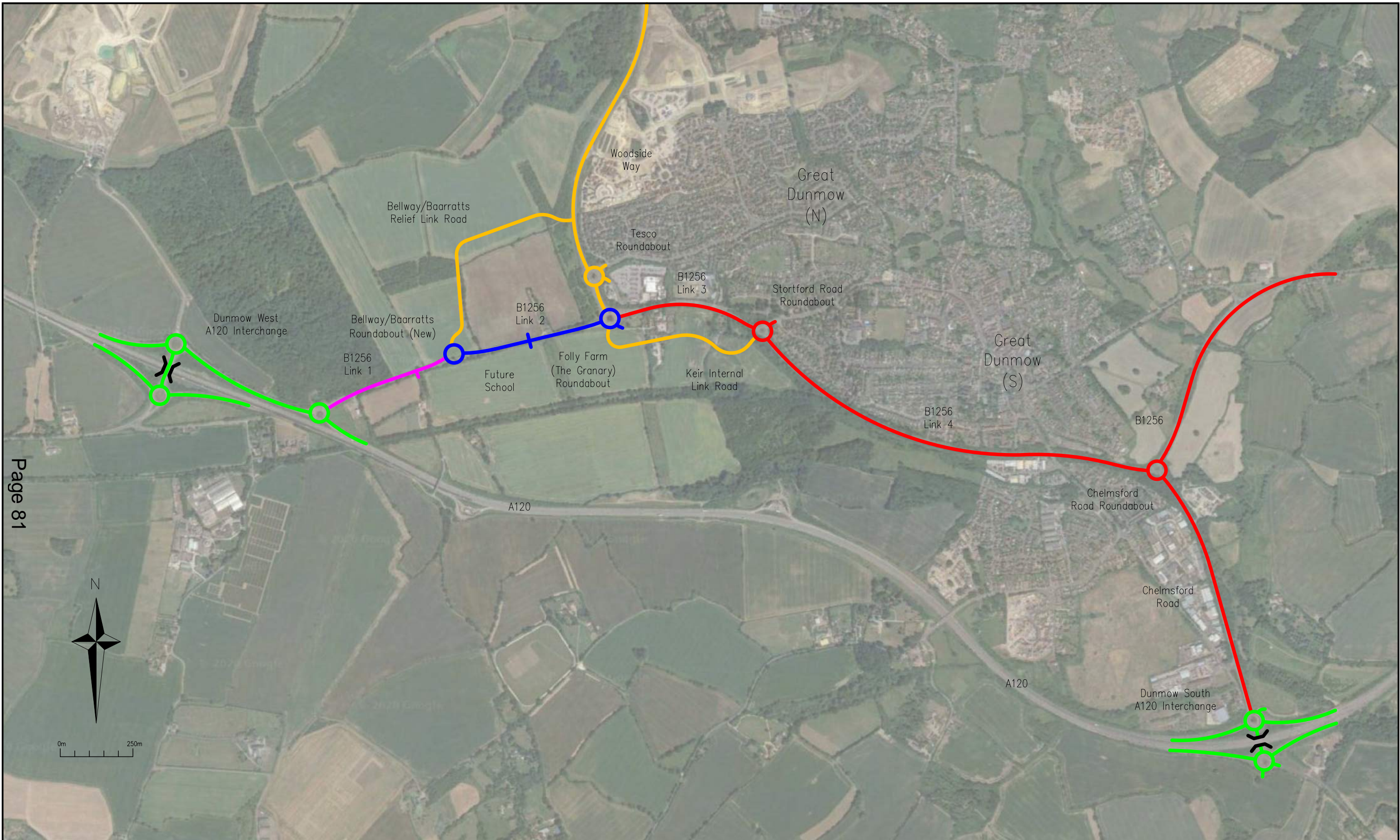
Conclusions

- 8.04 With reference to Figure 1 of TN1, the main findings of the TN2 are as follows:-
- i) Without a *Strategic Transport Model* (STM) it is not possible with any degree of certainty to determine what the traffic impacts produced by the site will be. This work should be undertaken by VECTOS and provided for review and scrutiny. Without it, the application cannot be determined in line with the NPPF unless it is refused;
 - ii) The Magenta western section of the B1256 will be operating at around 130% of capacity by 2030, even without the LandSec scheme. It will need to be dualled to accommodate the development;
 - iii) The Blue central section of the B1256 Stortford Road will be under severe stress and could be faced with levels of operation in excess of 170% by 2033. A micro-simulation is urgently needed to properly assess this section and determine what mitigation measures can and should be provided. Again, the application cannot be determined until this work has been provided by VECTOS unless it is refused;
 - iv) At The Granary Roundabout, the proposed improvements consented to Kier will be inadequate going forward and made more-so because of the LandSec scheme. It is suggested that Kier should be informed, with a view to them raising an objection with UDC/ECC and also possibly amending the design of their Site Access Arm before it is built (at LandSec's expense and risk);

- v) The West of Woodside Way Site Access Roundabout will quite possibly be over-capacity from the day it is built and this situation will be exacerbated by the LandSec scheme. The junction must be properly assessed using a micro-simulation tool and then appropriate mitigation provided so as to leave it fully operational in the Design Year. Again, this is best achieved before it is built at LandSec's expense and risk;
- vi) At the most basic of levels, the site is not accessible by Public Transport without a proper and dedicated route out to Woodside Way being provided. This route is not currently within LandSec's Blue Line and cannot therefore be delivered due to land ownership constraints. The site is therefore non-NPPF compliant;
- vii) The Walking & Cycling routes suggested rely on unlit PRow's which are remote and lengthy in order to reach key destinations by non-vehicular means. As such, the site would fall well down the list if assessed against other potential housing allocations and in effect, means that it is not a sustainable location, and;
- viii) The Travel Plan contains no targets, but without the key Woodside Way connection it is a car-based development anyway. No amount of Travel Planning will ever alter that fact.

8.05 Summarising although it might be possible with enough time, work and money to overcome the modelling and highway related issues noted above, the non-car problems will always remain as they derive from the site's poor location and LandSec's limited land ownership. It is difficult to see how these can be overcome without a proper connection to Woodside Way. The PT offer is particularly poor in this respect and not befitting a development of this scale. Had the site been submitted as part of a Local Plan "Call for Sites", LWL would suggest it would have been rejected for this reason alone in favour of other more sustainable locations. When looked at objectively, there is actually no means of getting to it other than by car, and even that is convoluted and feeds only into an already congested network at one point. From that perspective alone it fails to comply with Para's 11, 20, 50, 103, 105, 108, 110 and 111 of the NPPF, and potentially Para 109. It is actually worse therefore than was its predecessor Easton Park, which was rejected by the Inspector back in 2020.

8.06 In essence, the site is poor and ill-conceived, meeting only the objective of fitting within an arbitrary Blue Line and is not sustainable as a result. It should therefore be rejected in accordance with the NPPF.



Lawrence Walker Ltd
Church Farm
Leamington Hastings
Warks CV23 8DZ

| Key | |
|--|--|
| — | Strategic Road Network (Highways England) |
| — | Primary Road Network East (Essex County Council) |
| — | Primary Road Network West (Essex County Council) |
| — | B1256 Central Section with Local Accesses (LRN) |
| — | Other Local Roads (LRN) |

Project
Great Dunmow
Infrastructure Capacity Assessment

| | | | |
|-----------------|-------|------|---------------|
| Drn. SPJ | Chkd. | App. | Date 05/10/20 |
| Scales As Noted | | | |

| Title | | |
|----------------------|---------|-----------|
| Location Plan | | |
| Drng. No. | CAD Ref | Plot Rev |
| Figure 1 | | P1 |

Appendix A
Site Location Plan

Great Dunmow Town Council

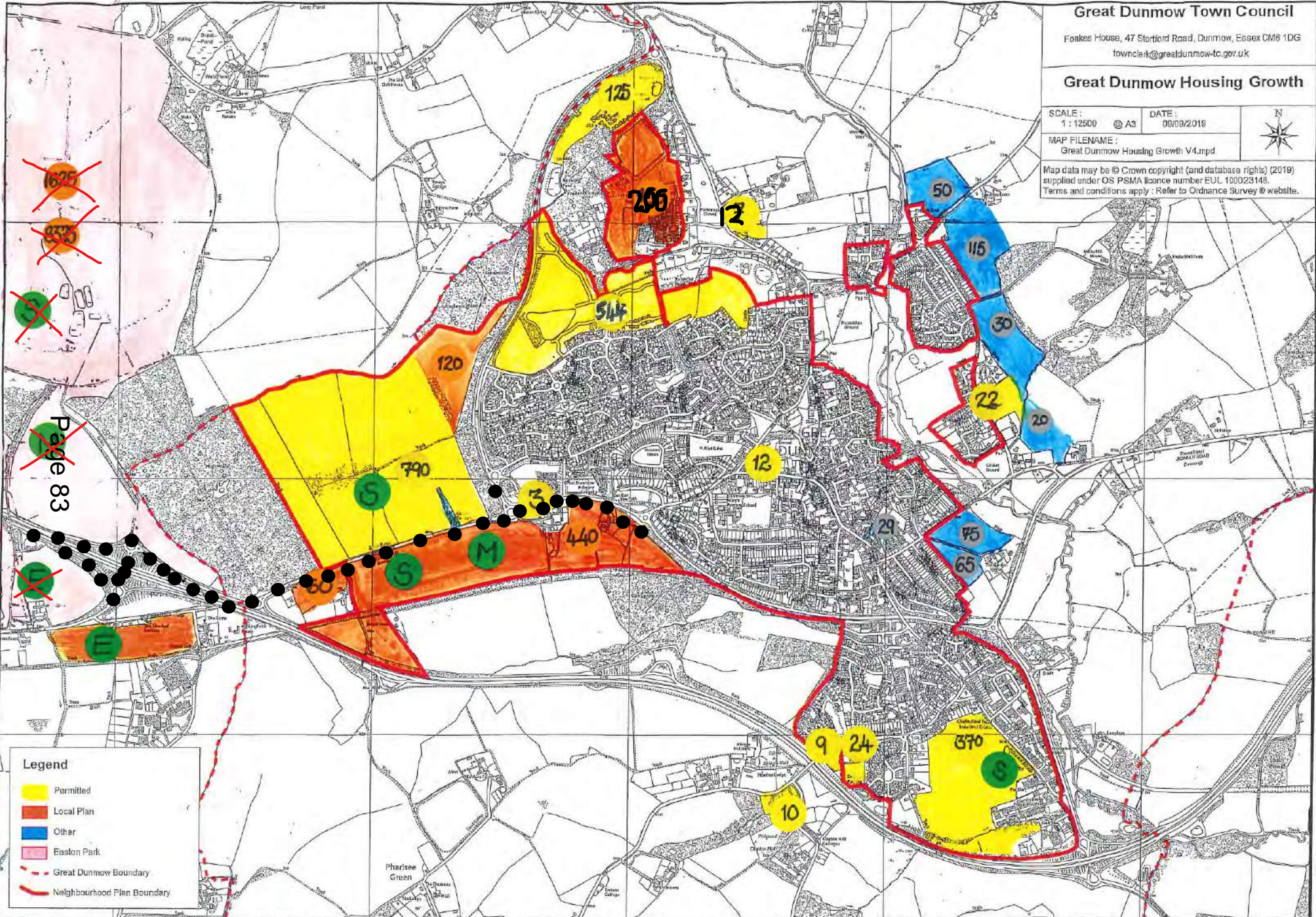
Foakes House, 47 Stortford Road, Dunmow, Essex CM8 1DG
townclerk@greatdunmow-tc.gov.uk

Great Dunmow Housing Growth

SCALE: 1 : 12500 @ A3 DATE: 09/09/2019

MAP FILENAME: Great Dunmow Housing Growth V4.mpd

Map data may be © Crown copyright (and database rights) (2019) supplied under OS PSMA licence number EUL 100023148. Terms and conditions apply : Refer to Ordnance Survey @ website.



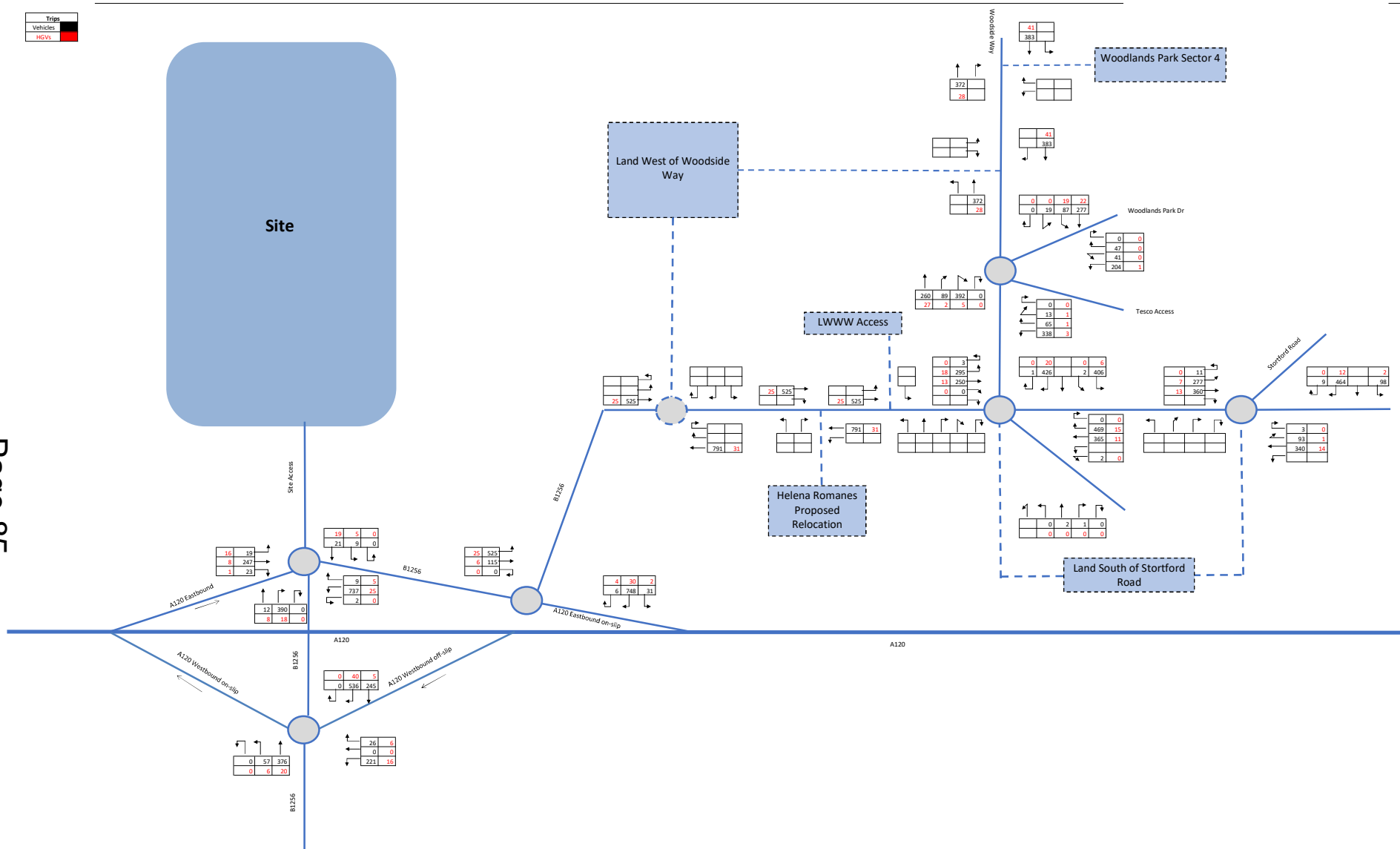
~~Page 83~~

Legend

- Permitted
- Local Plan
- Other
- Easton Park
- Great Dunmow Boundary
- Neighbourhood Plan Boundary

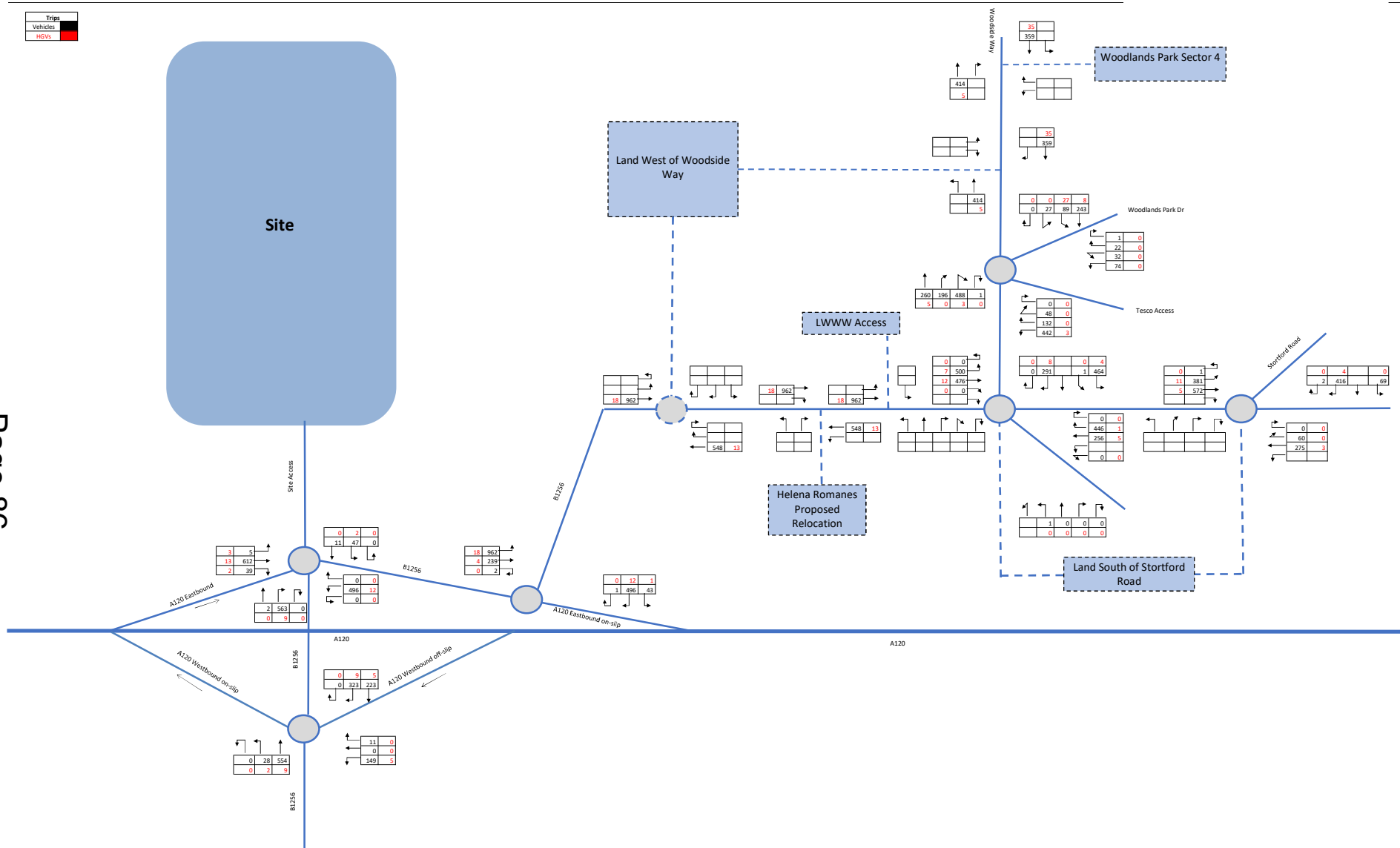
Appendix B
Traffic Assignments
(VECTOS TA)

| | |
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| Trips | |
| Vehicles | |
| HGVs | |



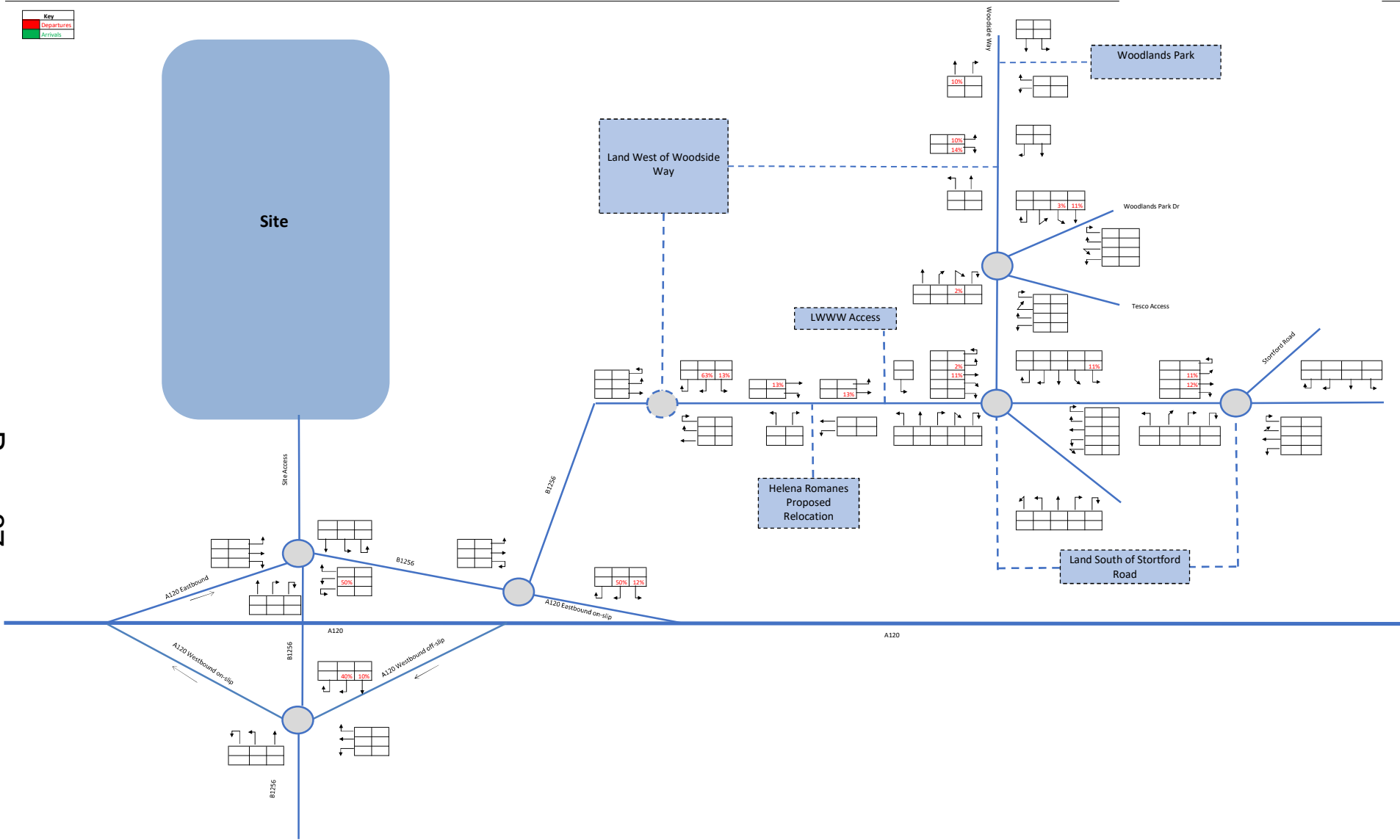
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 1 - Observed Traffic - AM |
| | DSS | MDC | Mar-21 | |

| | |
|----------|--|
| Trips | |
| Vehicles | |
| HGVs | |



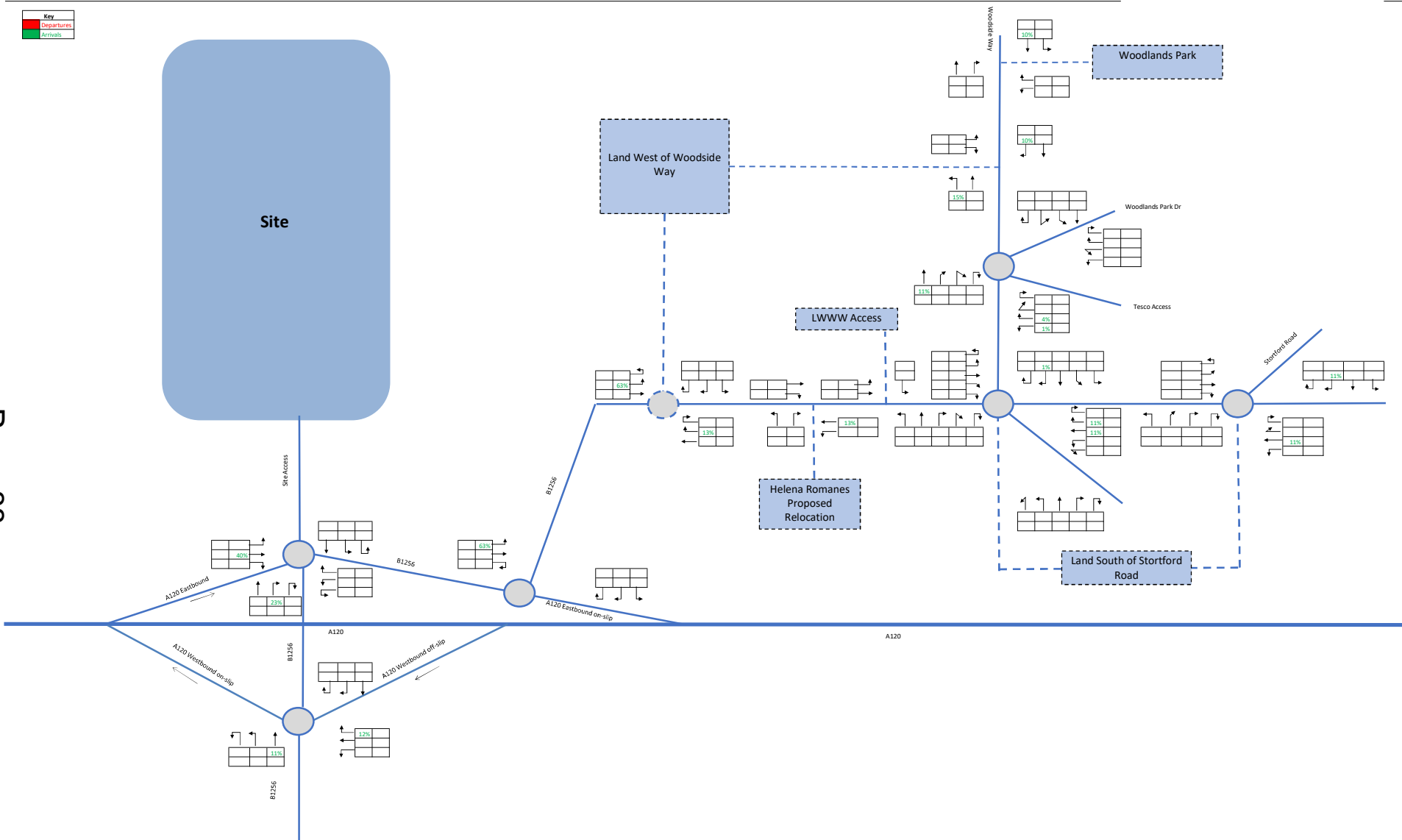
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 1 - Observed Traffic - PM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |

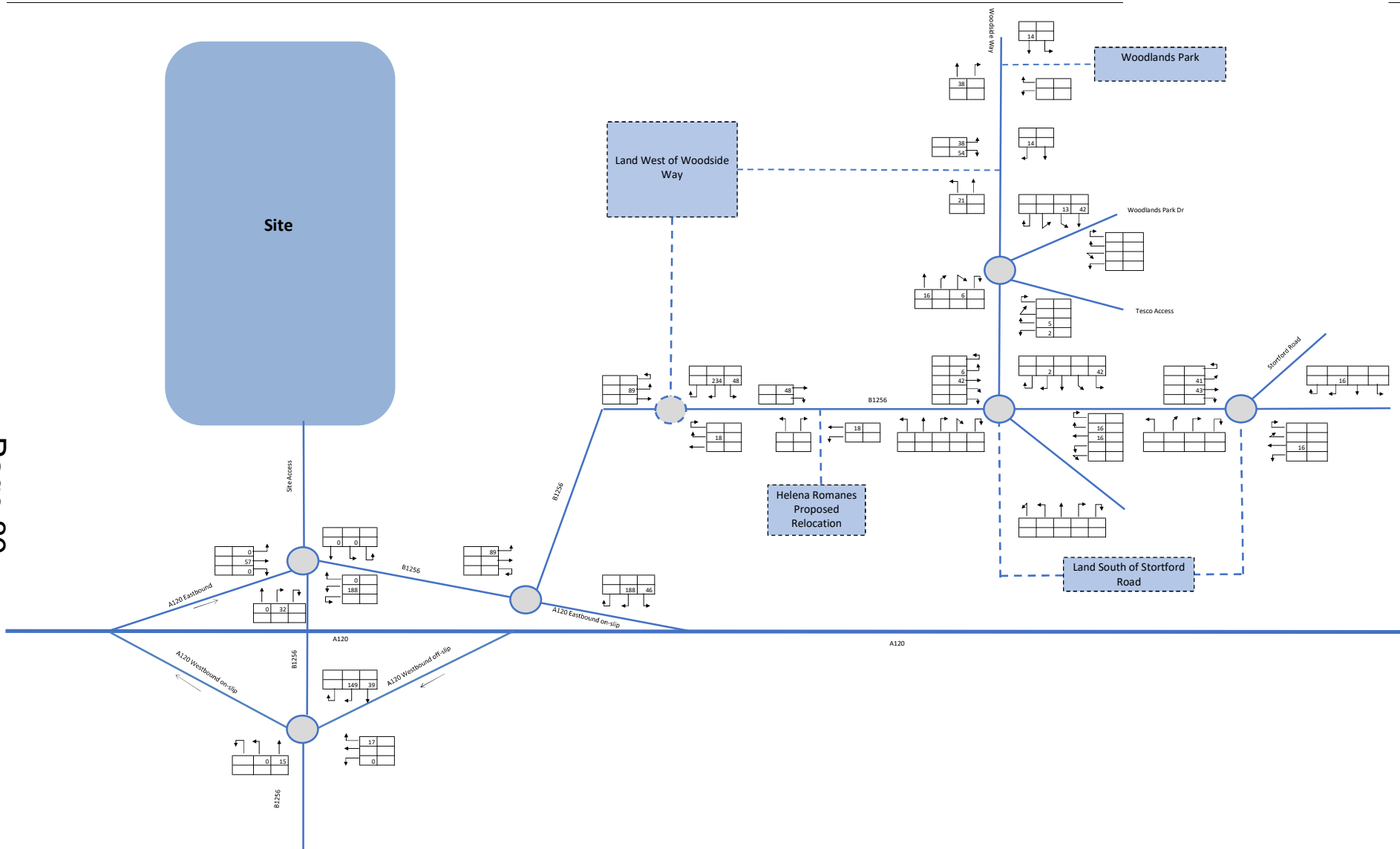


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| vectors. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 3 - Land West of Woodside Way AM Departure Distribution from B1256 Stortford Road Roudabout |
| | DSS | MDC | Mar-21 | |

| | | |
|-----|------------|--|
| Key | | |
| | Departures | |
| | Arrivals | |

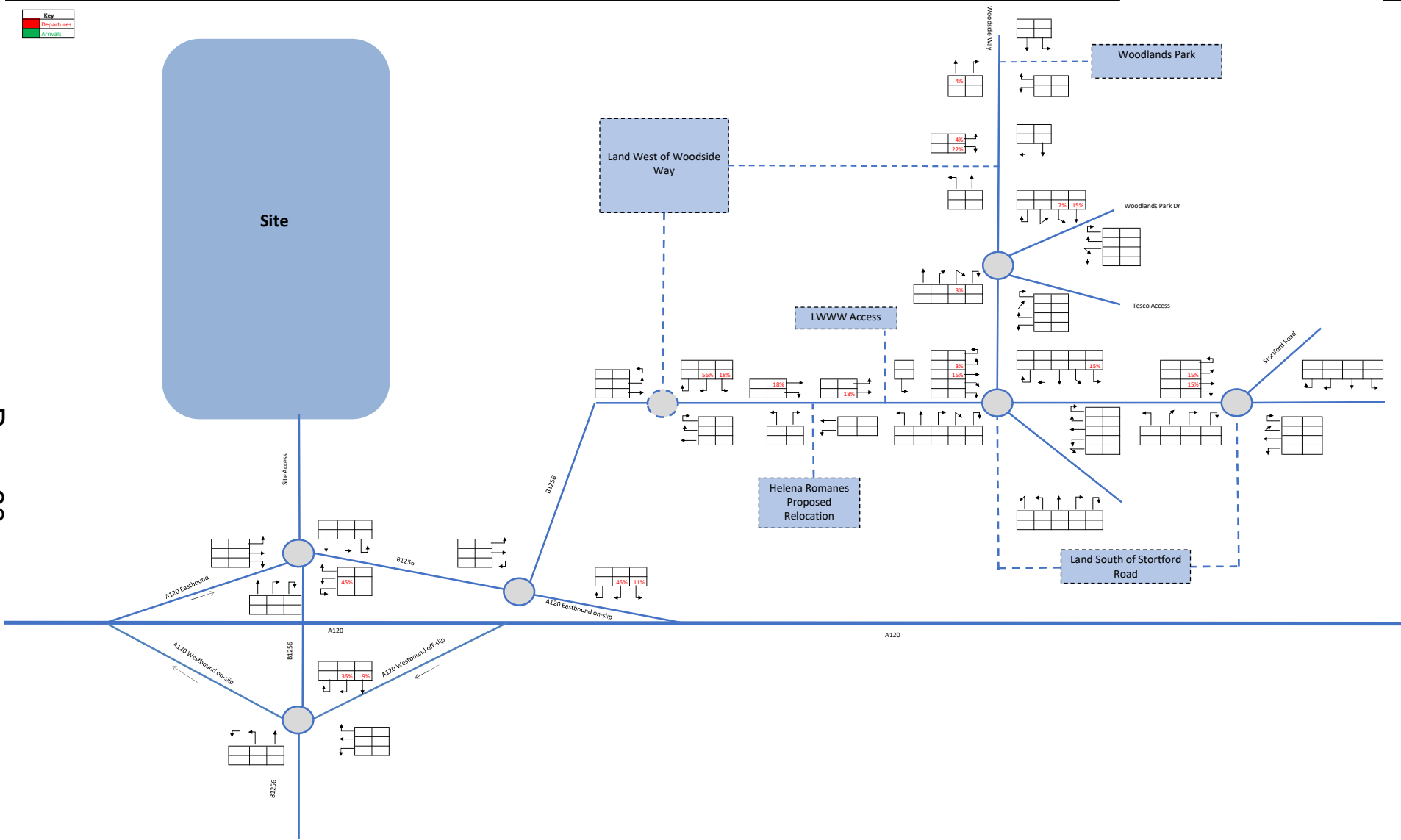


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| vectors. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 4 - Land West of Woodside Way AM Arrivals Distribution from B1256 Stortford Road Roudabout |
| | DSS | MDC | Mar-21 | |



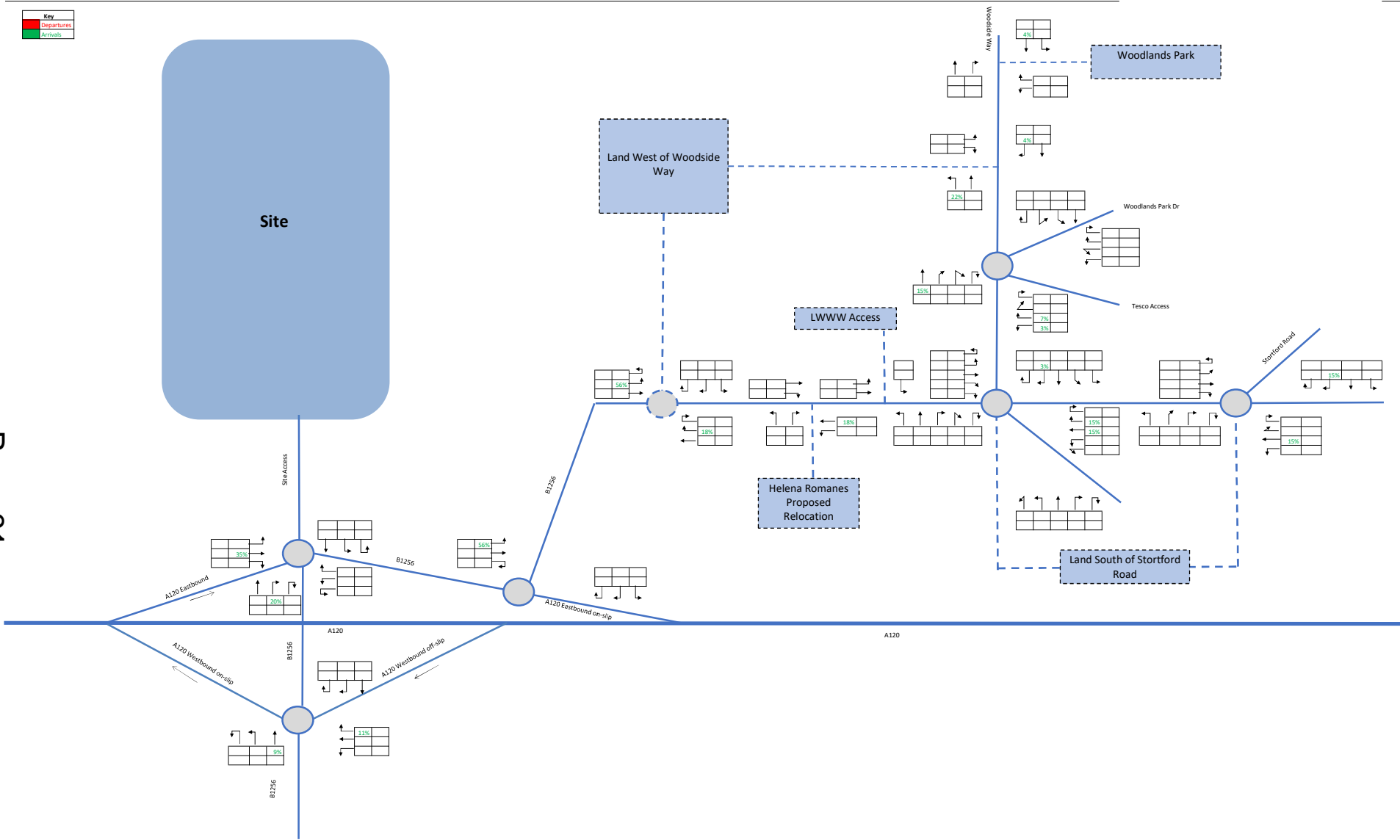
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 5 - Land West of Woodside Way Vehicle Trips for 900 Homes - AM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



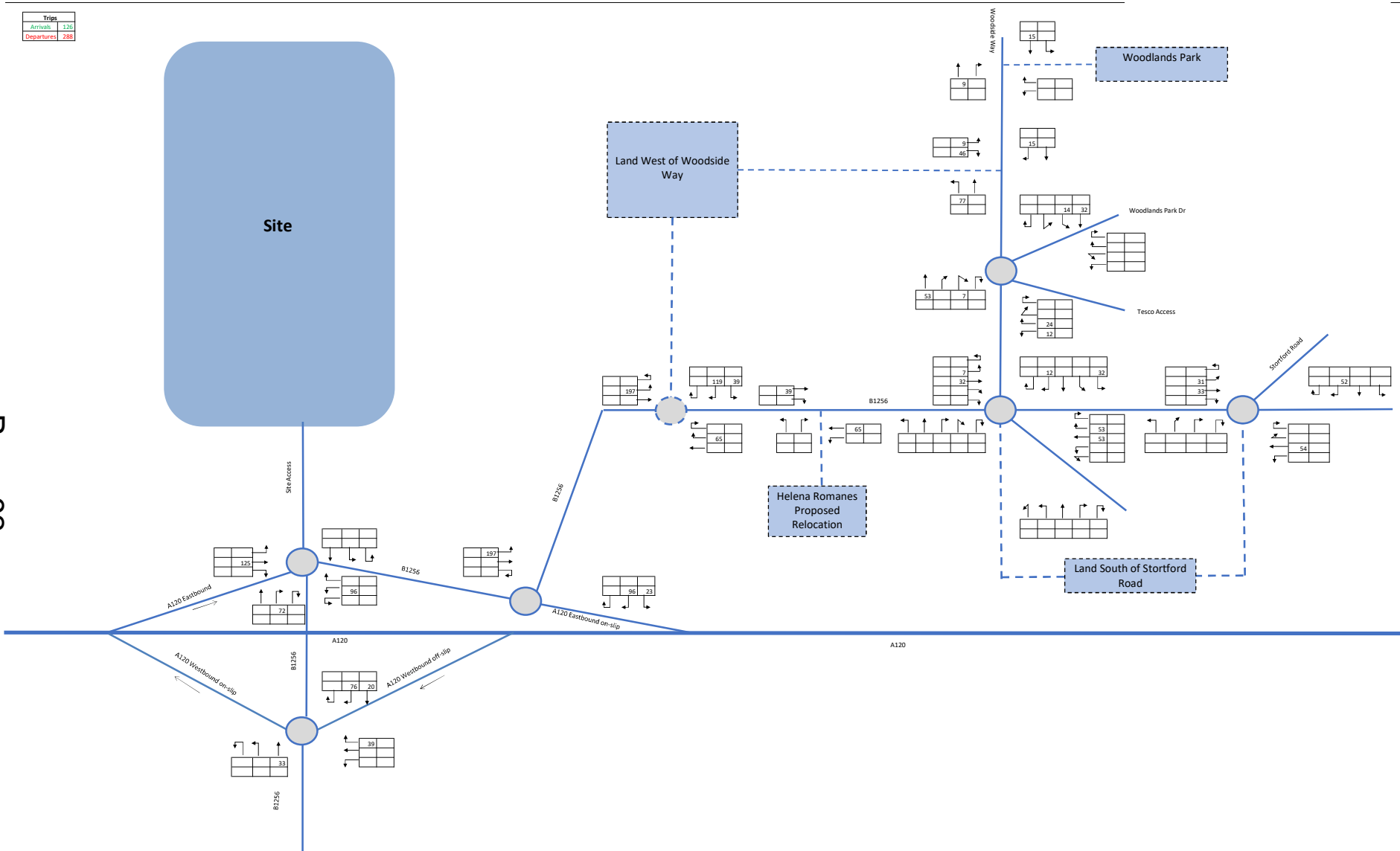
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 6 - Land West of Woodside Way PM Departure Distribution from B1256 Stortford Road Roundabout |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



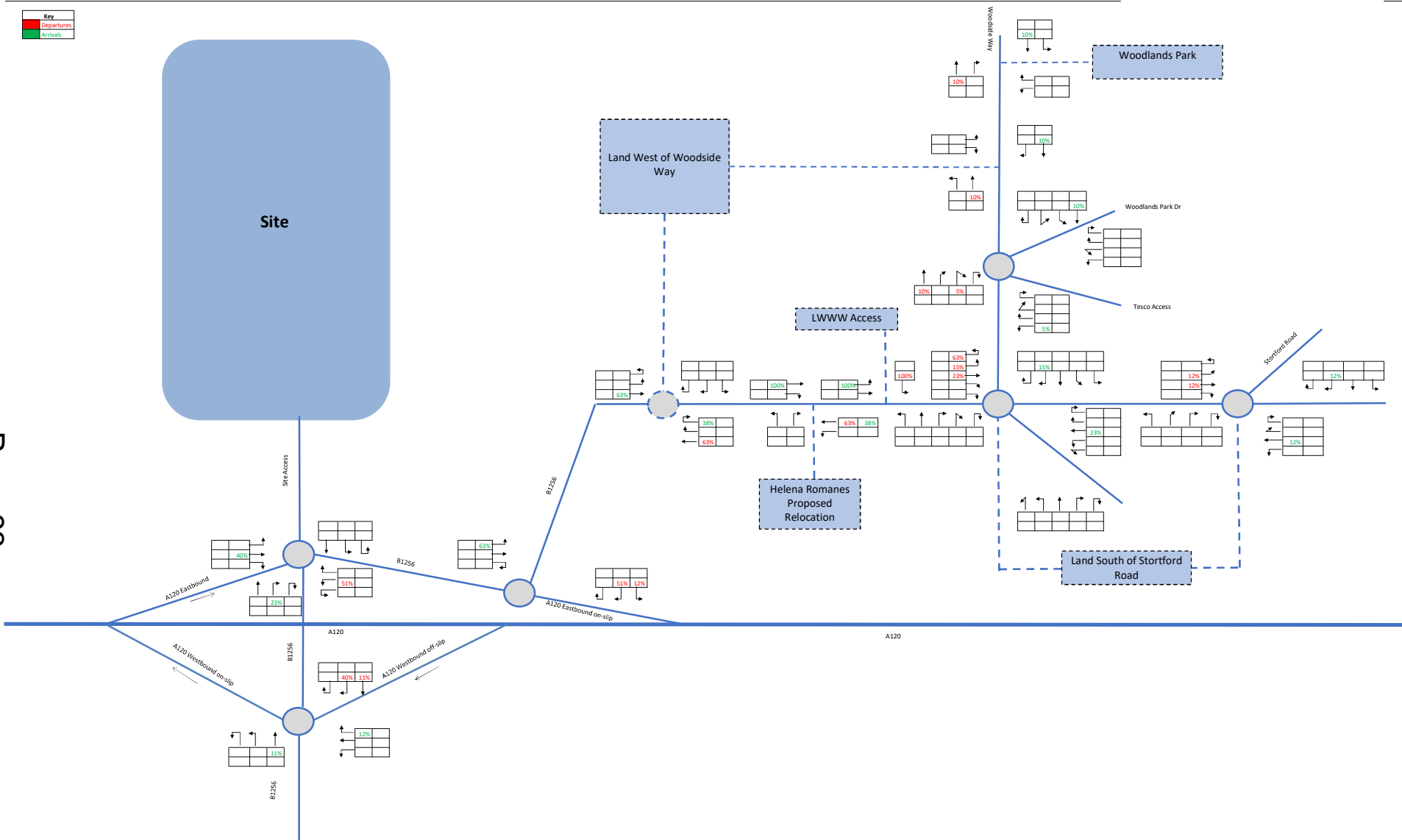
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 7 - Land West of Woodside Way PM Arrival Distribution from B1256 Stortford Road Roudabout |
| | DSS | MDC | Mar-21 | |

| | |
|------------|-----|
| Trips | |
| Arrivals | 120 |
| Departures | 288 |



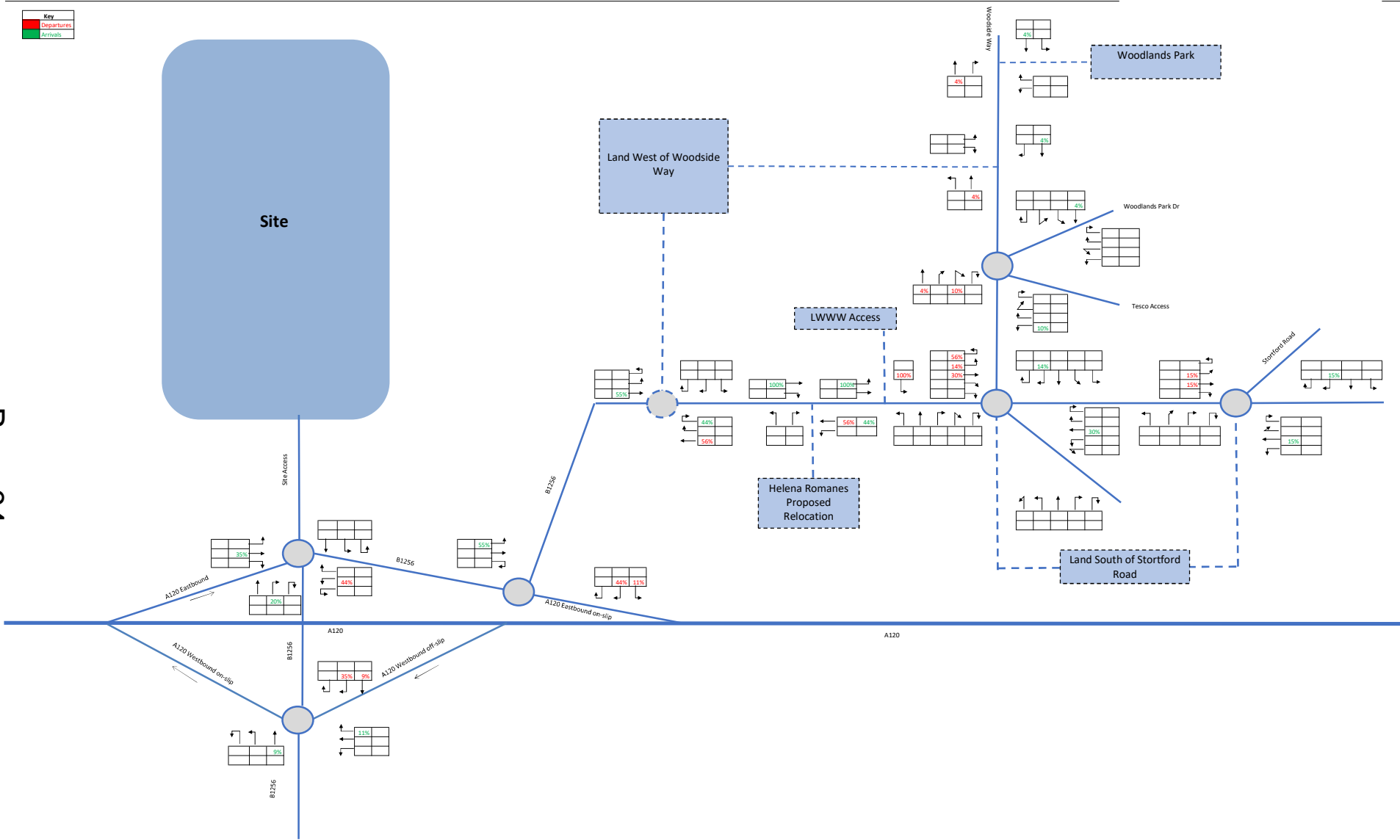
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 8 - Land West of Woodside Way Vehicle Trips for 900 Homes - PM |
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| Key | |
|-----|------------|
| | Departures |
| | Arrivals |

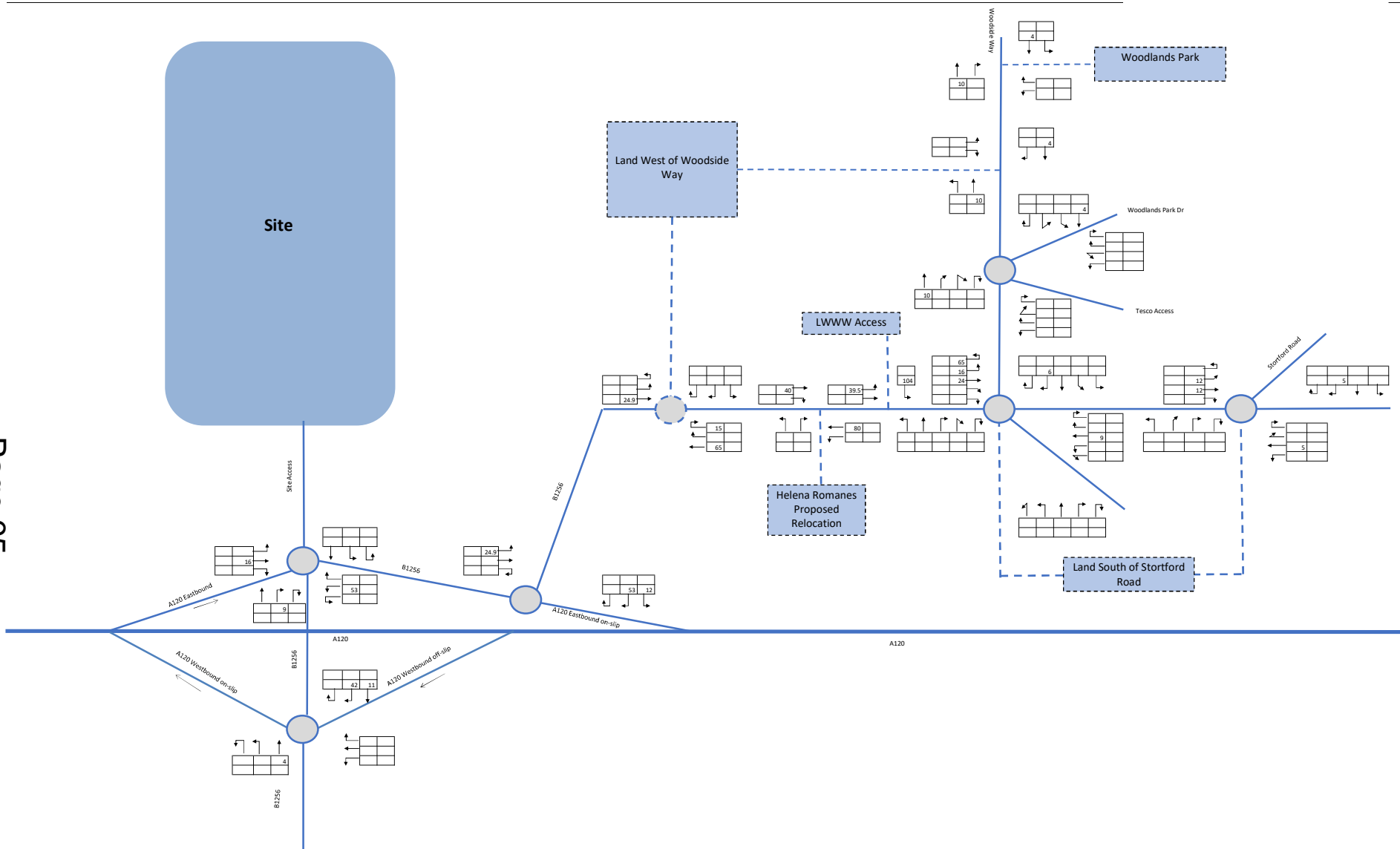


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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 9 - Land West of Woodside Way AM Distribution for Left in, Left Out Access |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |

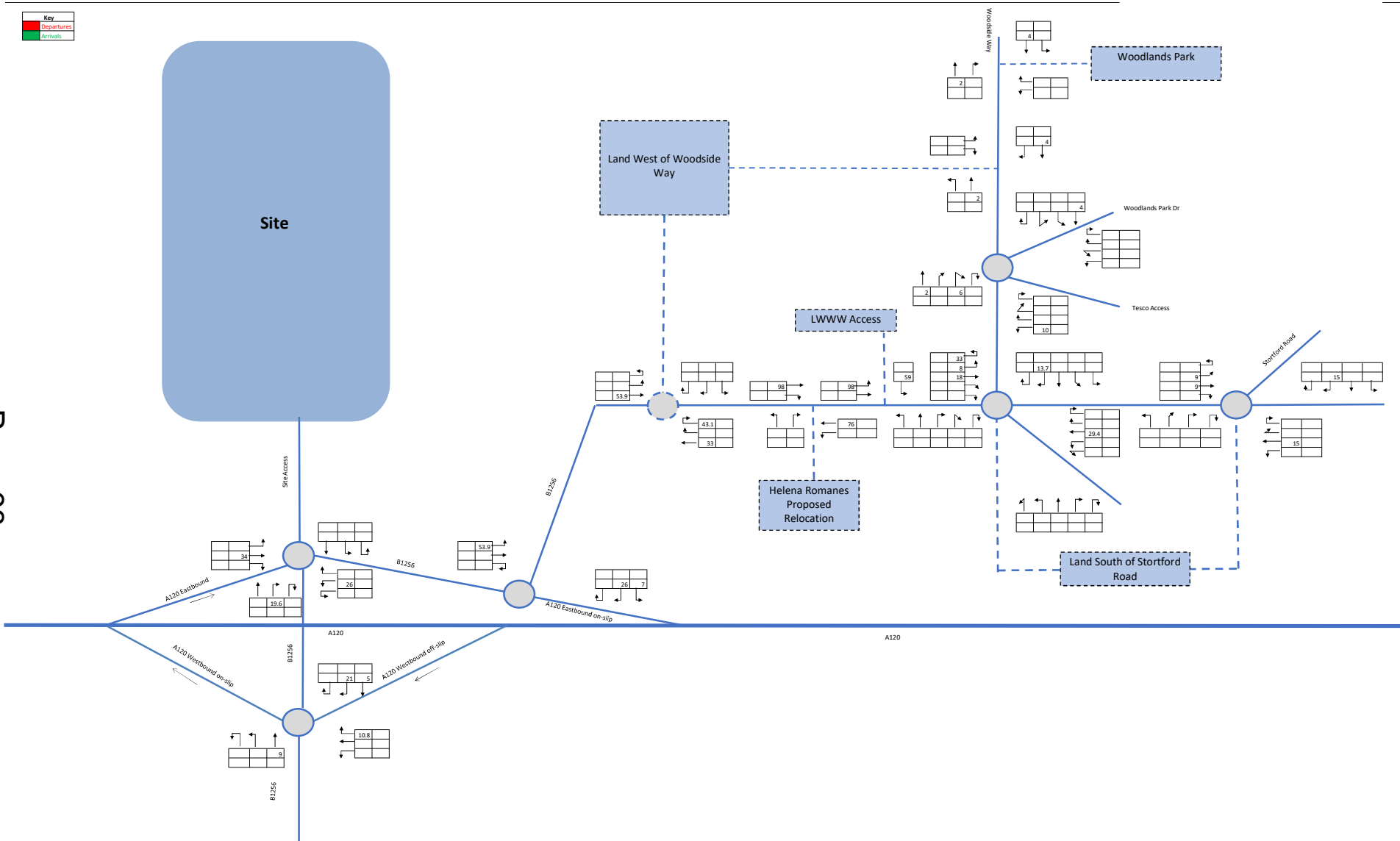


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| vectors. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 10 - Land West of Woodside Way PM Distribution for Left in, Left Out Access |
| | DSS | MDC | Mar-21 | |



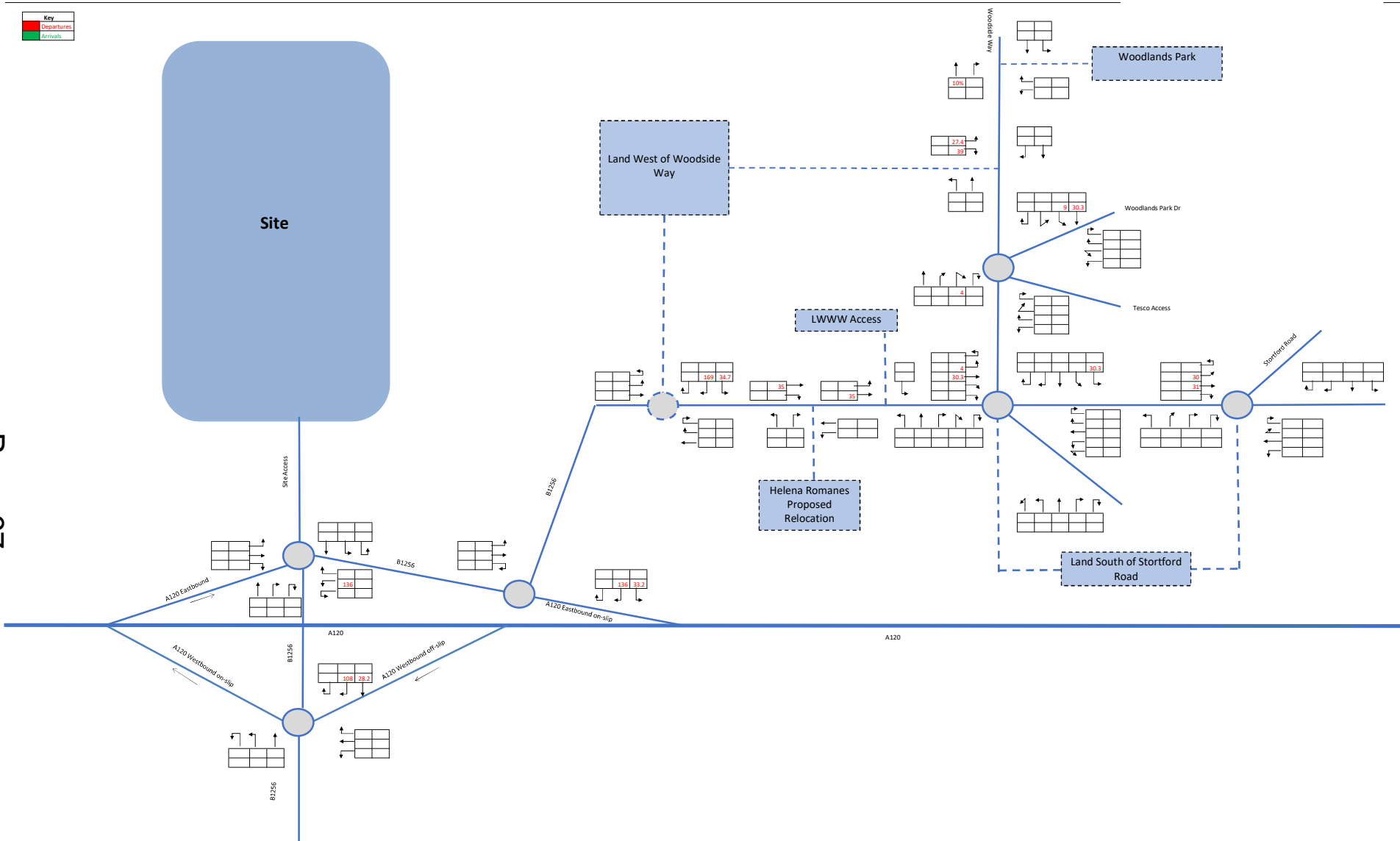
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 11 - Land West of Woodside Way Vehicle Trips for 250 Homes - AM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



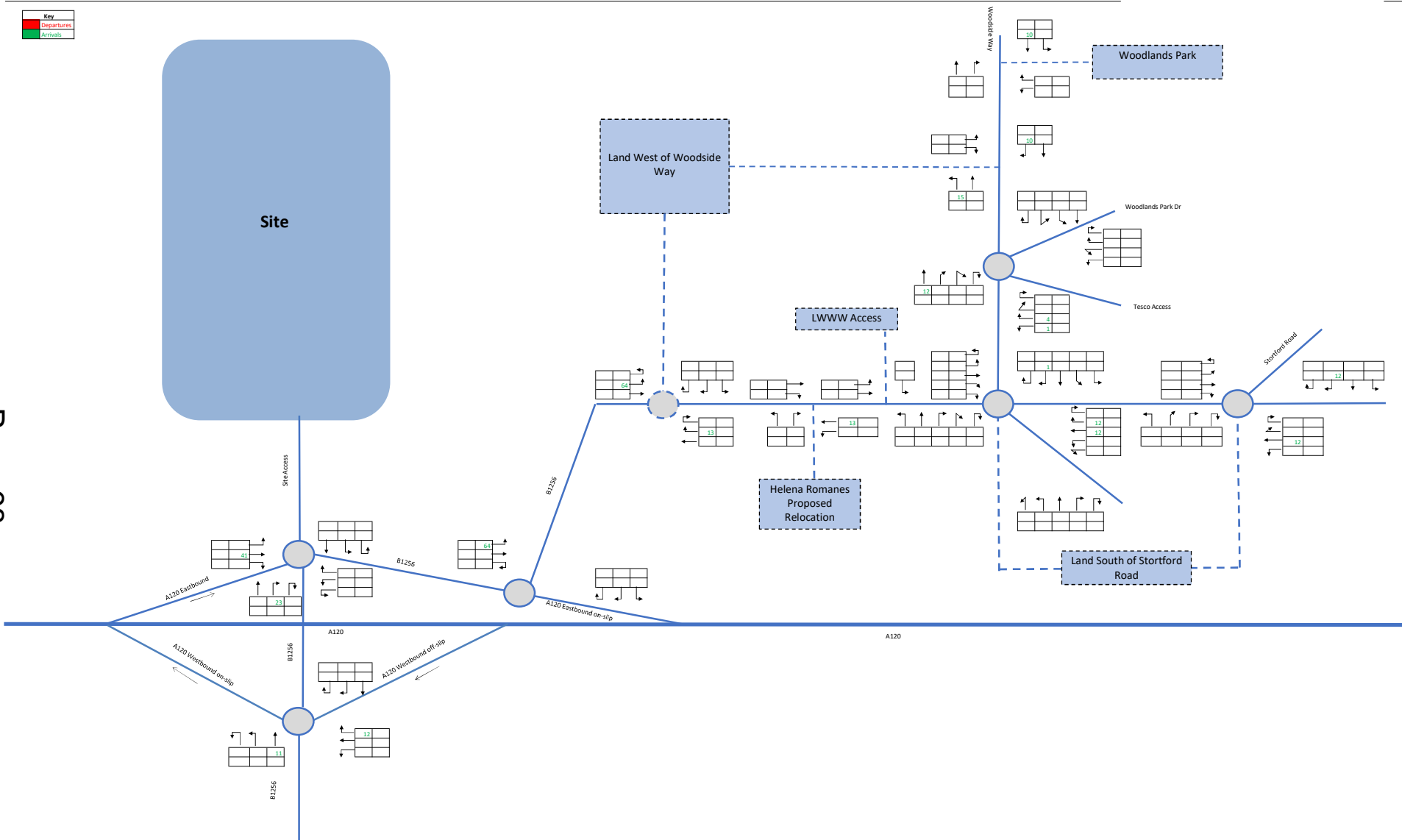
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| vectors. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 12 - Land West of Woodside Way Vehicle Trips for 250 Homes - PM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



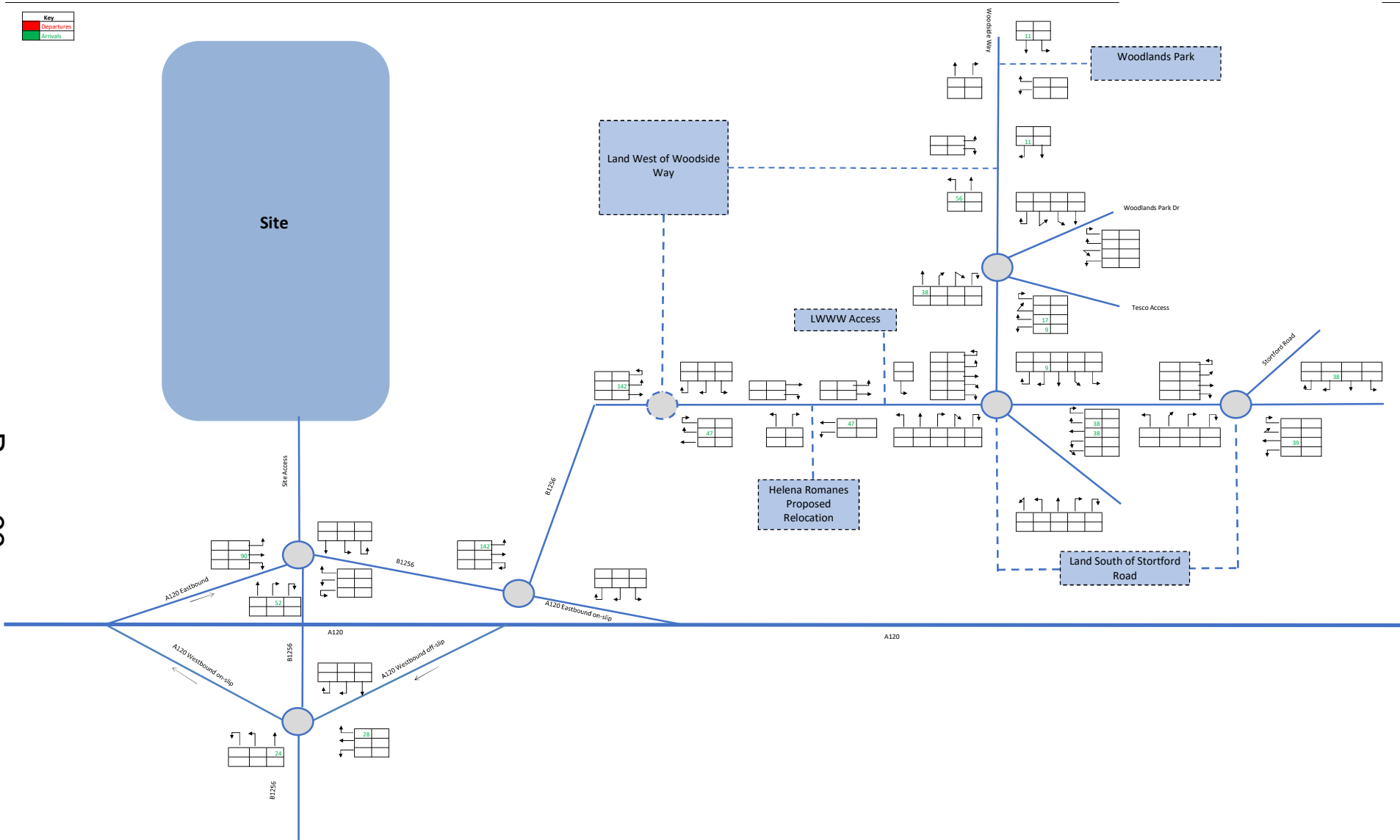
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| vectors. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 13 - Land West of Woodside Way Departure Trips for 650 Homes - AM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



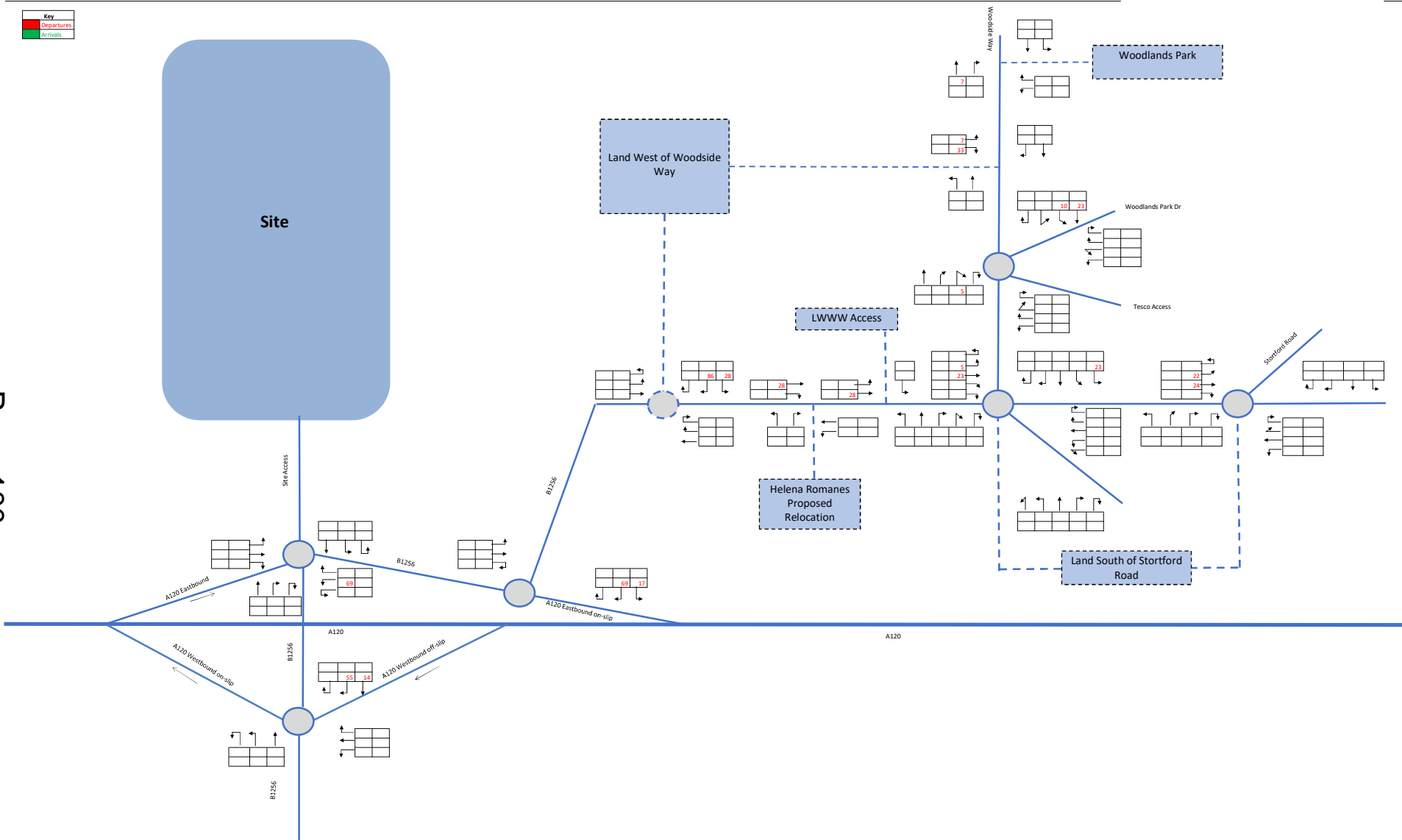
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| vectos. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 14 - Land West of Woodside Way Arrival Trips for 650 Homes - AM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



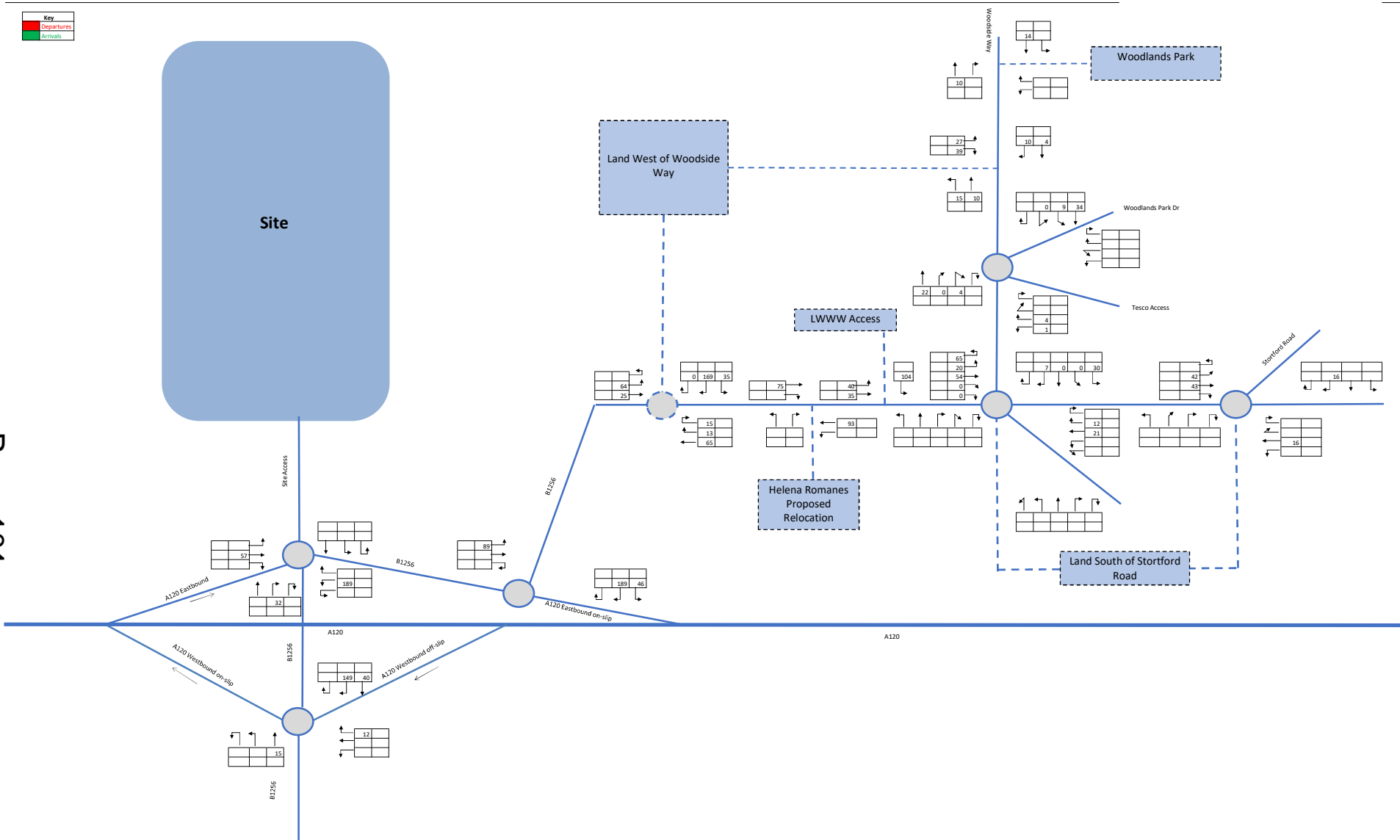
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 15 - Land West of Woodside Way Arrival Trips for 650 Homes - PM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |



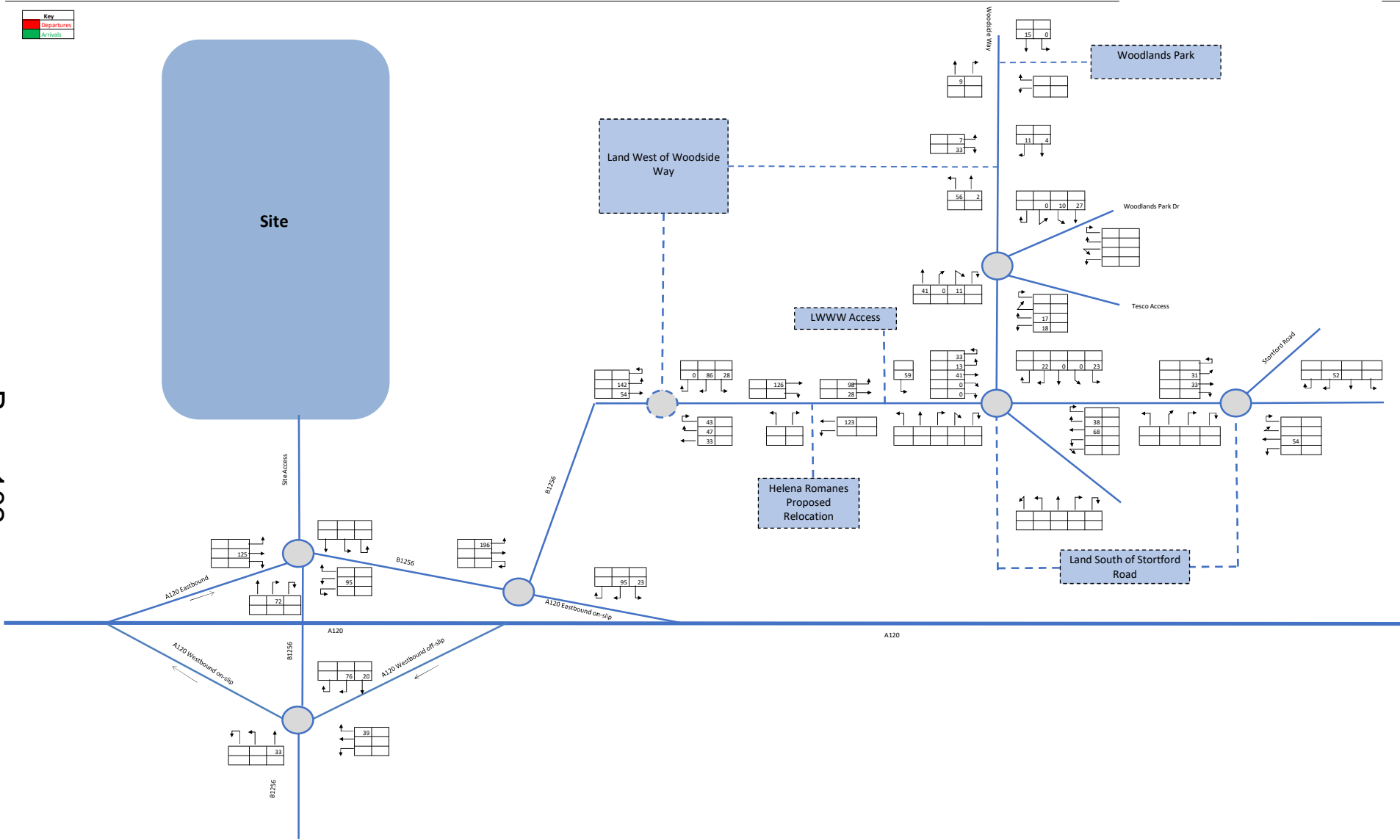
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 16 - Land West of Woodside Way Departure Trips for 650 Homes - PM |
| | DSS | MDC | Mar-21 | |

| Key | |
|-----|------------|
| | Departures |
| | Arrivals |

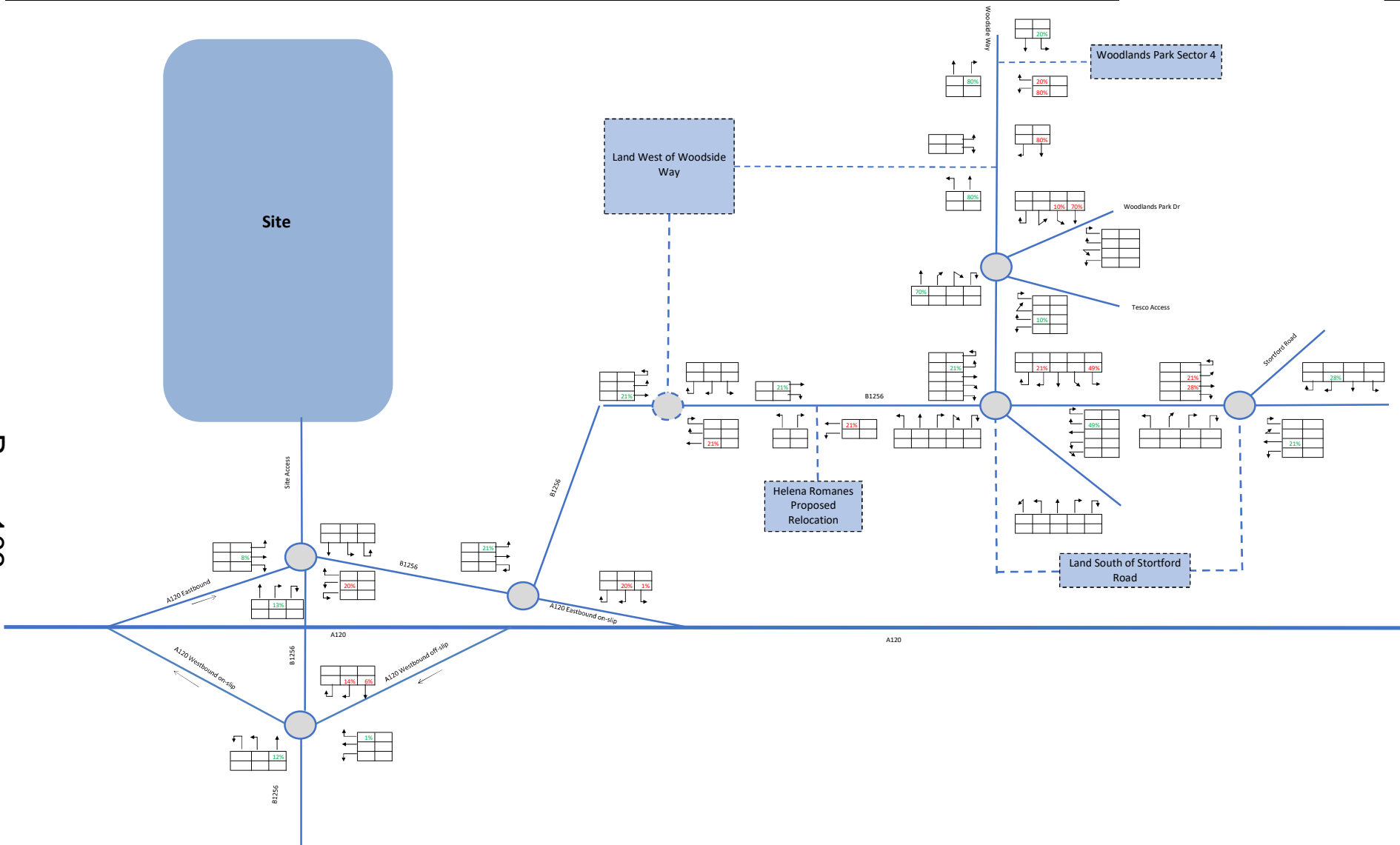


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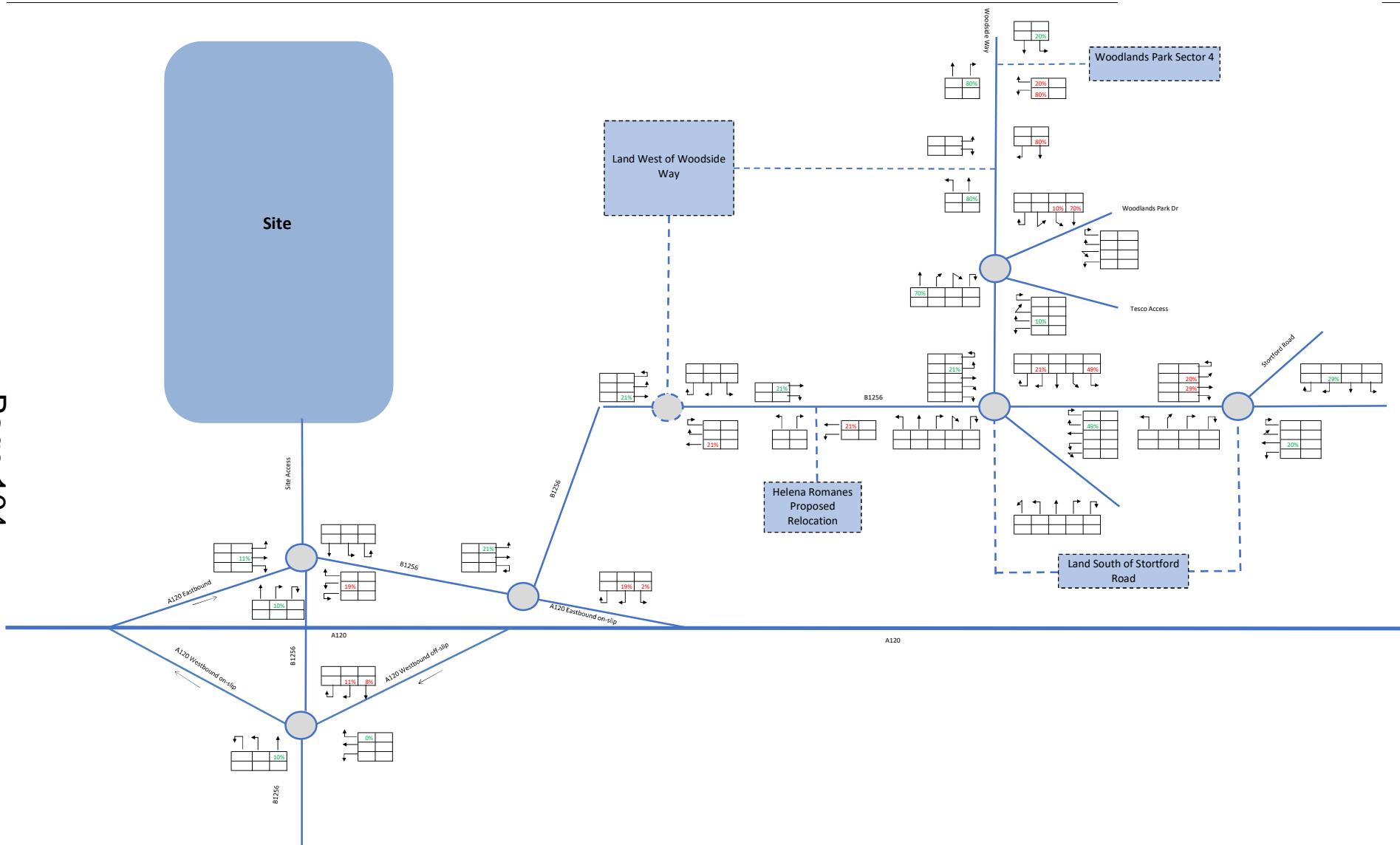
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| | Departures |
| | Arrivals |



| | | | | |
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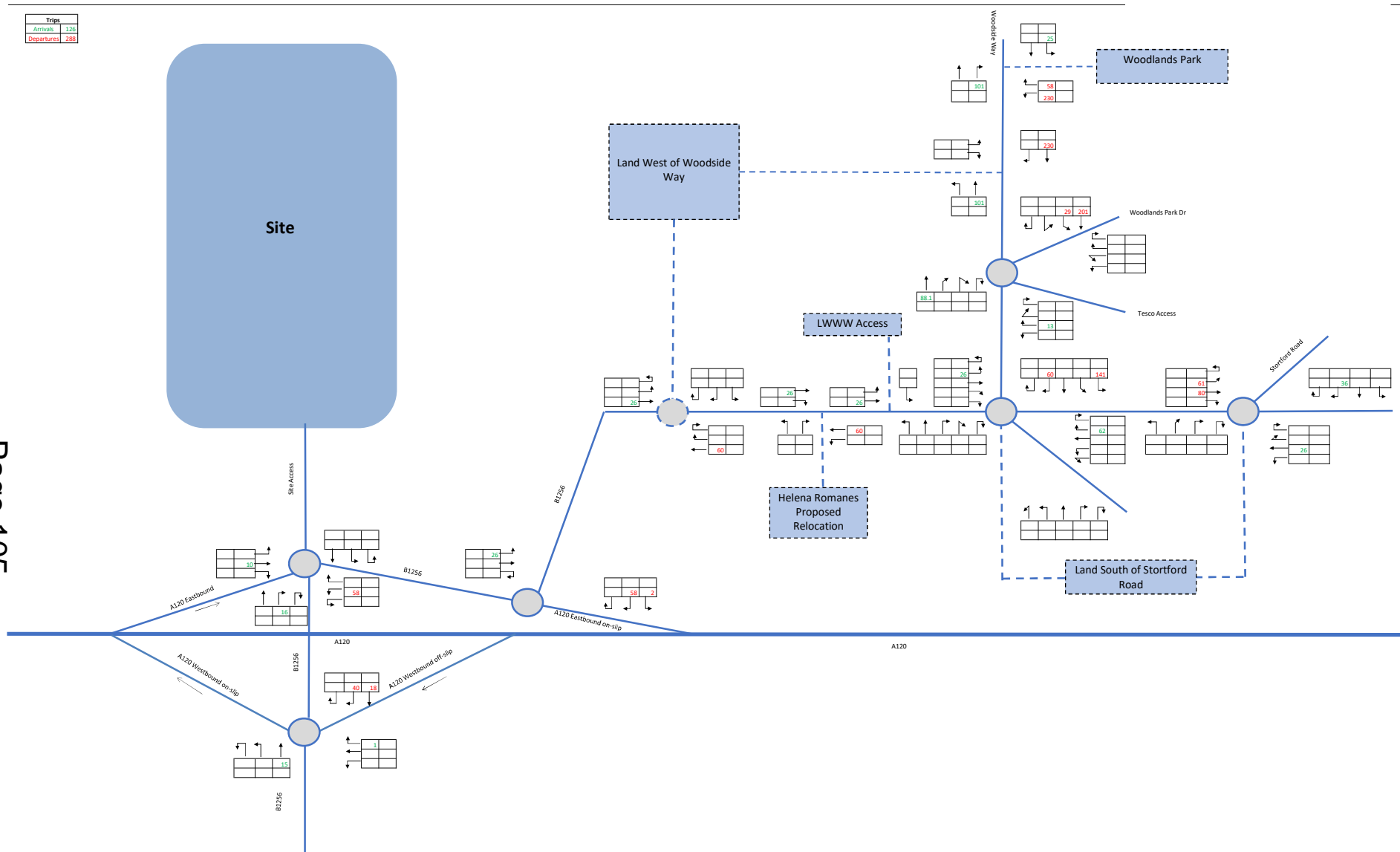


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| | DSS | MDC | Mar-21 | |



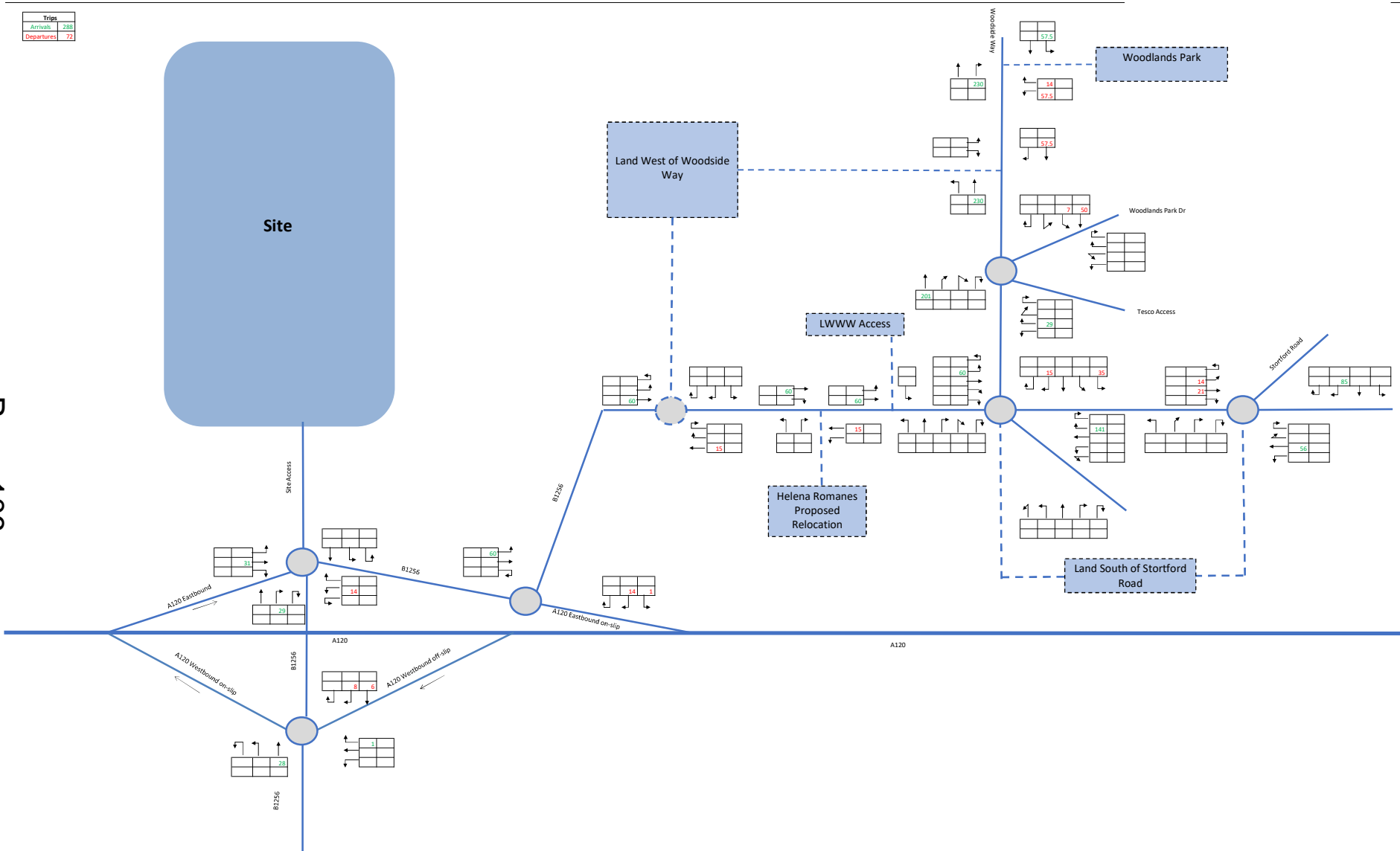
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 20 - Woodlands Park - PM Distribution |
| | DSS | MDC | Mar-21 | |

| | |
|------------|-----|
| Trips | |
| Arrivals | 120 |
| Departures | 288 |



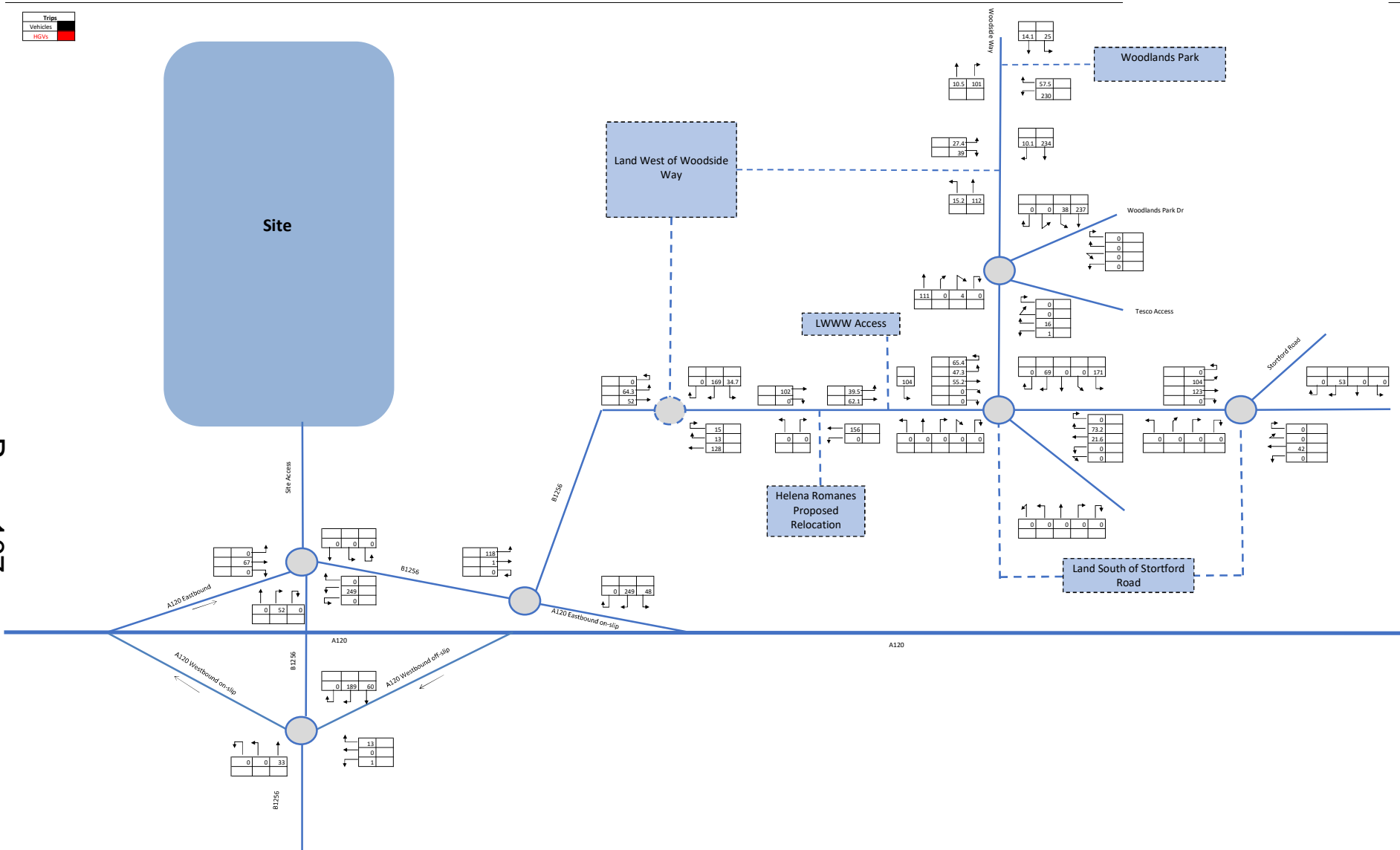
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 21 - Woodlands Park - AM Vehicle Trips |
| | DSS | MDC | Mar-21 | |

| | |
|------------|-----|
| Trips | |
| Arrivals | 288 |
| Departures | 72 |



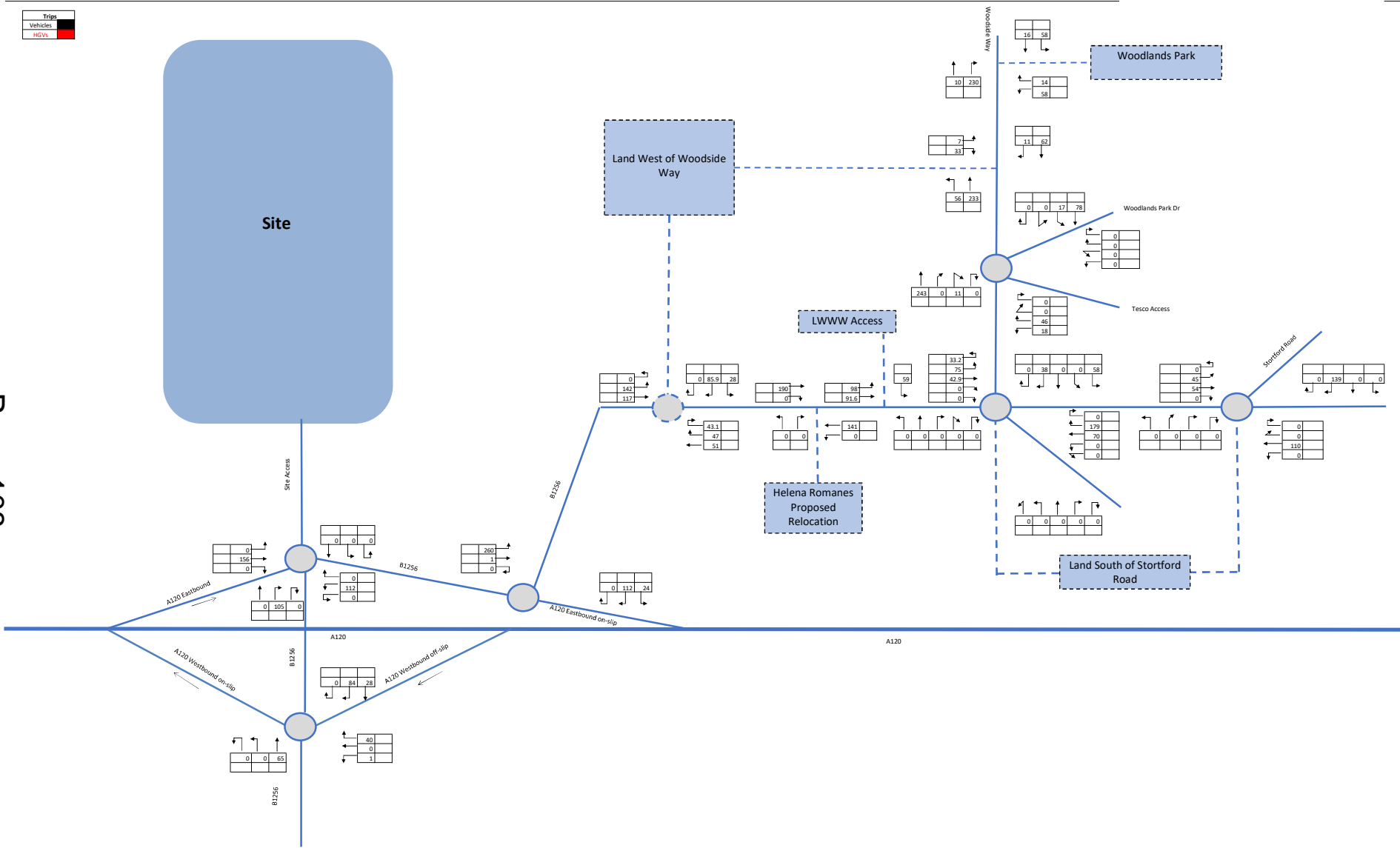
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 22 - Woodlands Park - PM Vehicle Trips |
| | DSS | MDC | Mar-21 | |

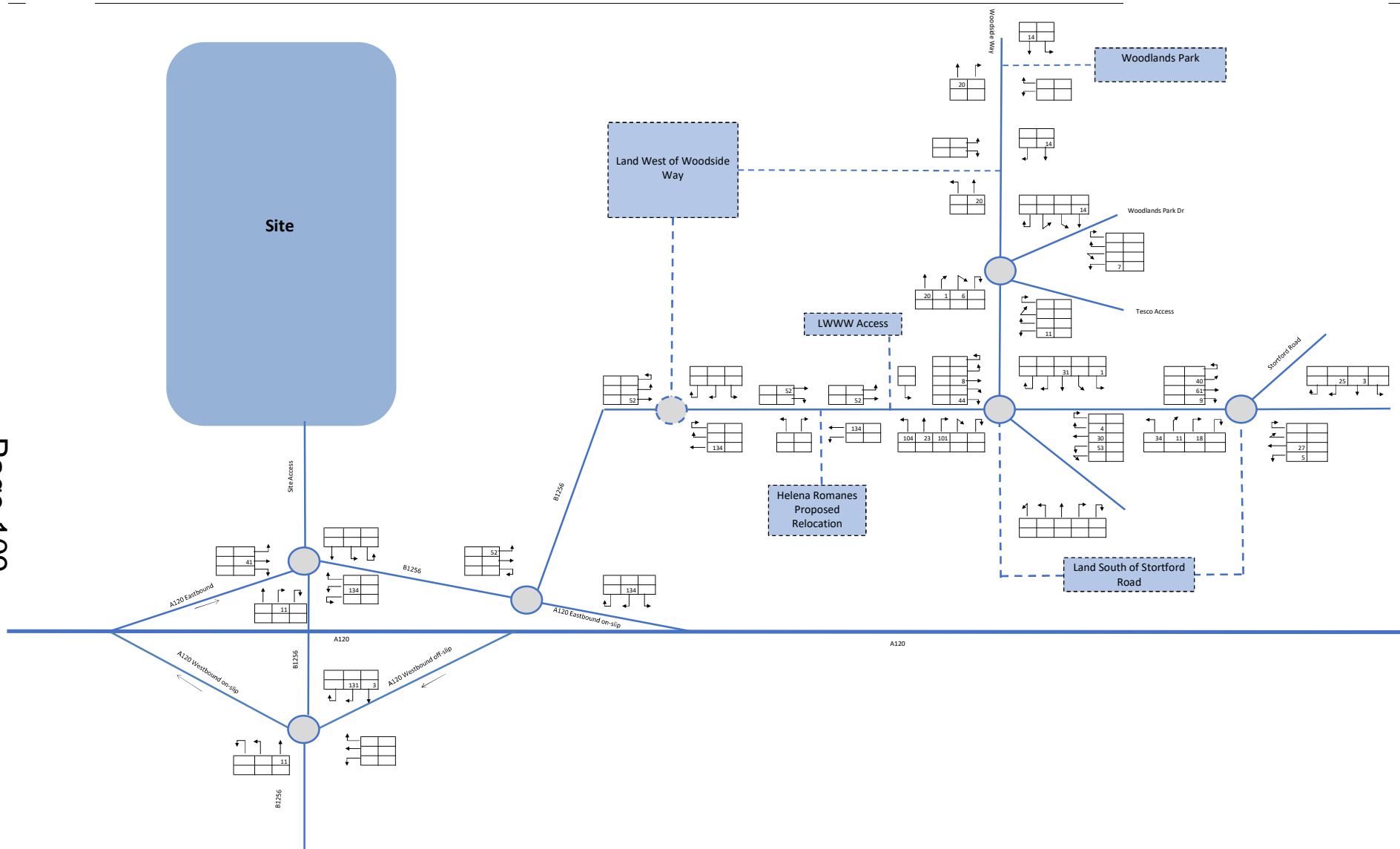
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|----------|--|
| Trips | |
| Vehicles | |
| HGVs | |



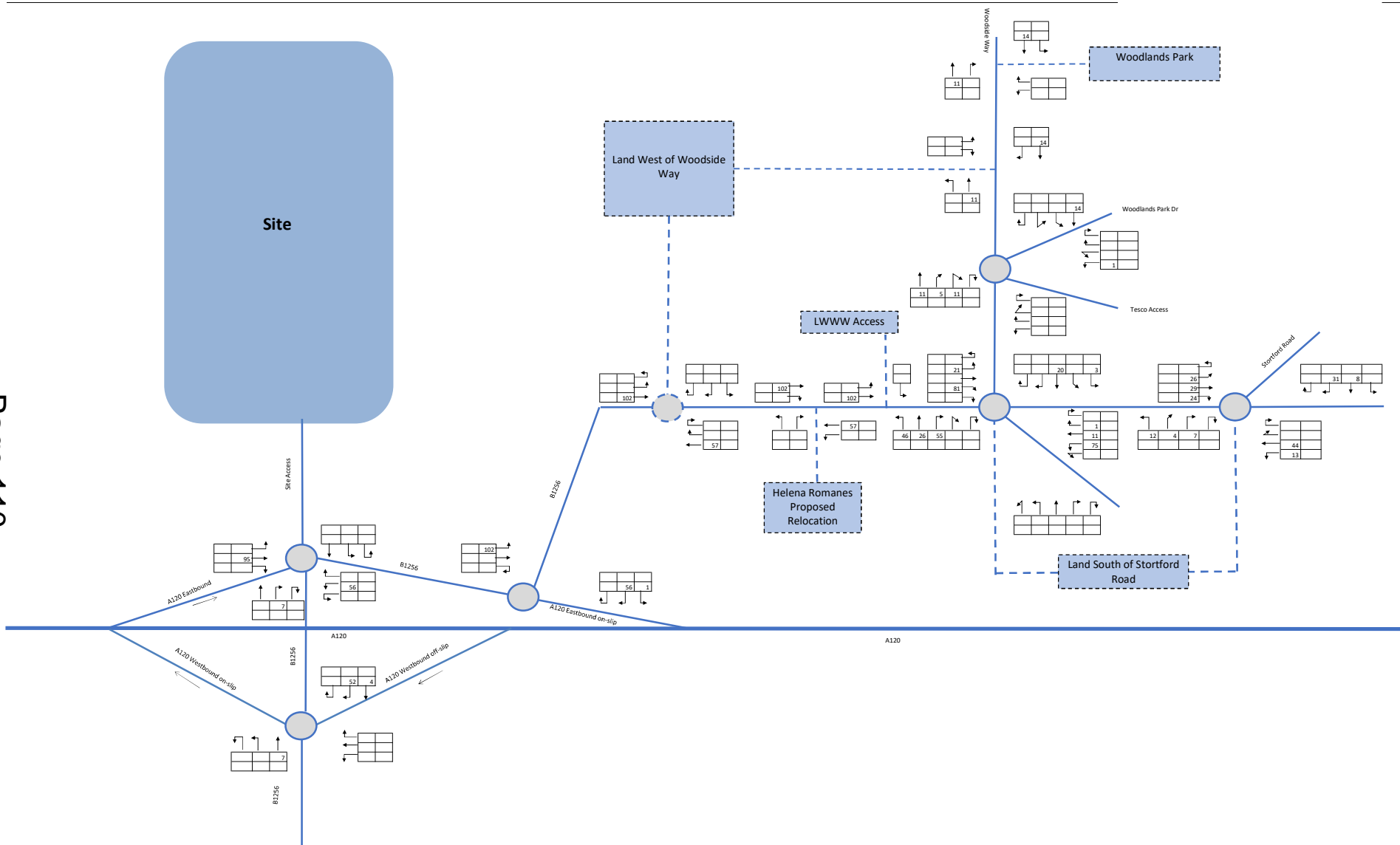
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 25 - Combined Committed Development Trips - AM |
| | DSS | MDC | Mar-21 | |

| | |
|----------|--|
| Trips | |
| Vehicles | |
| HGVs | |

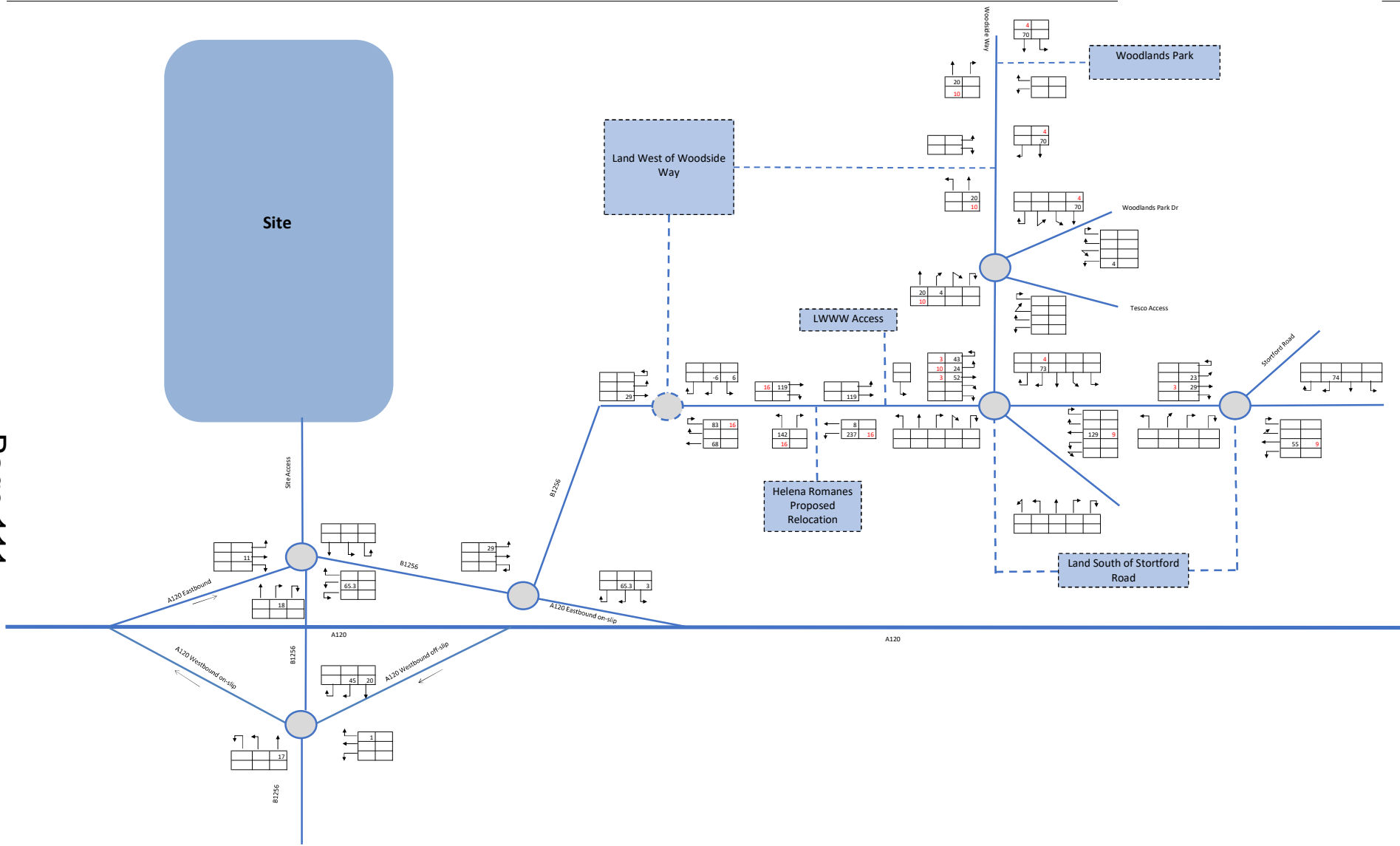




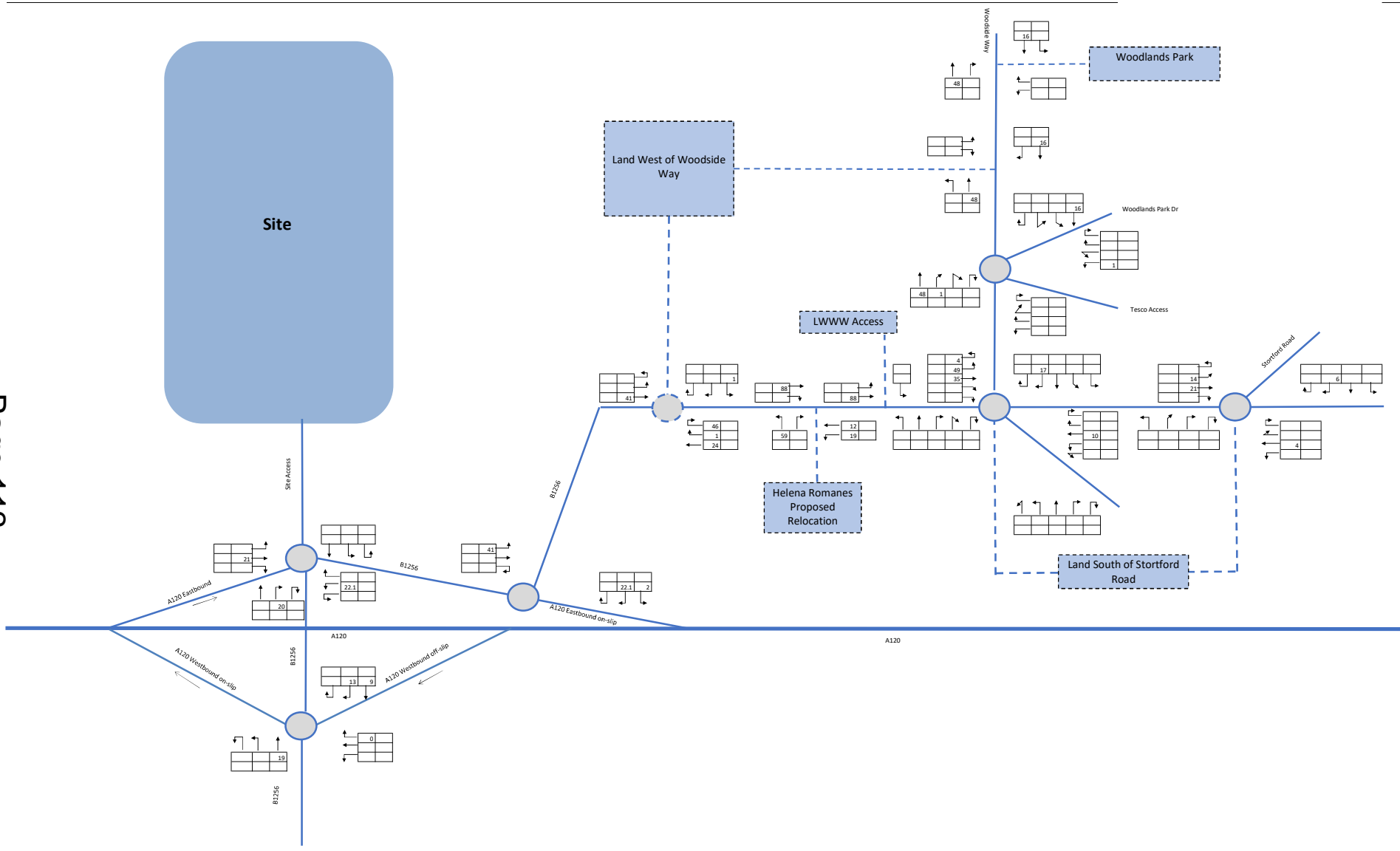
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 27 - Land South of Stortford Road - AM Trips |
| | DSS | MDC | Mar-21 | |



| | | | | |
|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 28 - Land South of Stortford Road - AM Trips |
| | DSS | MDC | Mar-21 | |

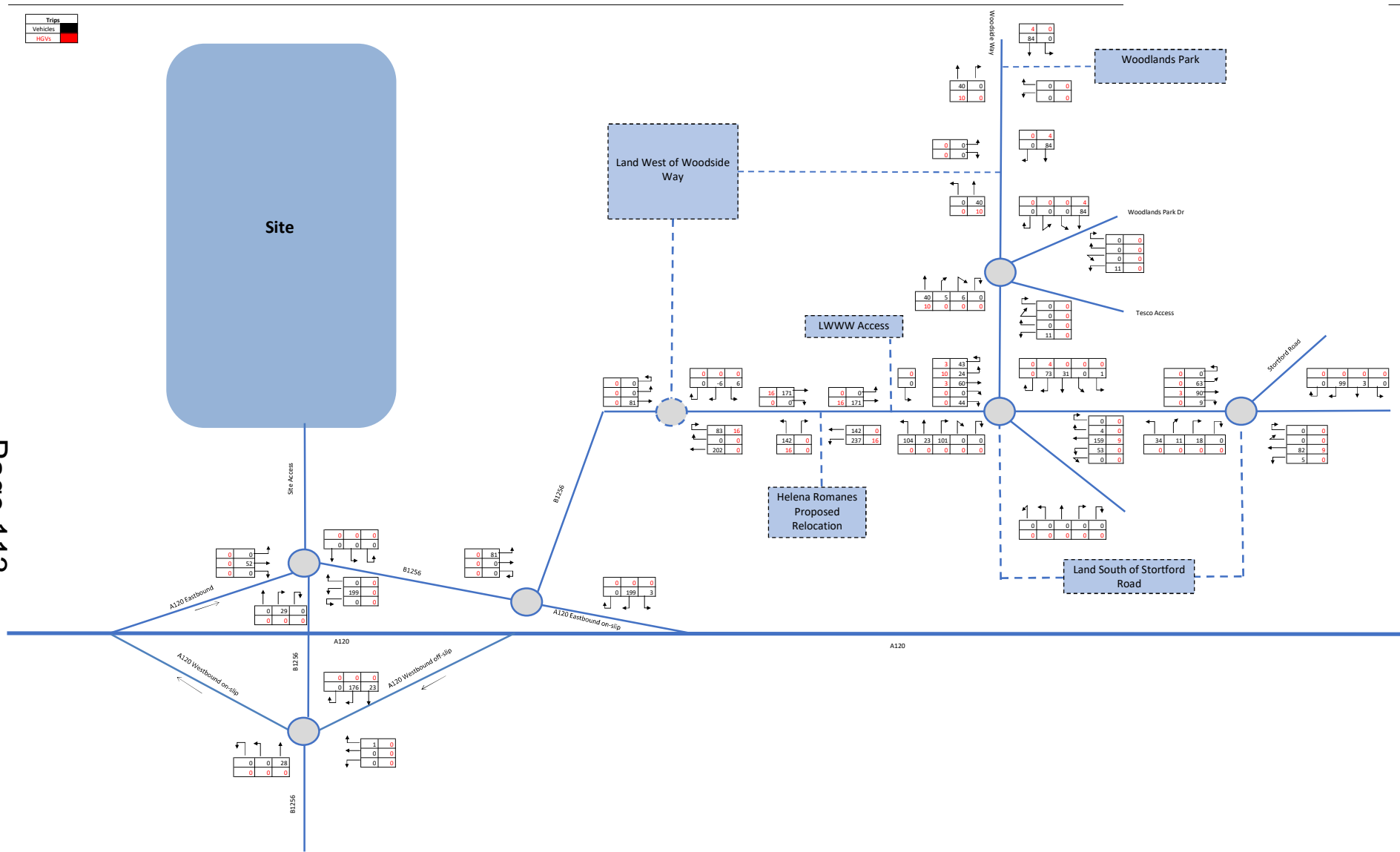


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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 29 - Helena Romanes Relocation - AM Trips |
| | DSS | MDC | Mar-21 | |



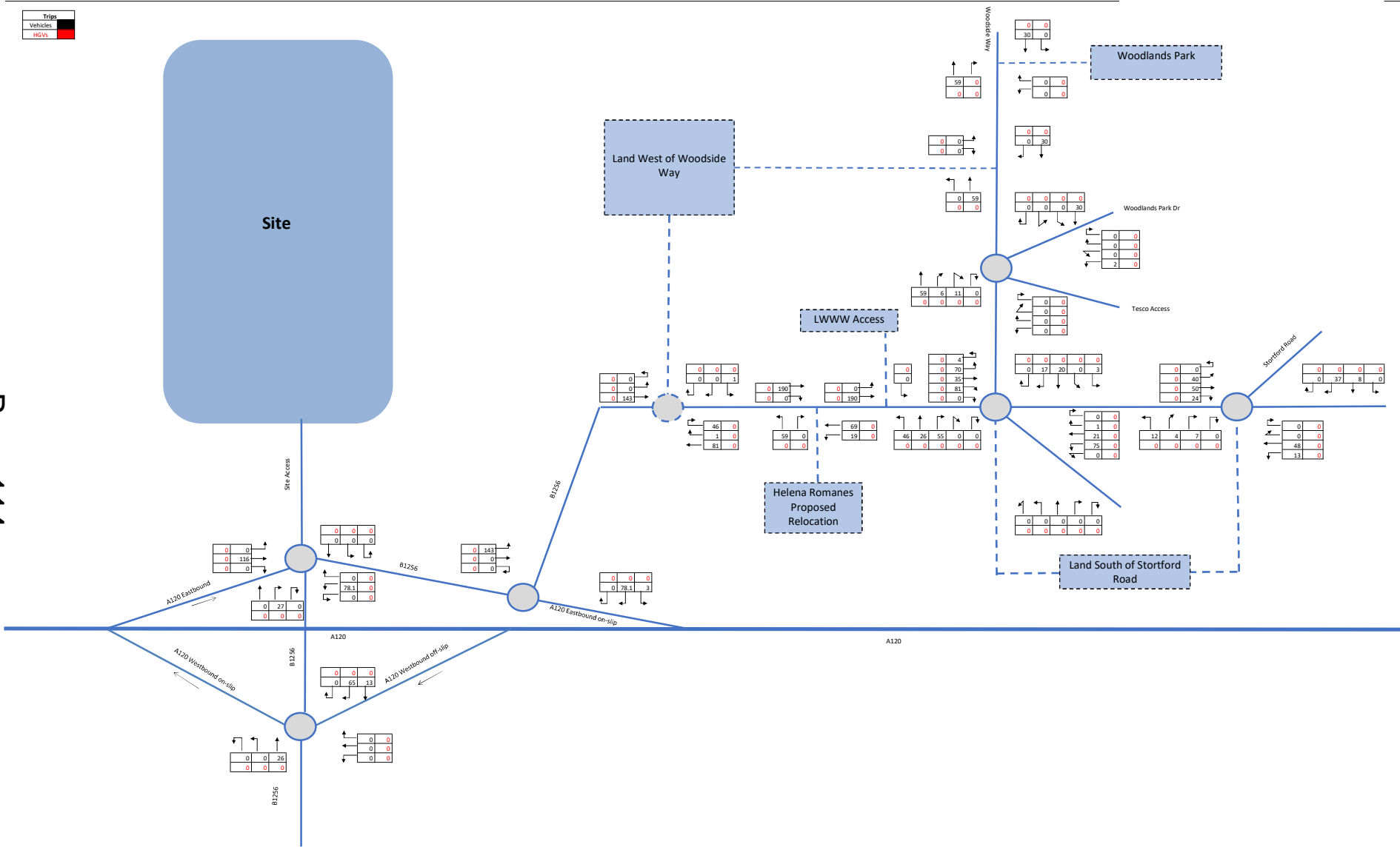
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| vectors. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 30 - Helena Romanes Relocation - PM Trips |
| | DSS | MDC | Mar-21 | |

| | |
|----------|---|
| Trips | █ |
| Vehicles | █ |
| HGVs | █ |

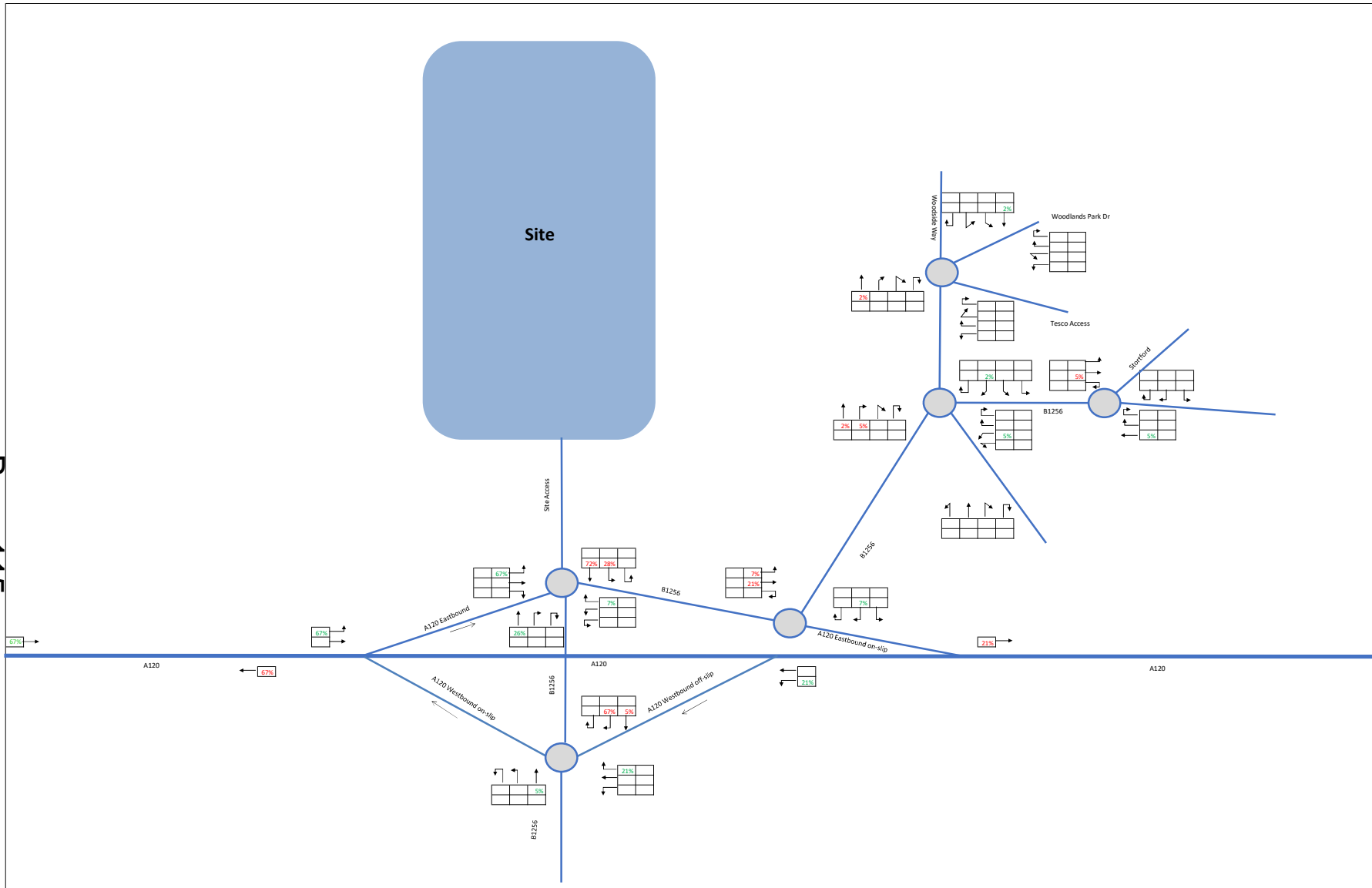


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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 31 - Combined Cumulative Applications - AM Trips |
| | DSS | MDC | Mar-21 | |

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| Trips | |
| Vehicles | |
| HGVs | |

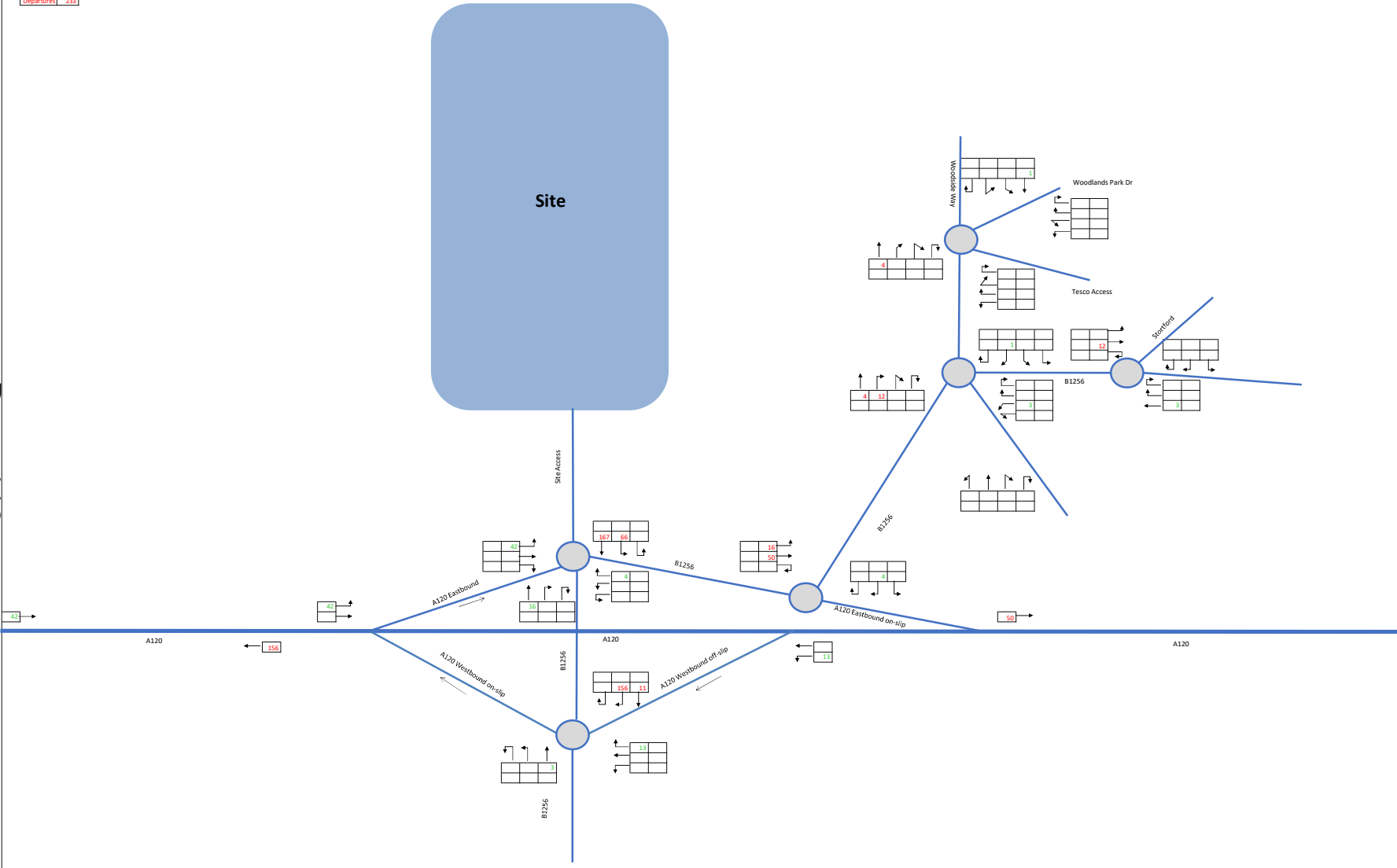


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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 32 - Combined Cumulative Applications - PM Trips |
| | DSS | MDC | Mar-21 | |



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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 33 - Residential-Employment Journey Purpose Distribution |
| | DSS | MDC | Mar-21 | |

| | |
|------------|-----|
| Trips | |
| Arrivals | 63 |
| Departures | 233 |



vectors.

LandSec

Land East of Highwood Quarry

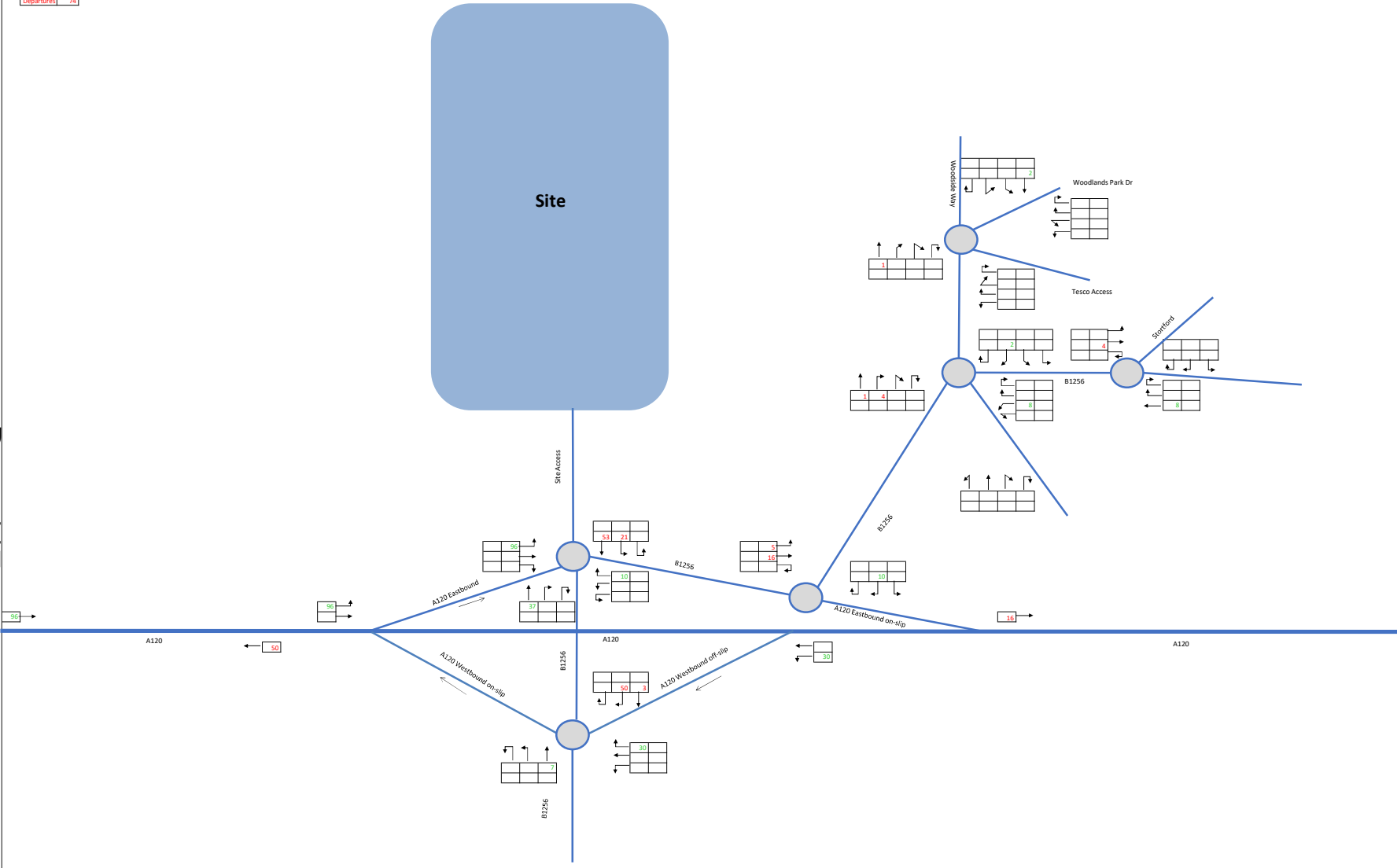
DSS

MDC

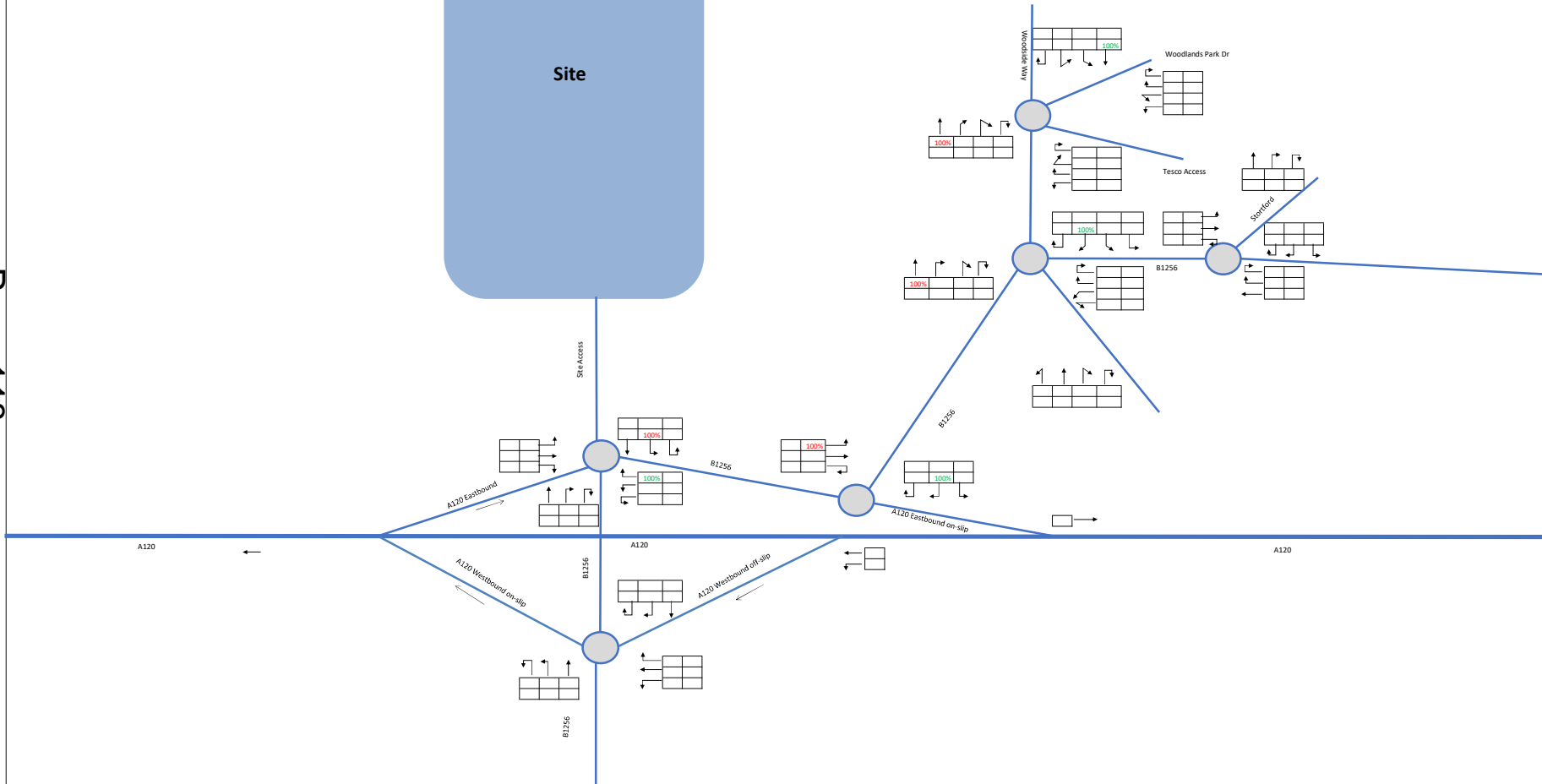
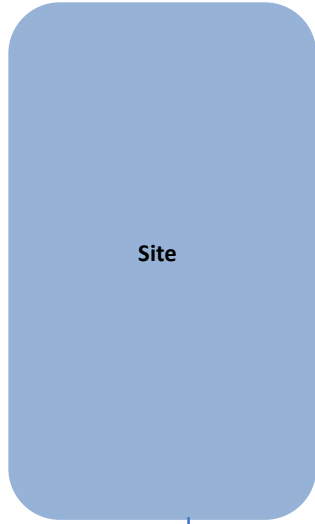
Mar-21

Traffic Flow Diagram 34 - Residential-Employment AM Trips

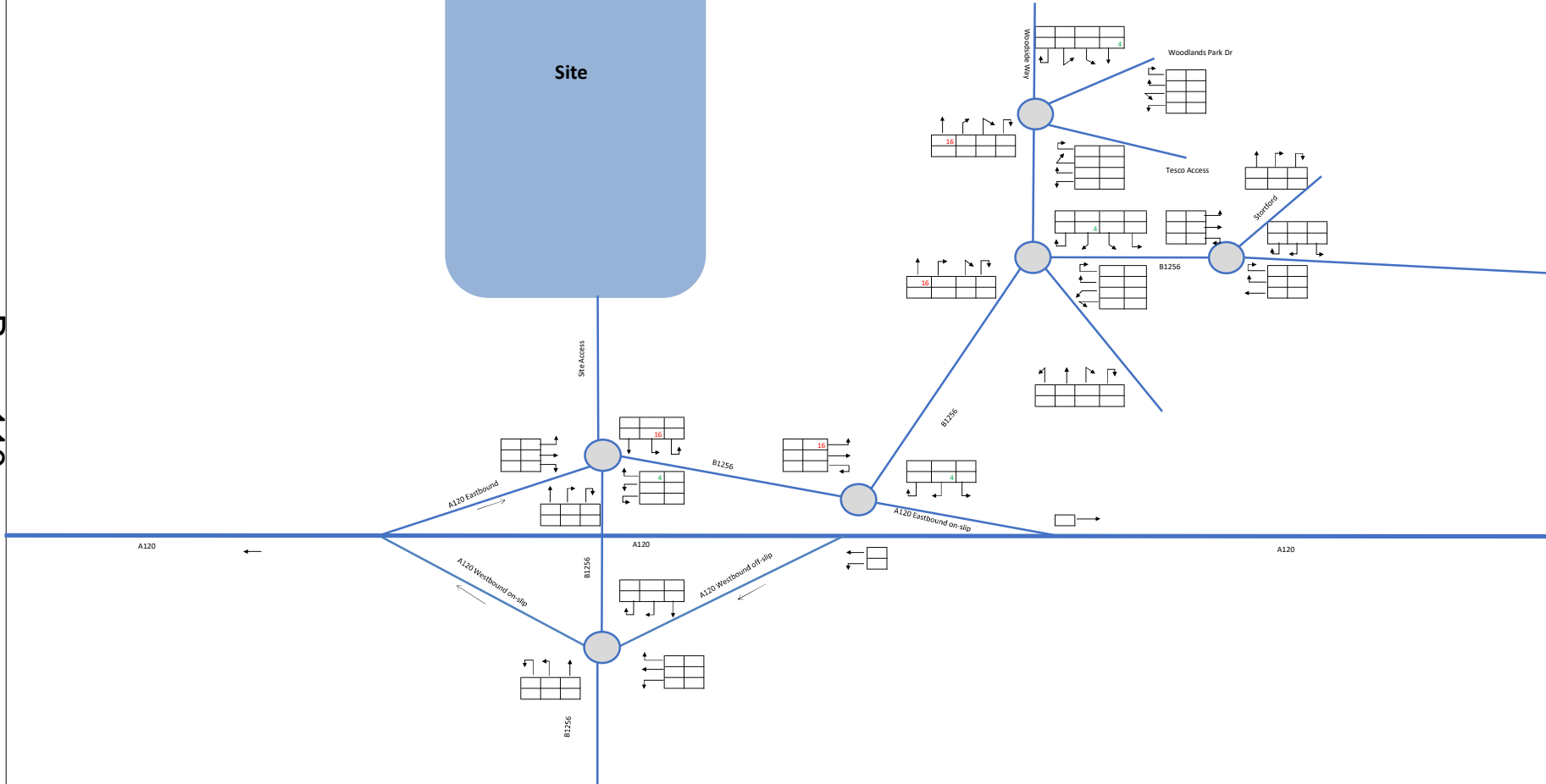
| | |
|------------|-----|
| Trips | |
| Arrivals | 143 |
| Departures | 74 |



| | | | | |
|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 35 - Residential-Employment PM Trips |
| | DSS | MDC | Mar-21 | |

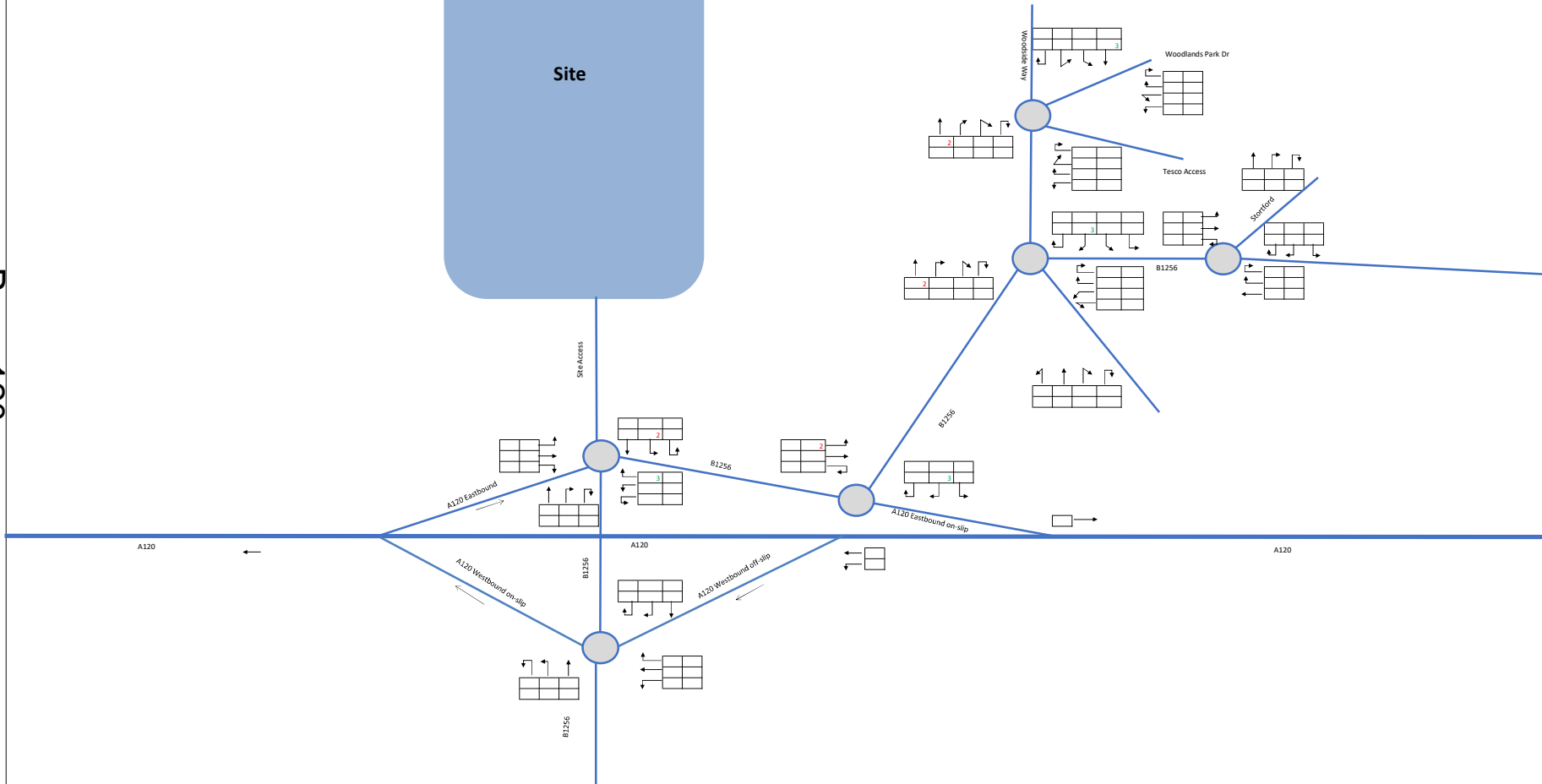


| | |
|------------|----|
| Trips | |
| Arrivals | 4 |
| Departures | 16 |



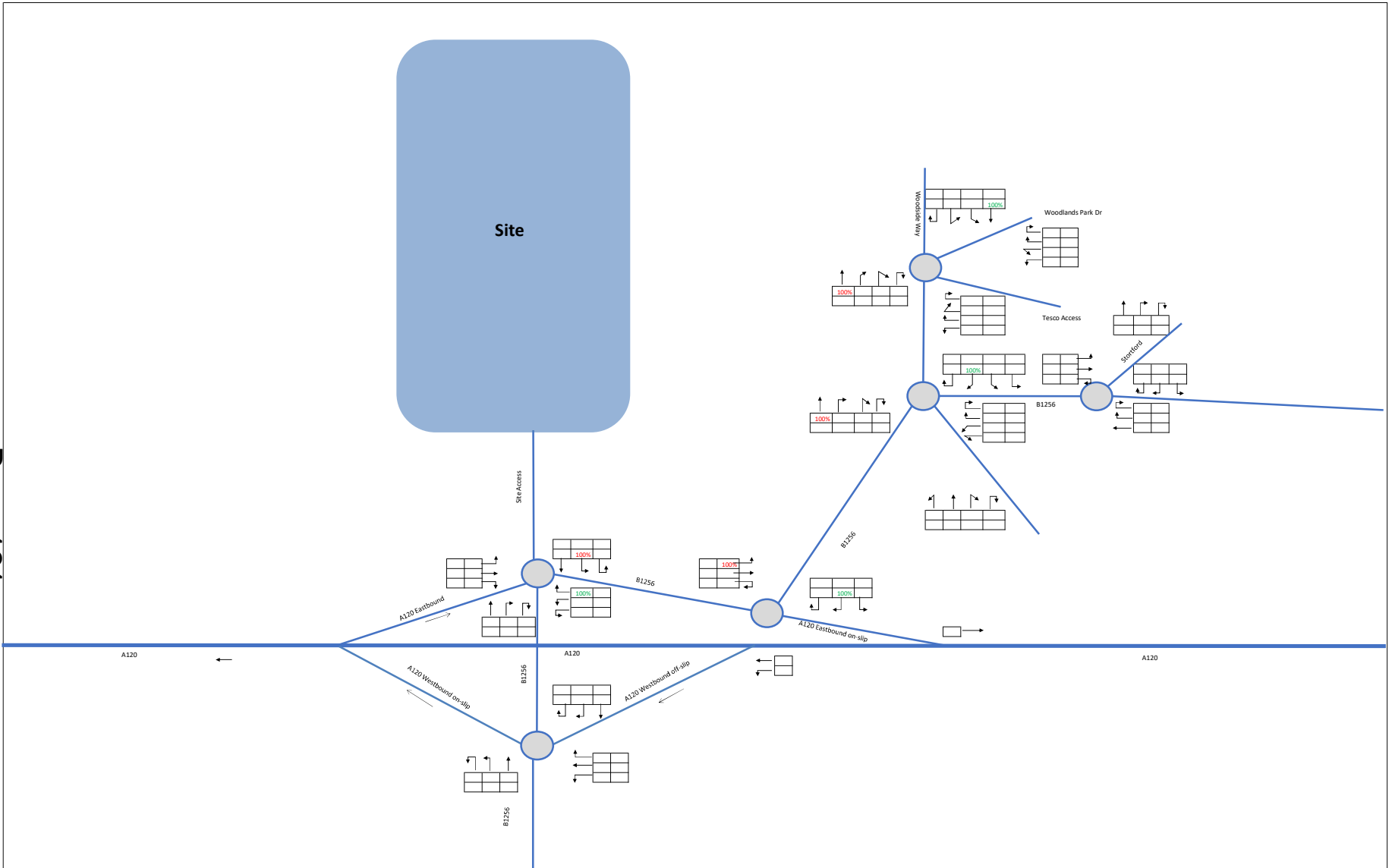
| | | |
|---------|-----|------------------------------|
| LandSec | | Land East of Highwood Quarry |
| DSS | MDC | Mar-21 |

| | |
|--------------|---|
| Trips | |
| Arrivals | 3 |
| Departures | 2 |



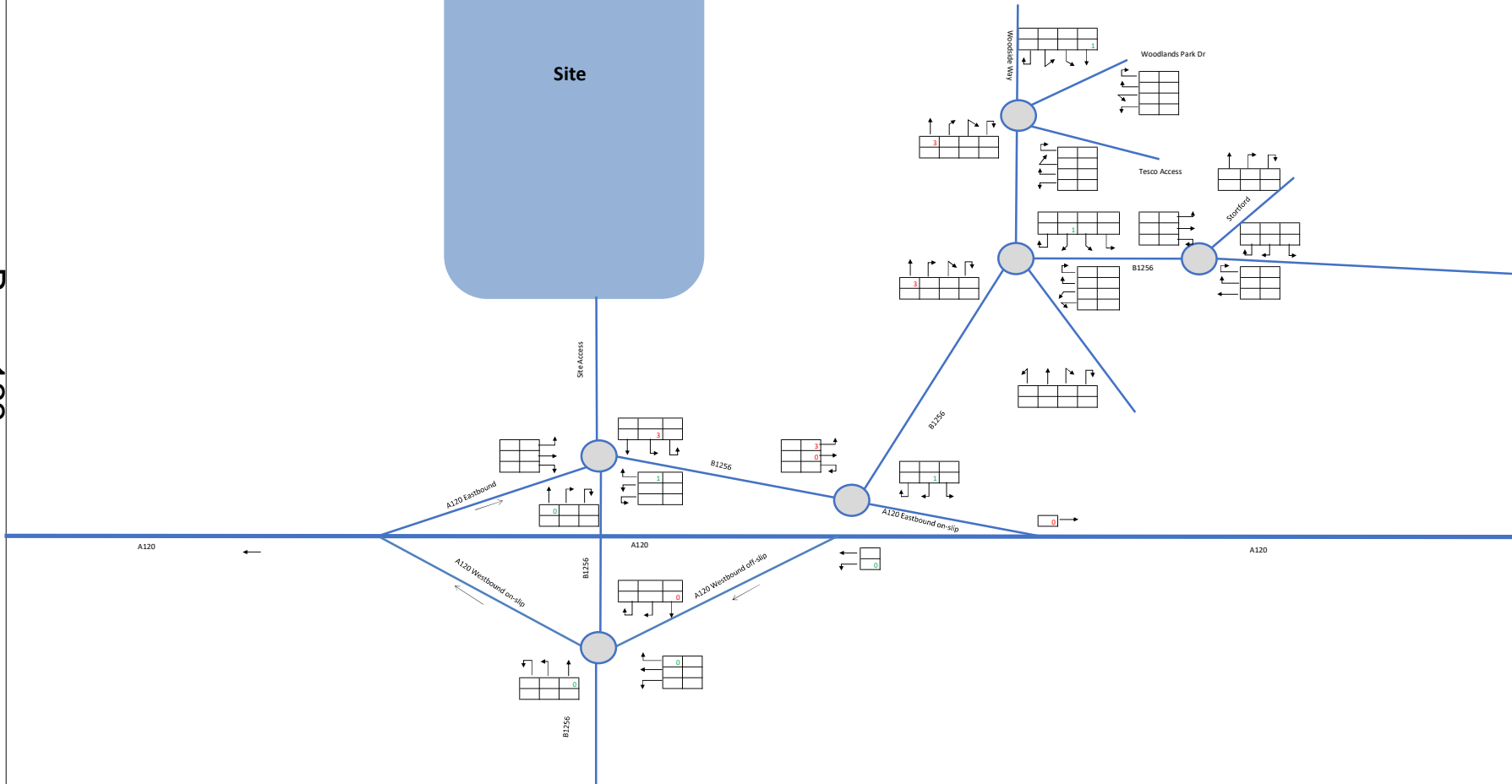
| | | |
|---------|-----|------------------------------|
| LandSec | | Land East of Highwood Quarry |
| DSS | MDC | Mar-21 |

Traffic Flow Diagram 38 - Residential-Primary Education PM Trips

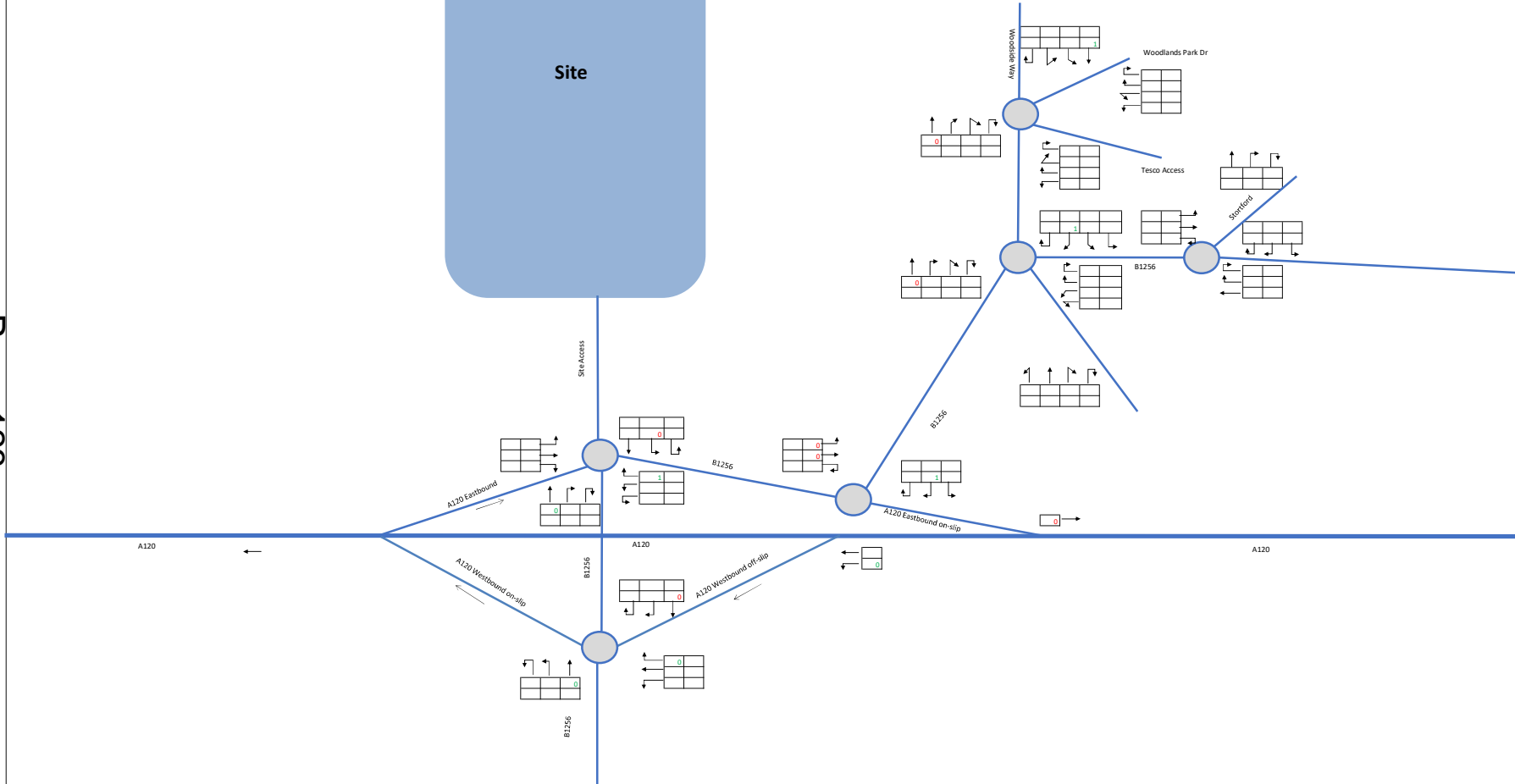


| | | | | |
|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 39 - Residential Secondary Education (Helena Romanes) Journey Purpose Distribution |
| | DSS | MDC | Mar-21 | |

| | |
|--------------|---|
| Trips | |
| Arrivals | 1 |
| Departures | 3 |



| | |
|------------|---|
| Trips | |
| Arrivals | 1 |
| Departures | 0 |



LandSec

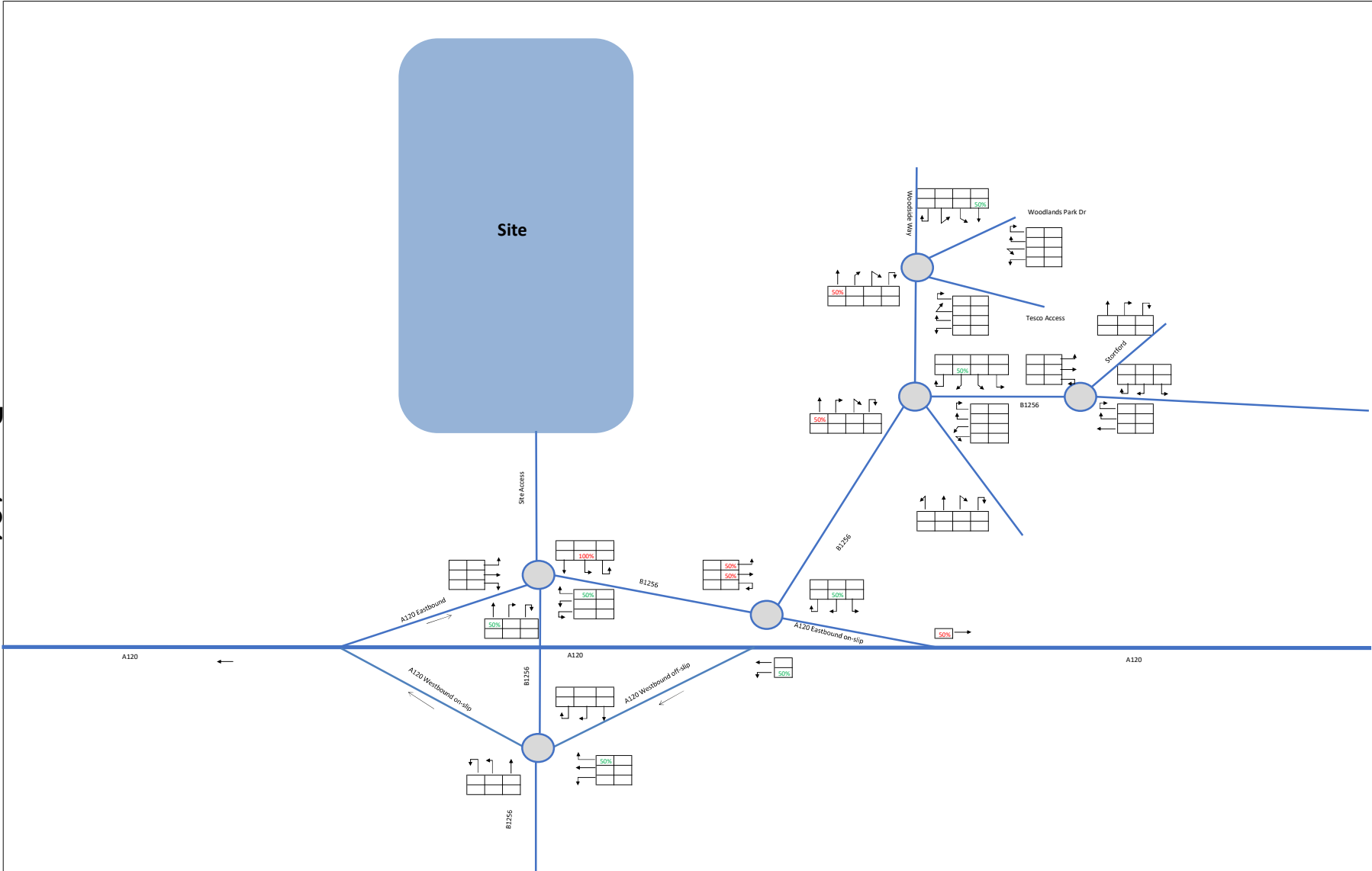
Land East of Highwood Quarry

DSS

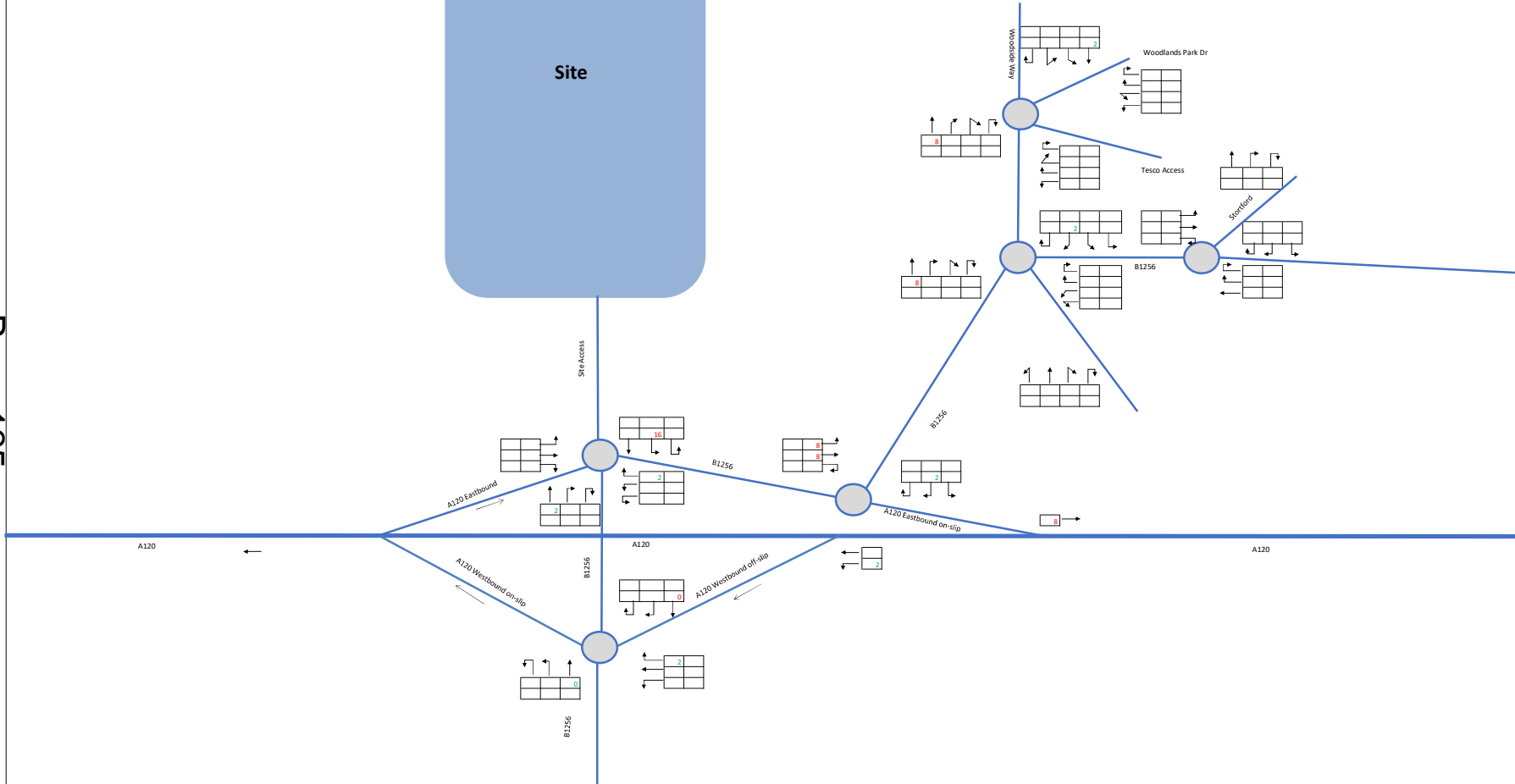
MDC

Mar-21

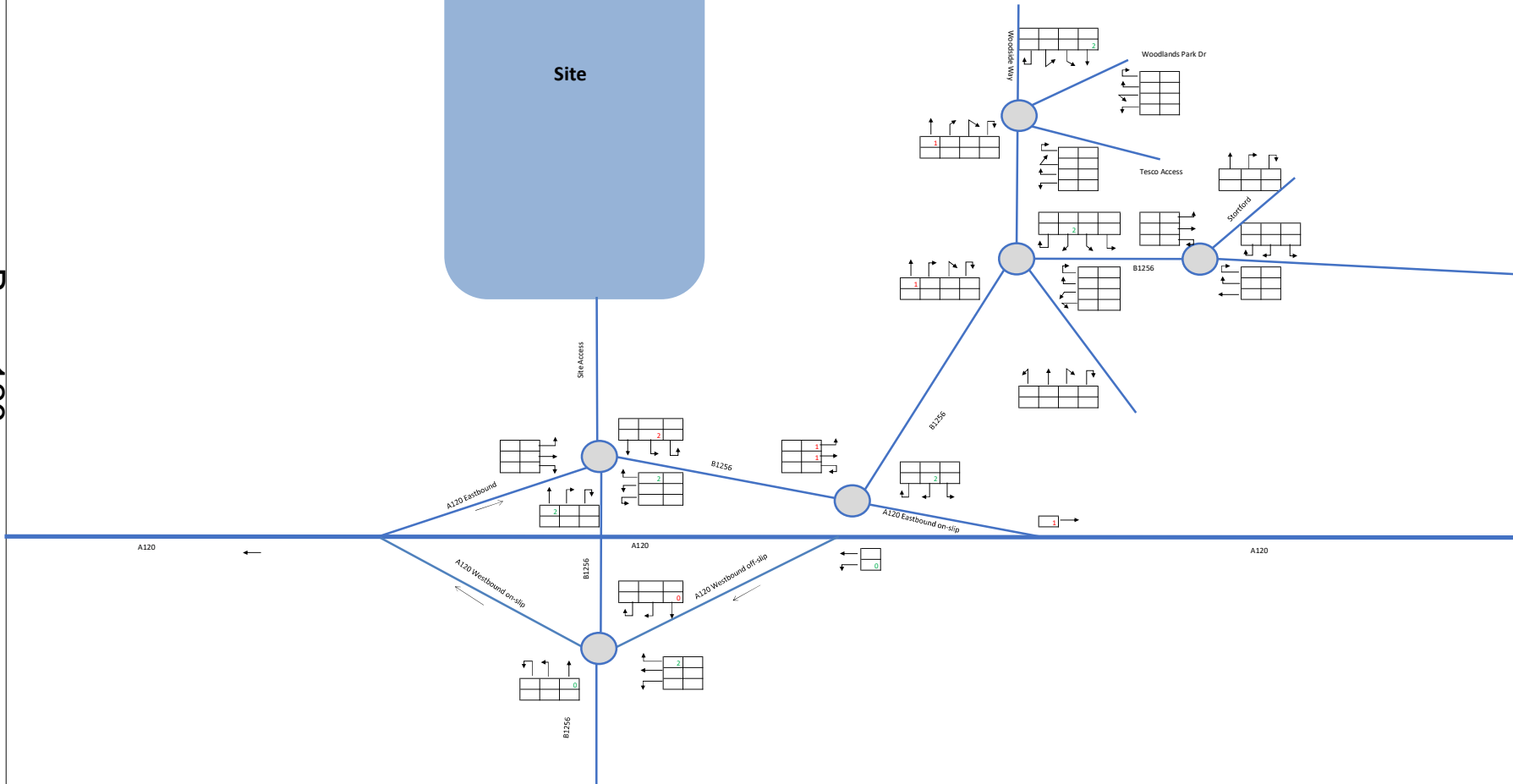
Traffic Flow Diagram 41 - Residential-Secondary Education (Helena Romanes) PM Trips



| | |
|------------|----|
| Trips | |
| Arrivals | 4 |
| Departures | 16 |

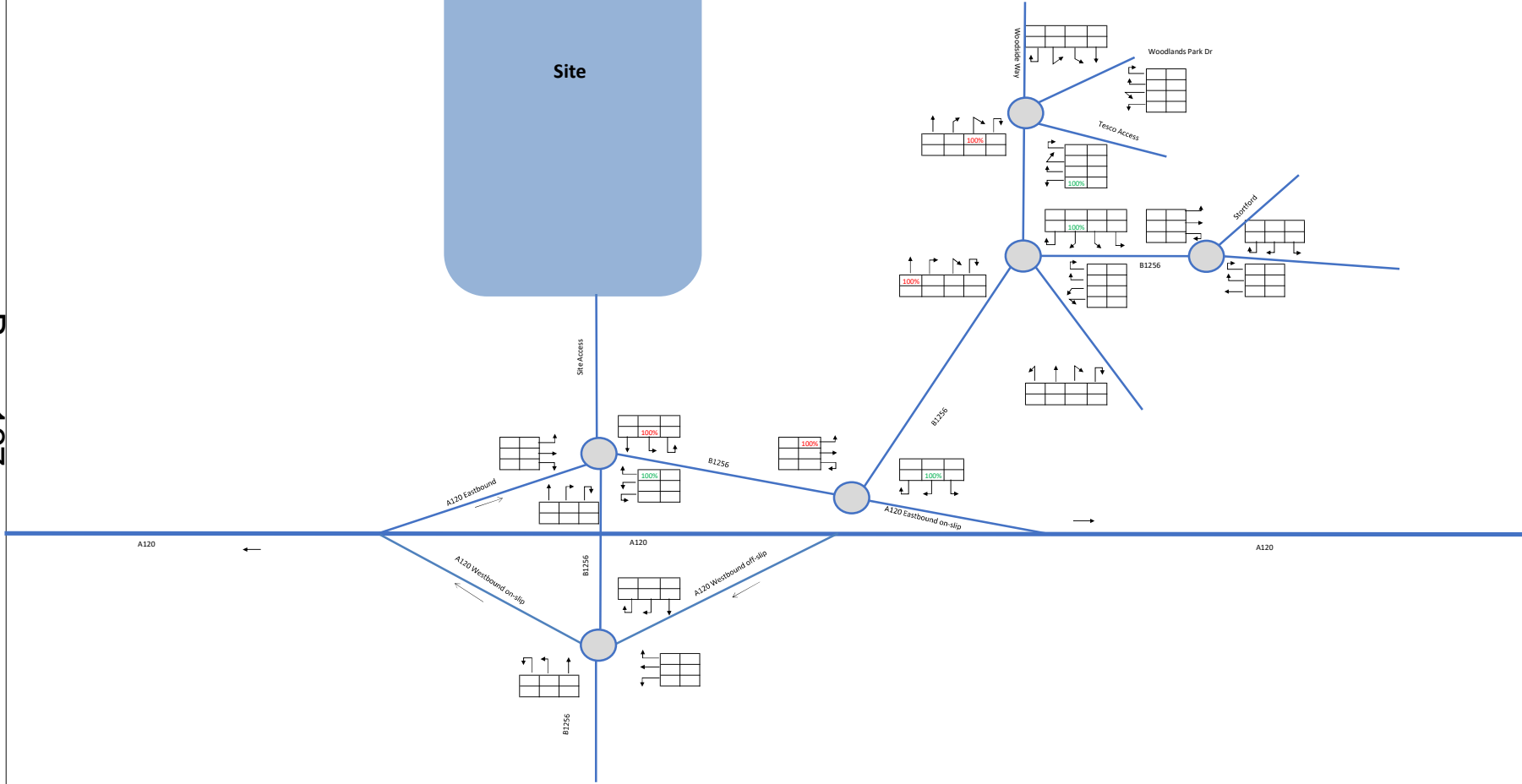
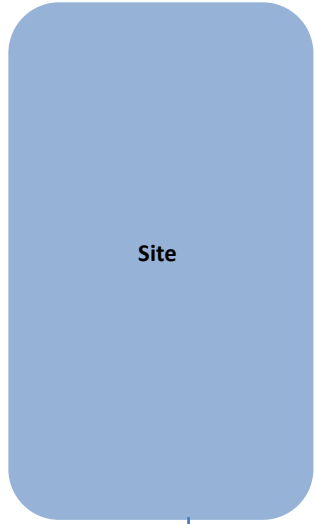


| | |
|--------------|---|
| Trips | |
| Arrivals | 3 |
| Departures | 2 |



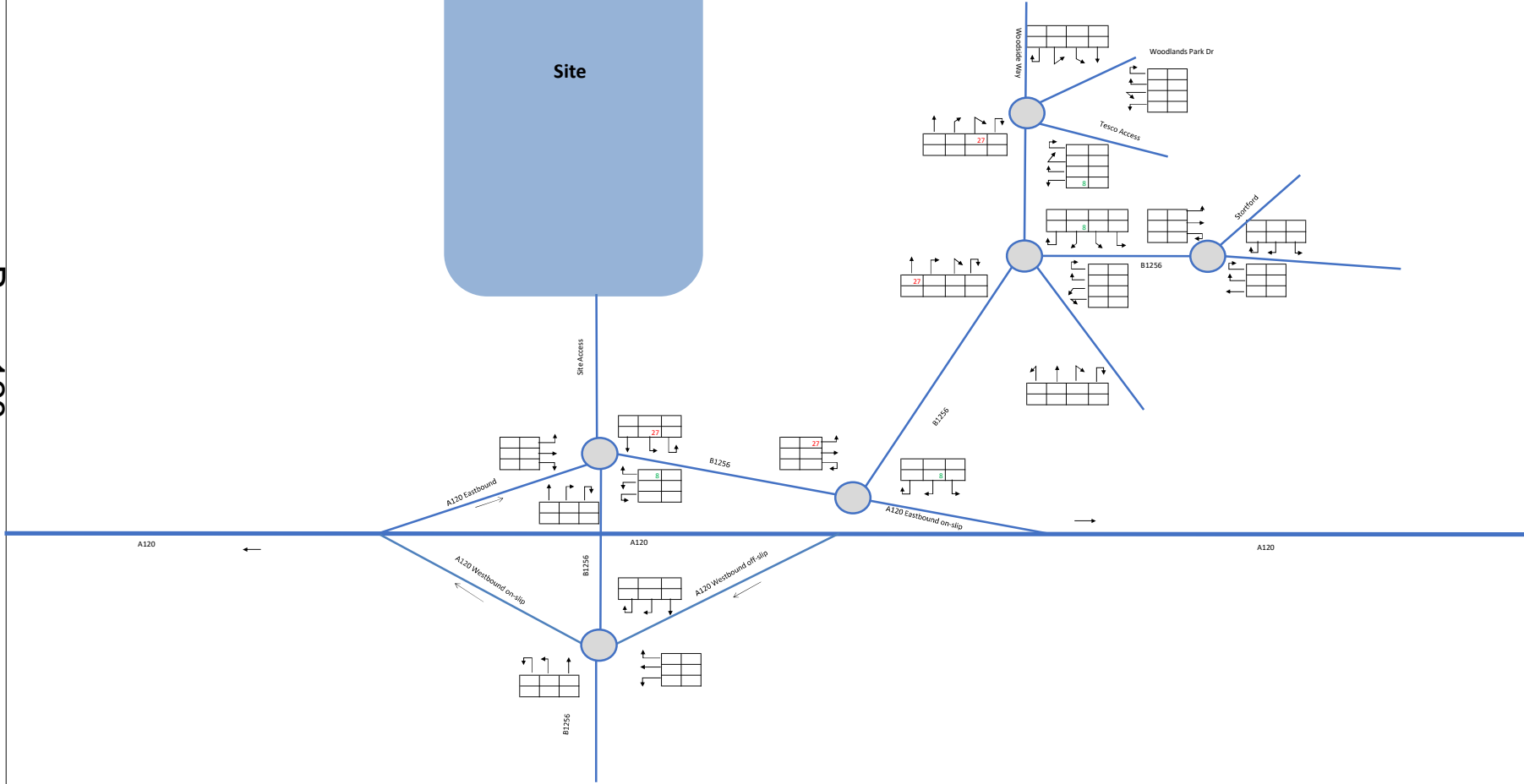
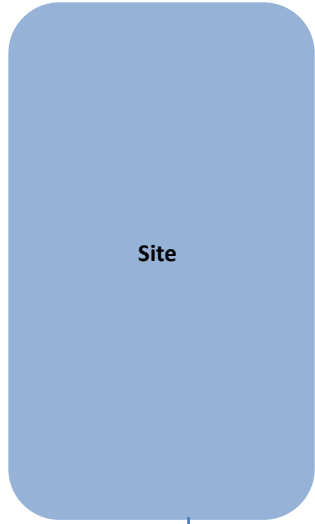
| | | |
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| LandSec | | Land East of Highwood Quarry |
| DSS | MDC | Mar-21 |

Traffic Flow Diagram 44 - Residential-Secondary Education (Other Schools) PM Trips



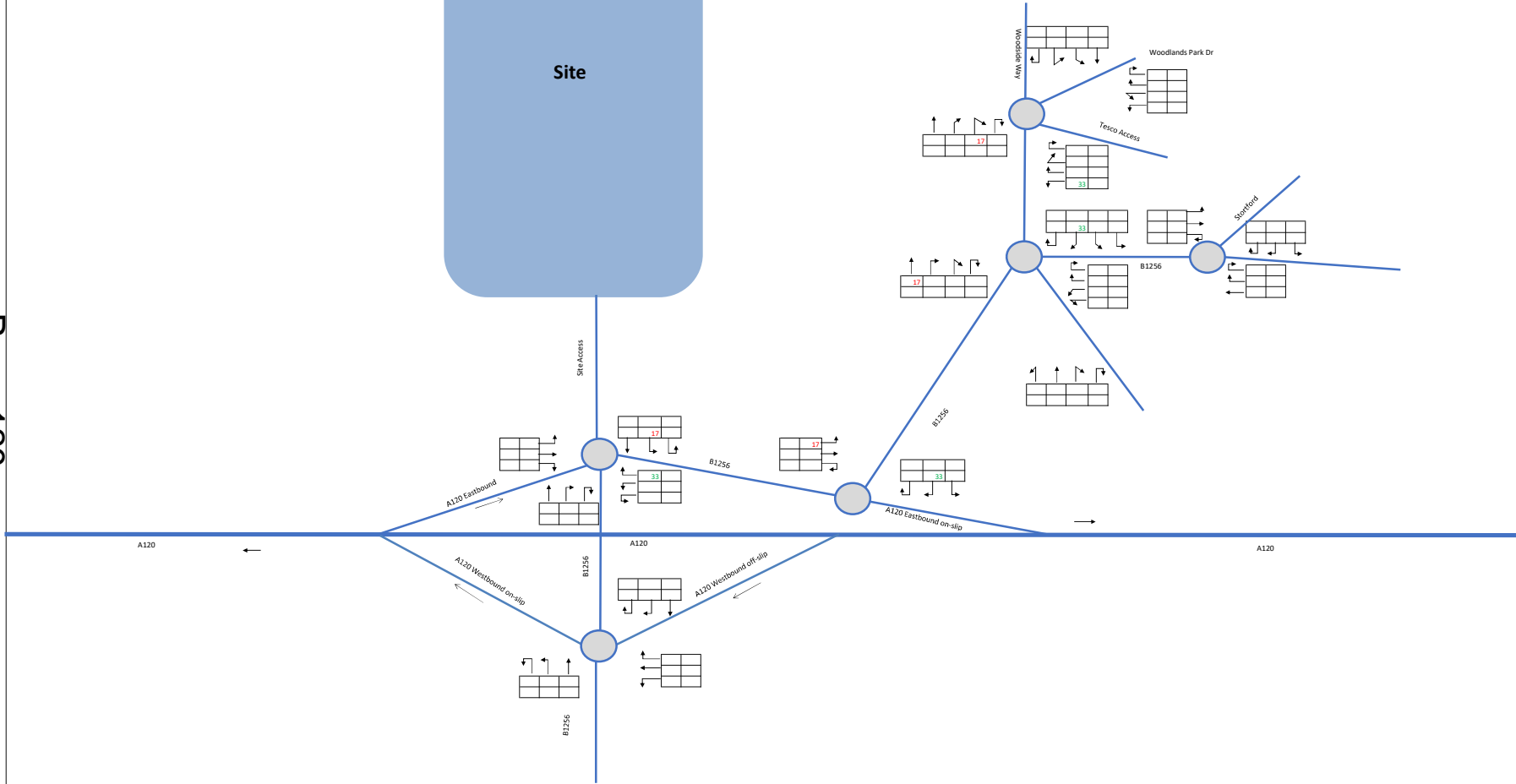
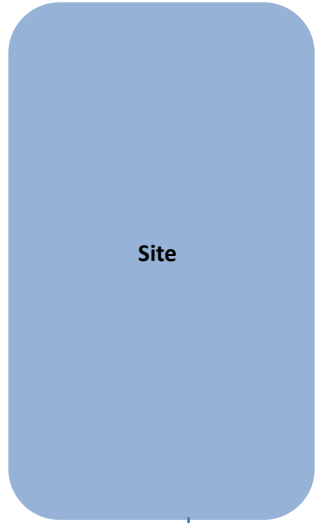
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 45 - Residential-Food Retail Journey Purpose Distribution |
| | DSS | MDC | Mar-21 | |

| | |
|------------|----|
| Trips | |
| Arrivals | 8 |
| Departures | 27 |



| | | | | |
|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 46 - Residential-Food Retail AM Trips |
| | DSS | MDC | Mar-21 | |

| | |
|--------------|----|
| Trips | |
| Arrivals | 33 |
| Departures | 17 |



LandSec
DSS

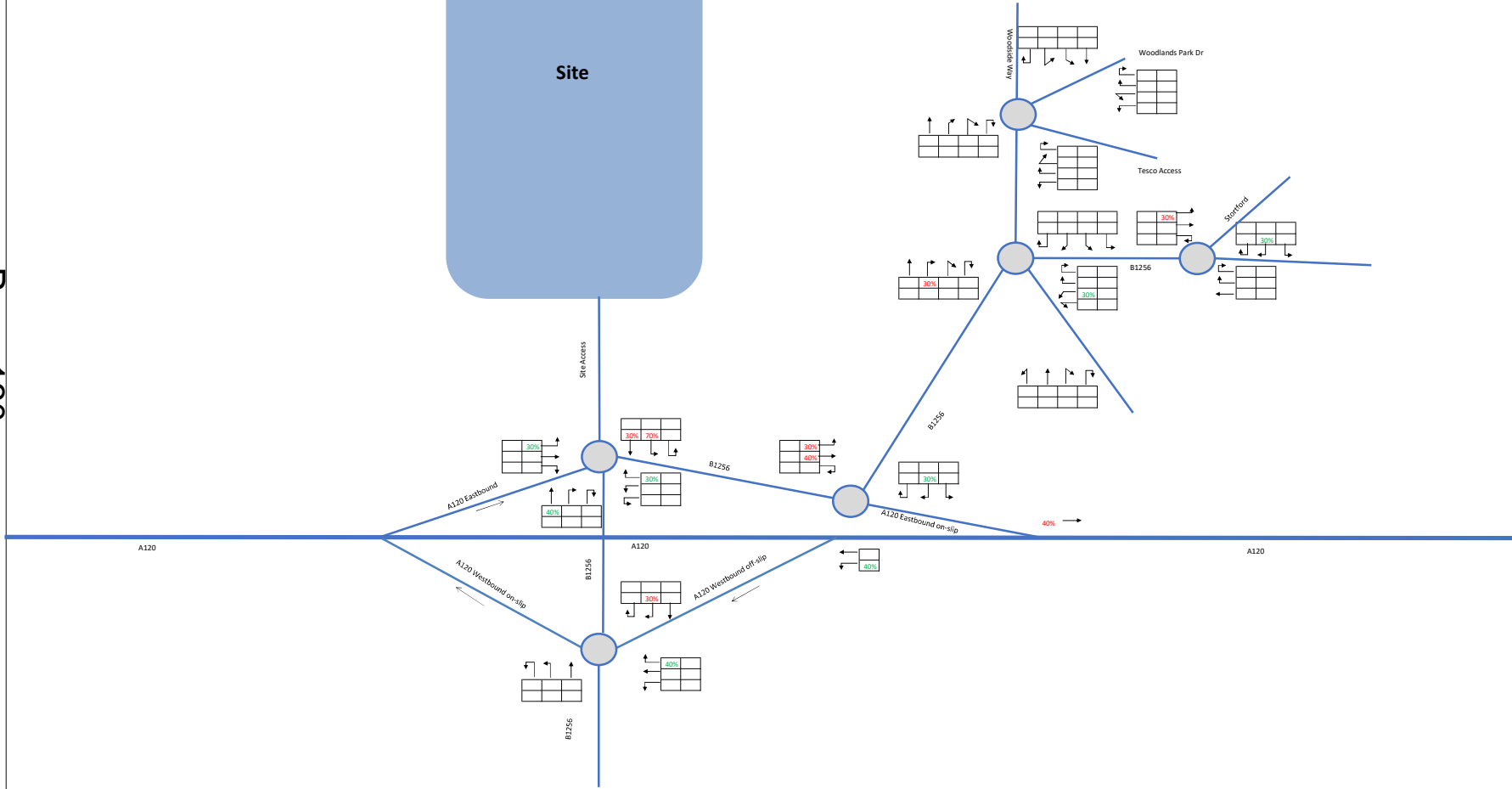
MDC

Land East of Highwood Quarry
Mar-21

Traffic Flow Diagram 47 - Residential-Food Retail PM Trips

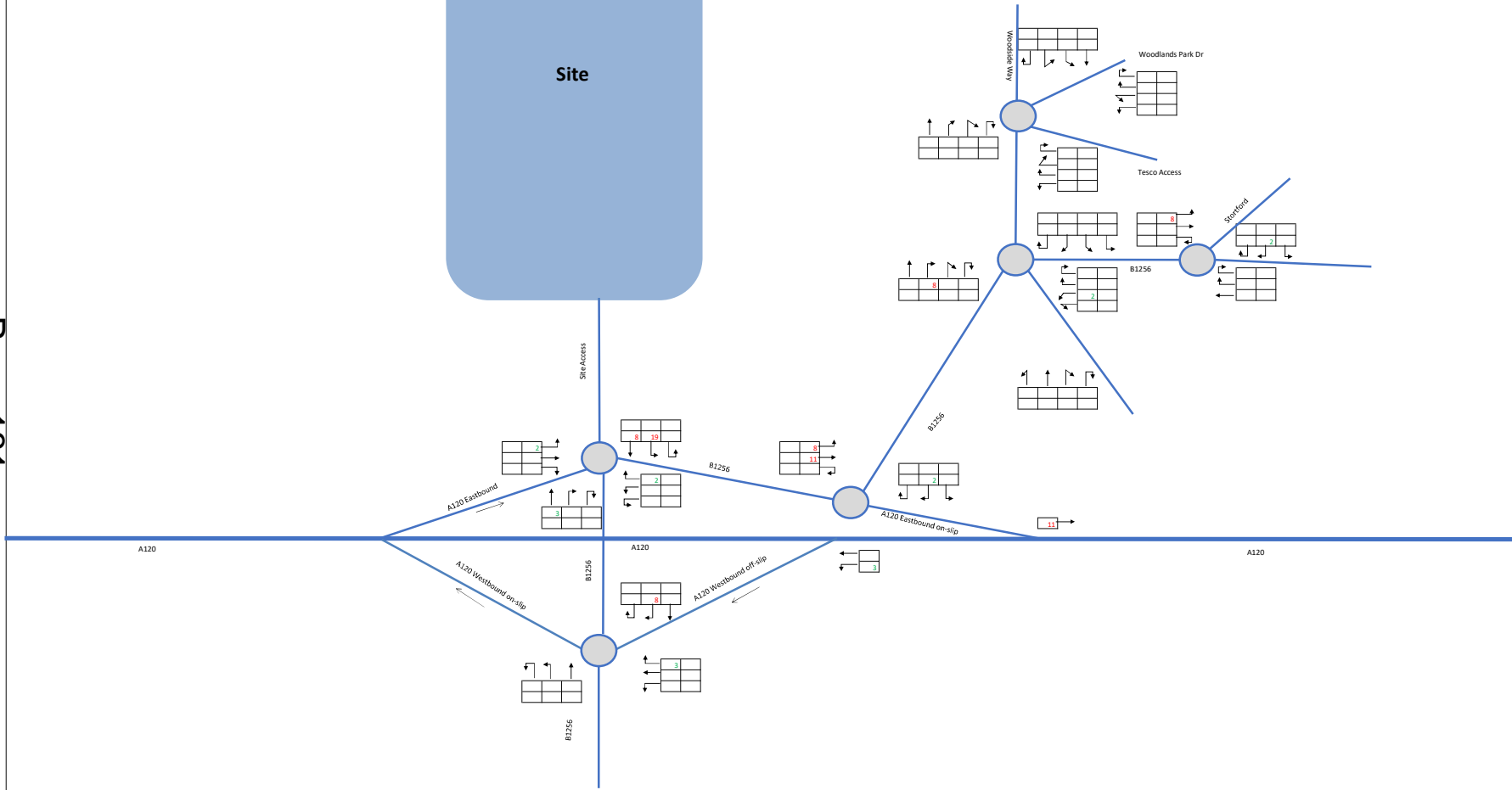
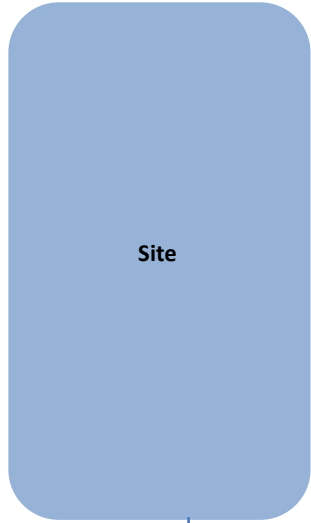


Site



| | | | | |
|----------------|---------|-----|------------------------------|---|
| vectos. | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 48 - Residential-Non-Food Retail Journey Purpose Distribution |
| | DSS | MDC | Mar-21 | |

| | |
|--------------|----|
| Trips | |
| Arrivals | 8 |
| Departures | 22 |



vectos.

LandSec

Land East of Highwood Quarry

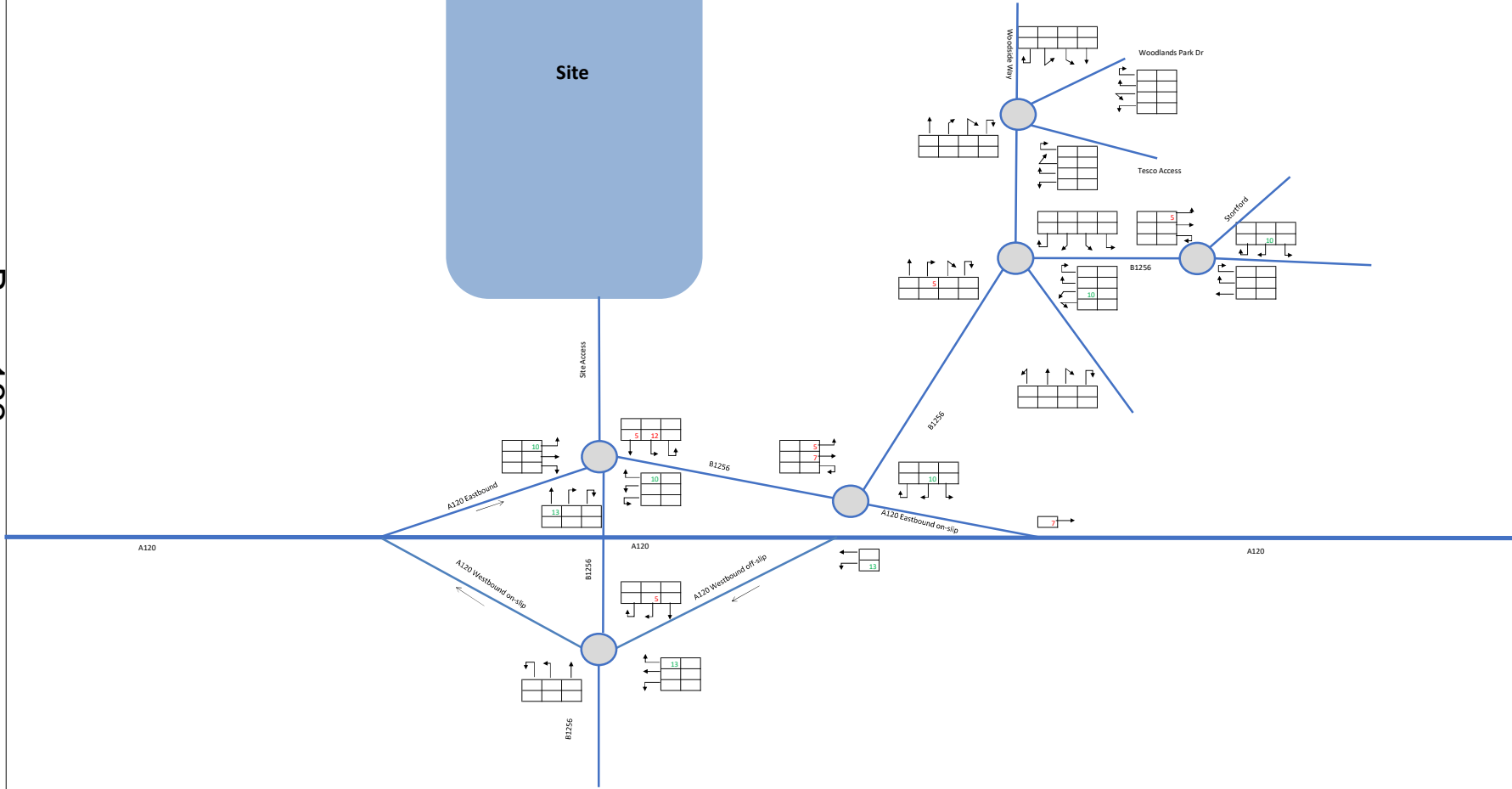
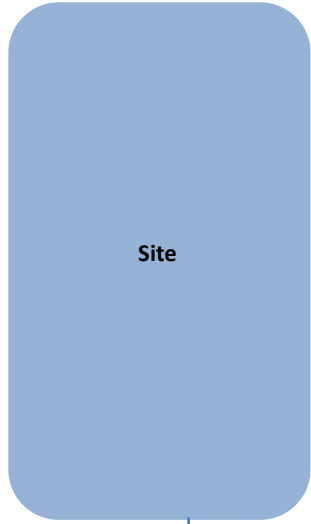
DSS

MDC

Mar-21

Traffic Flow Diagram 49 - Residential-Non-Food Retail AM Trips

| | |
|------------|----|
| Trips | |
| Arrivals | 33 |
| Departures | 12 |



LandSec

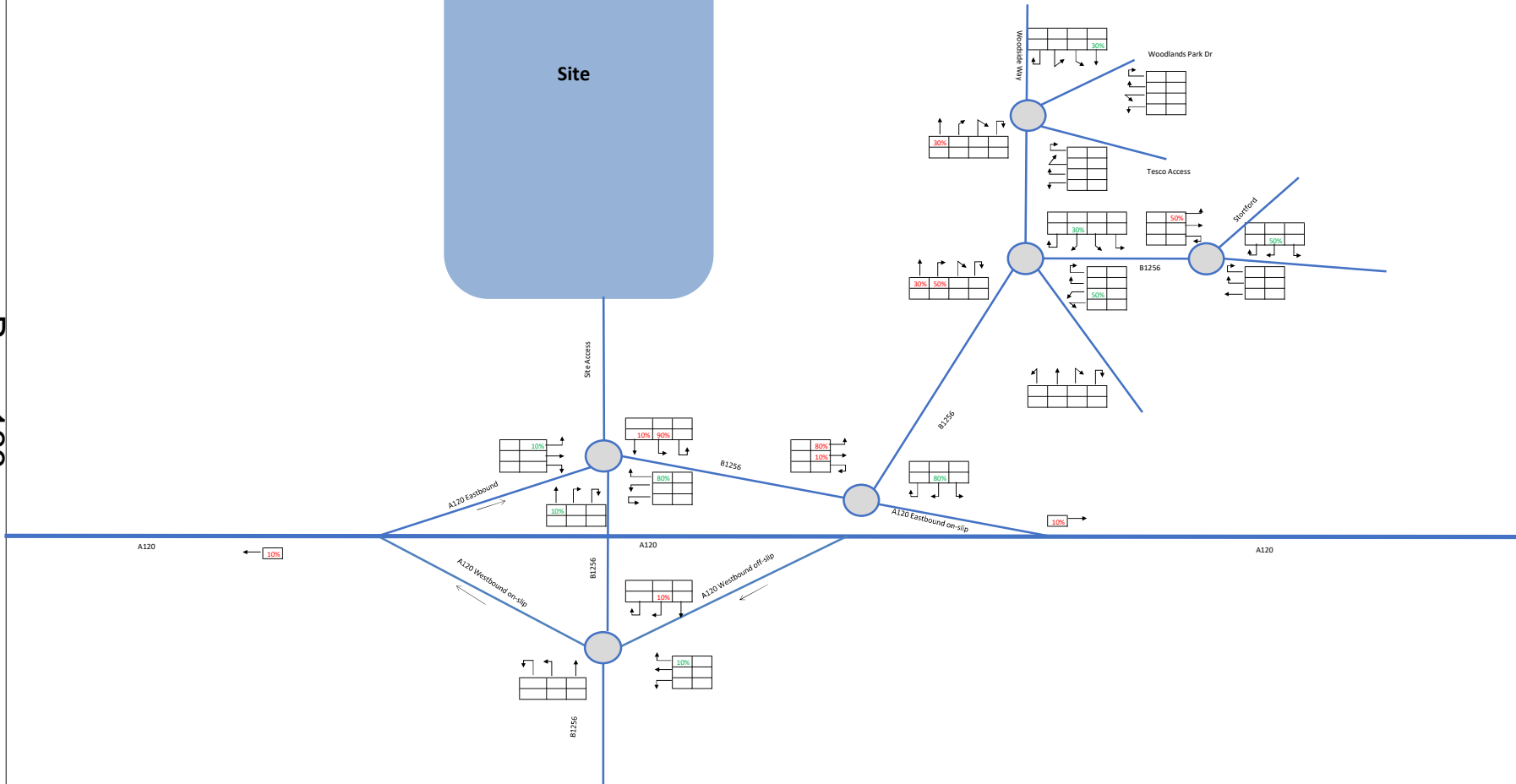
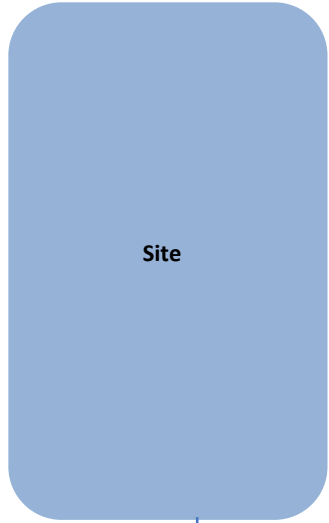
Land East of Highwood Quarry

DSS

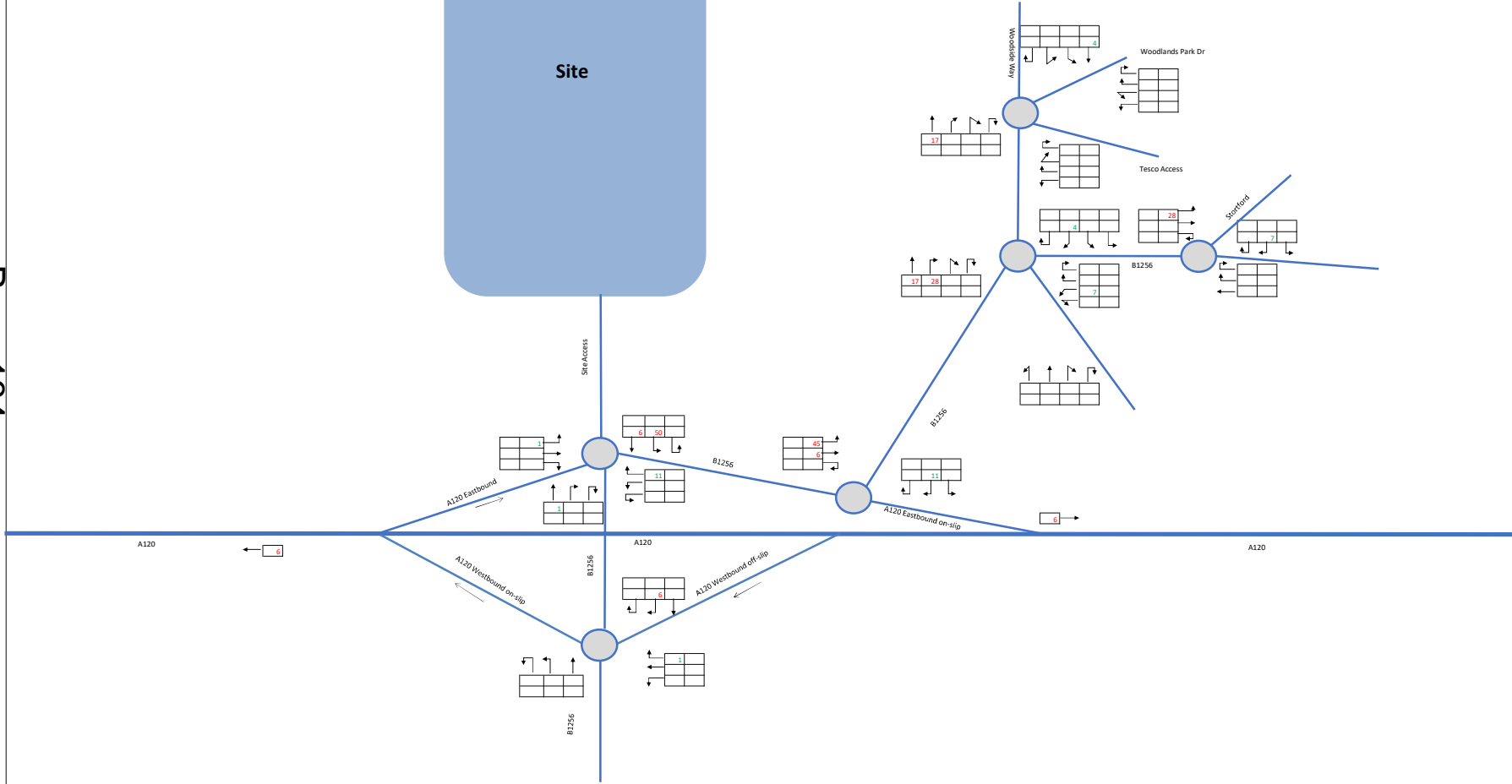
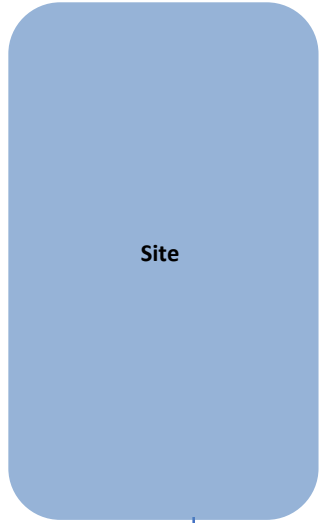
MDC

Mar-21

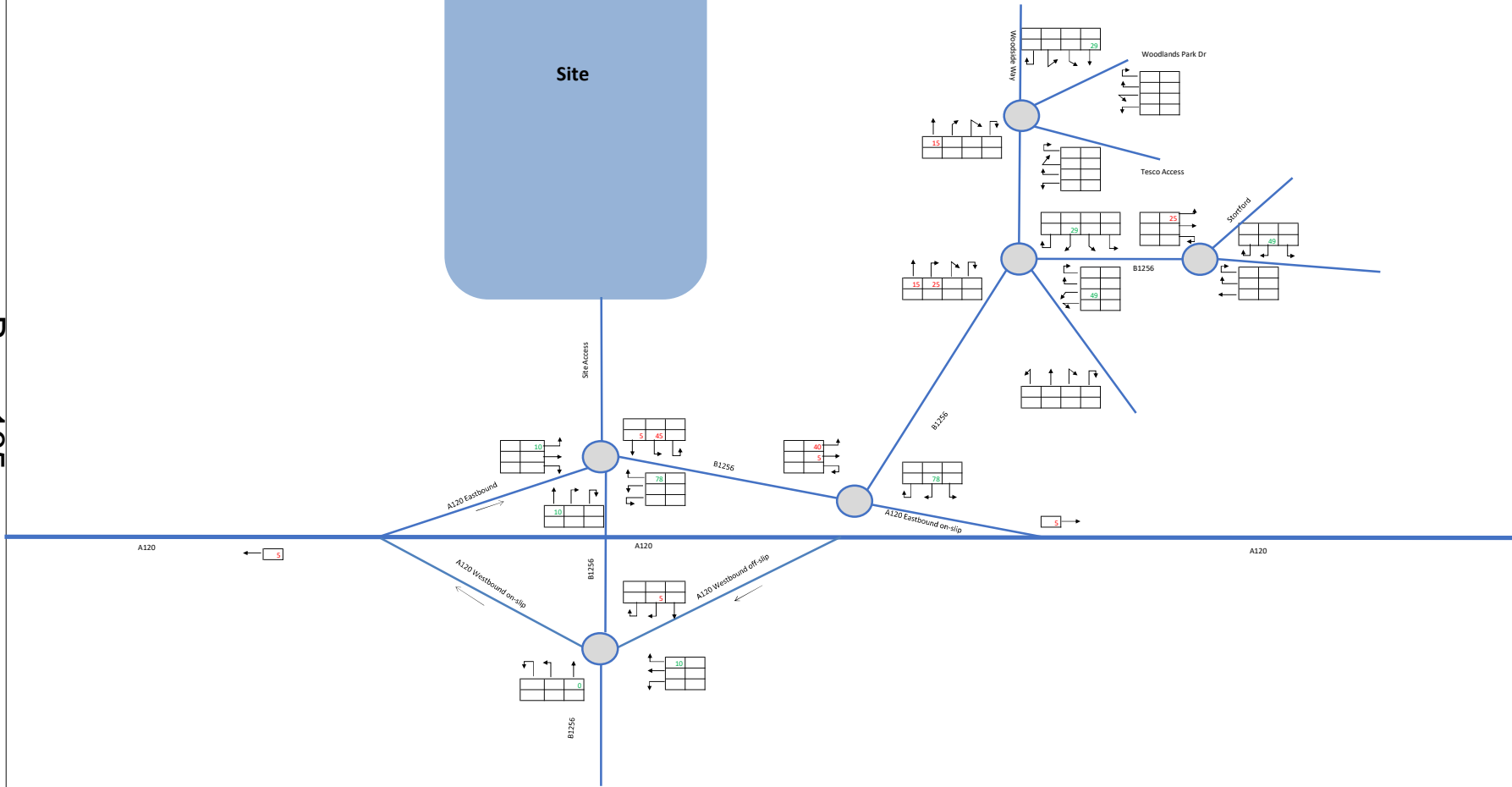
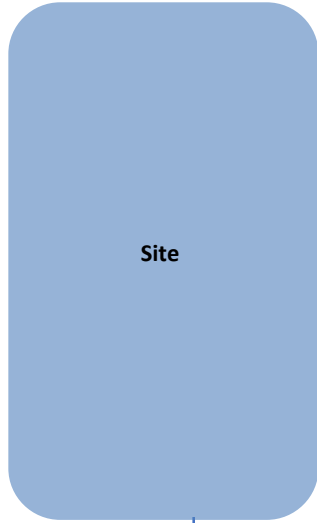
Traffic Flow Diagram 50 - Residential-Non-Food Retail PM Trips

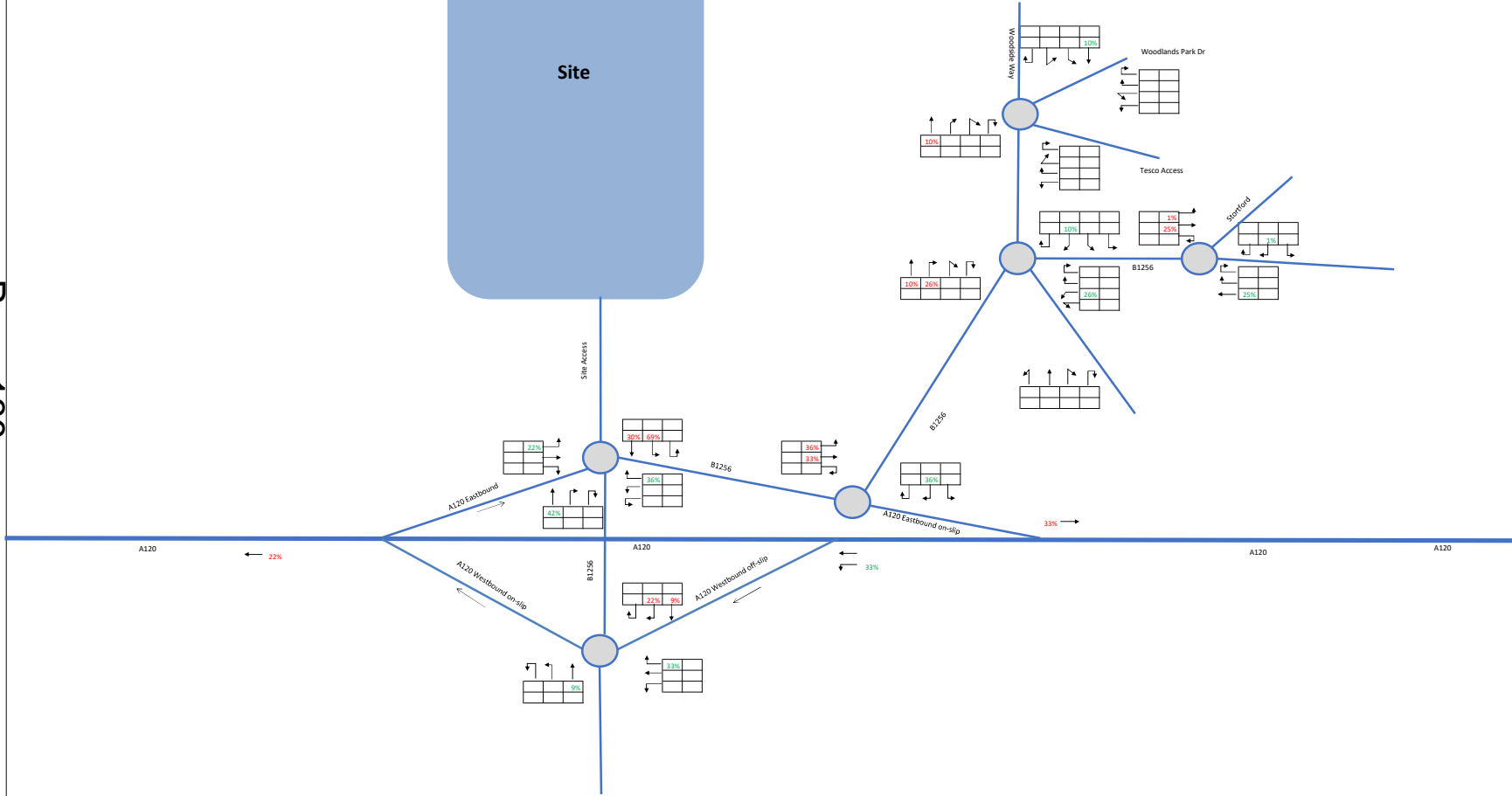
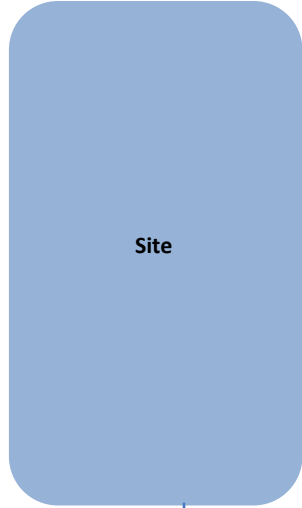


| | |
|--------------|----|
| Trips | |
| Arrivals | 14 |
| Departures | 56 |

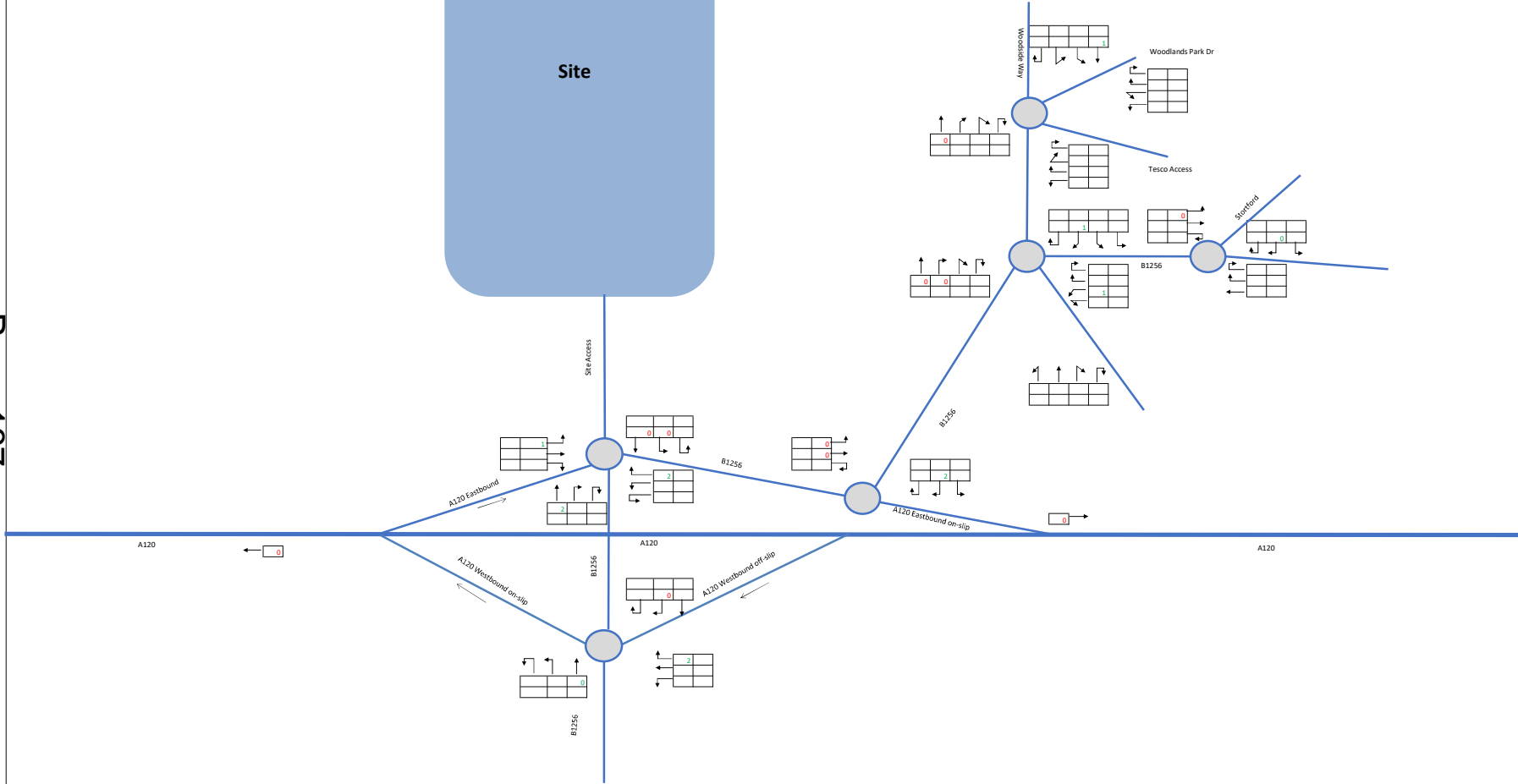
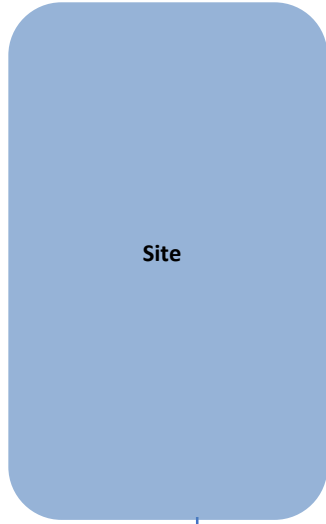


| | |
|------------|----|
| Trips | |
| Arrivals | 97 |
| Departures | 50 |





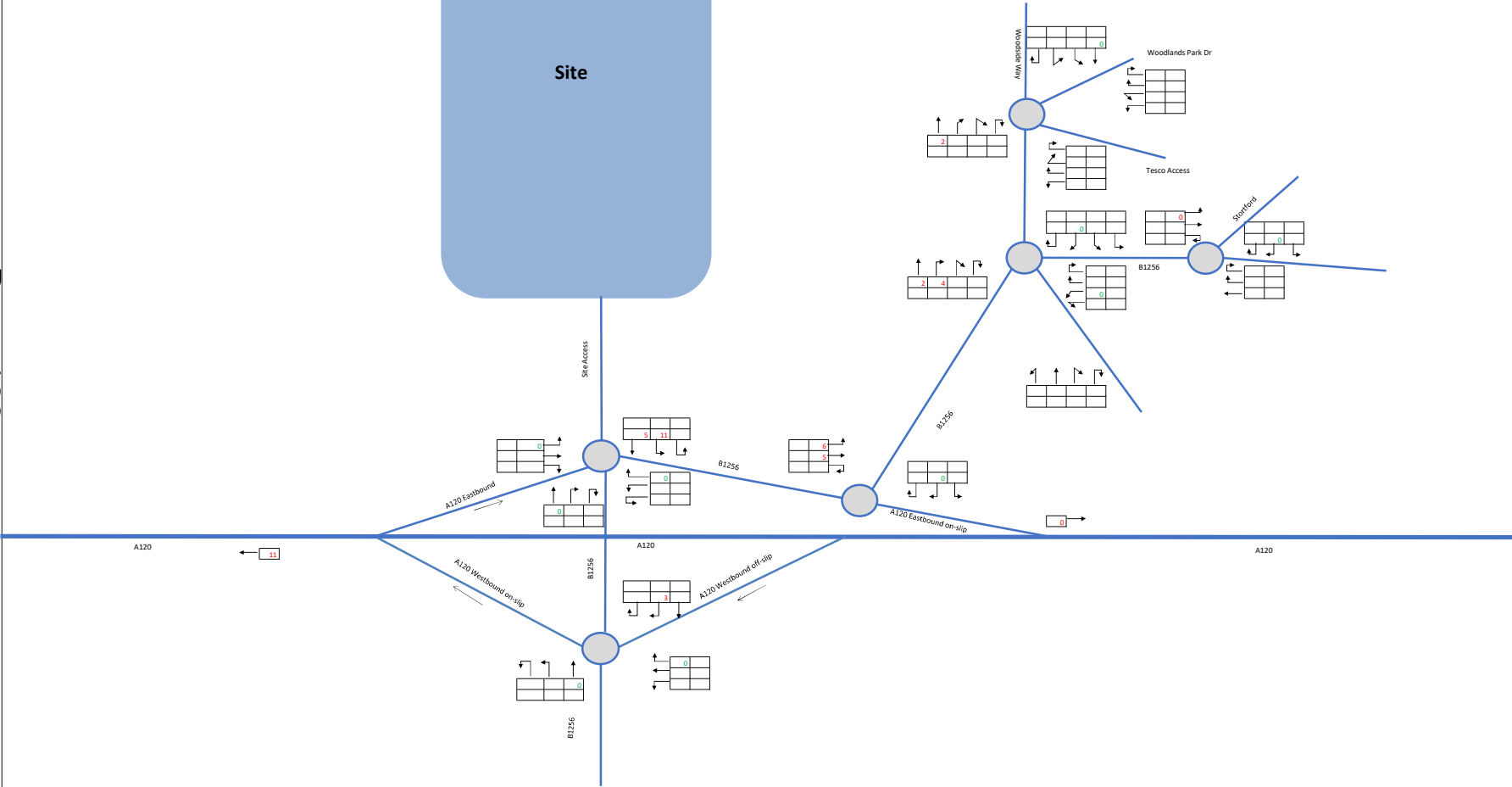
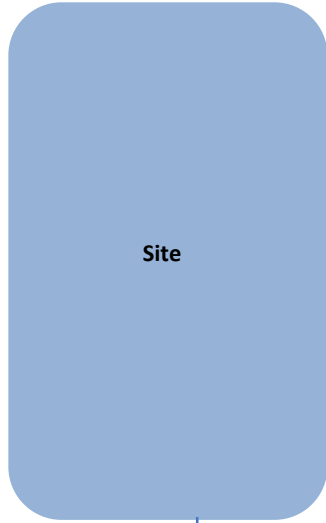
| | |
|--------------|---|
| Trips | |
| Arrivals | 5 |
| Departures | 0 |



| | | | |
|---------|-----|------------------------------|--|
| LandSec | | Land East of Highwood Quarry | |
| DSS | MDC | Mar-21 | |

Traffic Flow Diagram 55 - Primary School Staff AM Trips

| | |
|--------------|----|
| Trips | |
| Arrivals | 0 |
| Departures | 16 |



vectos.

LandSec

Land East of Highwood Quarry

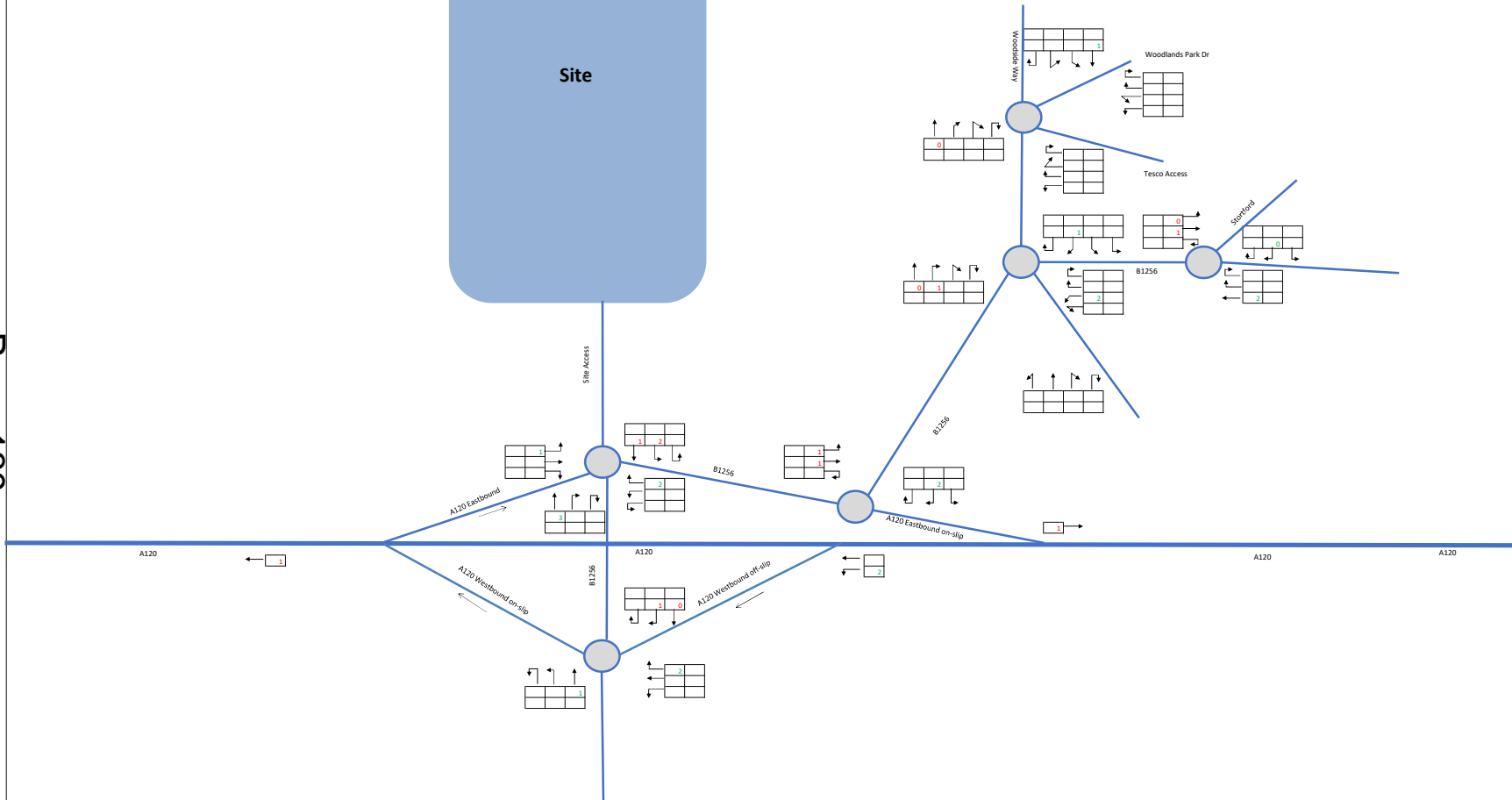
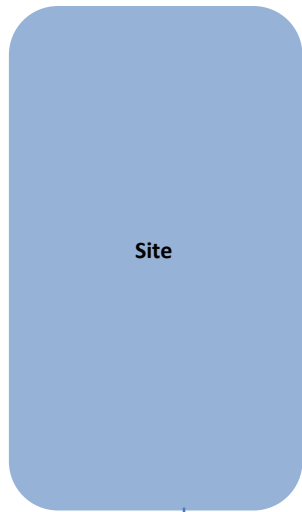
Traffic Flow Diagram 56 - Primary School Staff PM Trips

DSS

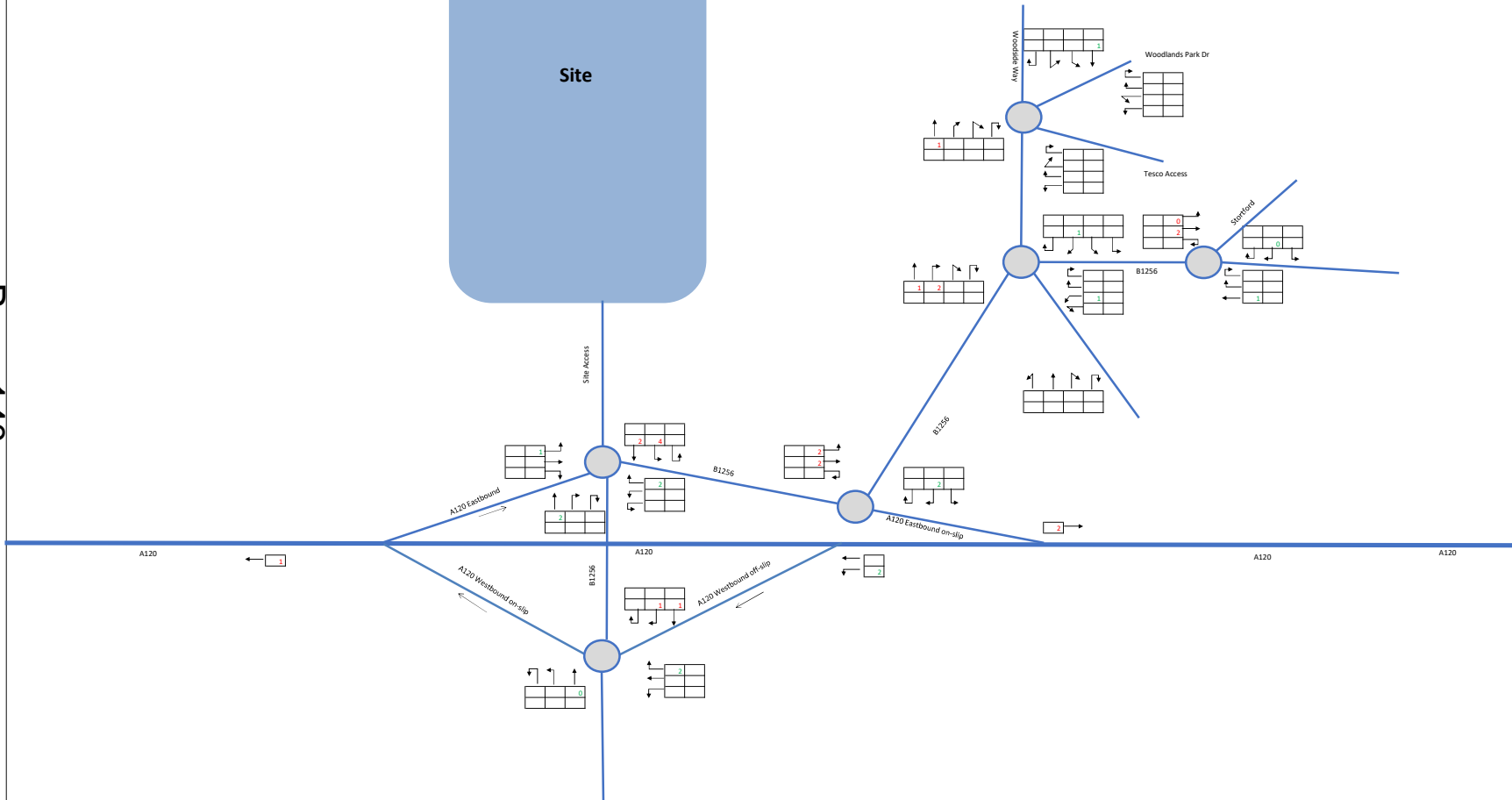
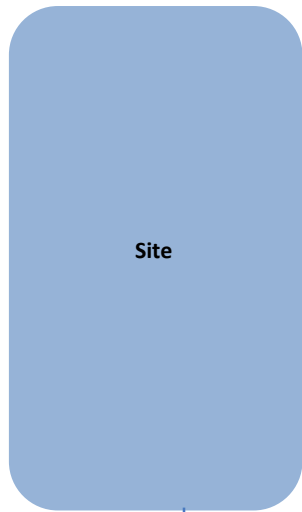
MDC

Mar-21

| | |
|------------|---|
| Trips | |
| Arrivals | 6 |
| Departures | 3 |

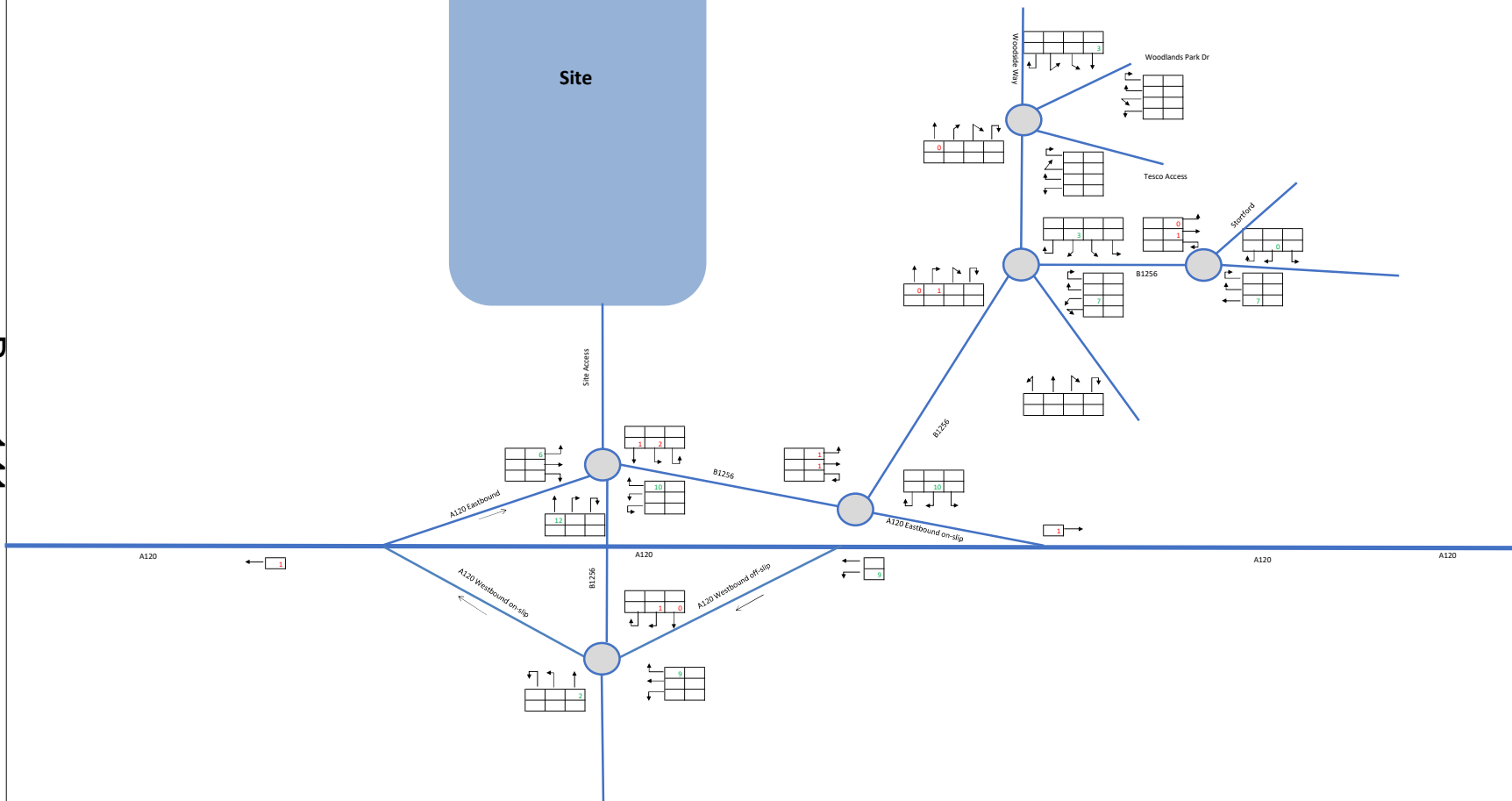
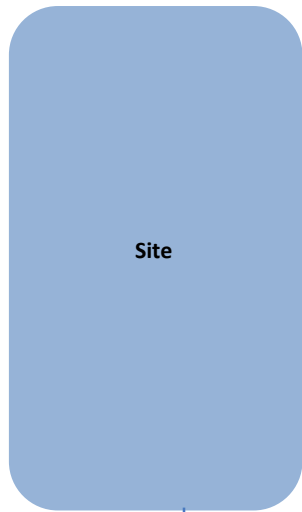


| | |
|------------|---|
| Trips | |
| Arrivals | 6 |
| Departures | 6 |



| | | | |
|---------|-----|------------------------------|--|
| LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 58 - Care Home PM Trips |
| DSS | MDC | Mar-21 | |

| | |
|------------|----|
| Trips | |
| Arrivals | 28 |
| Departures | 4 |

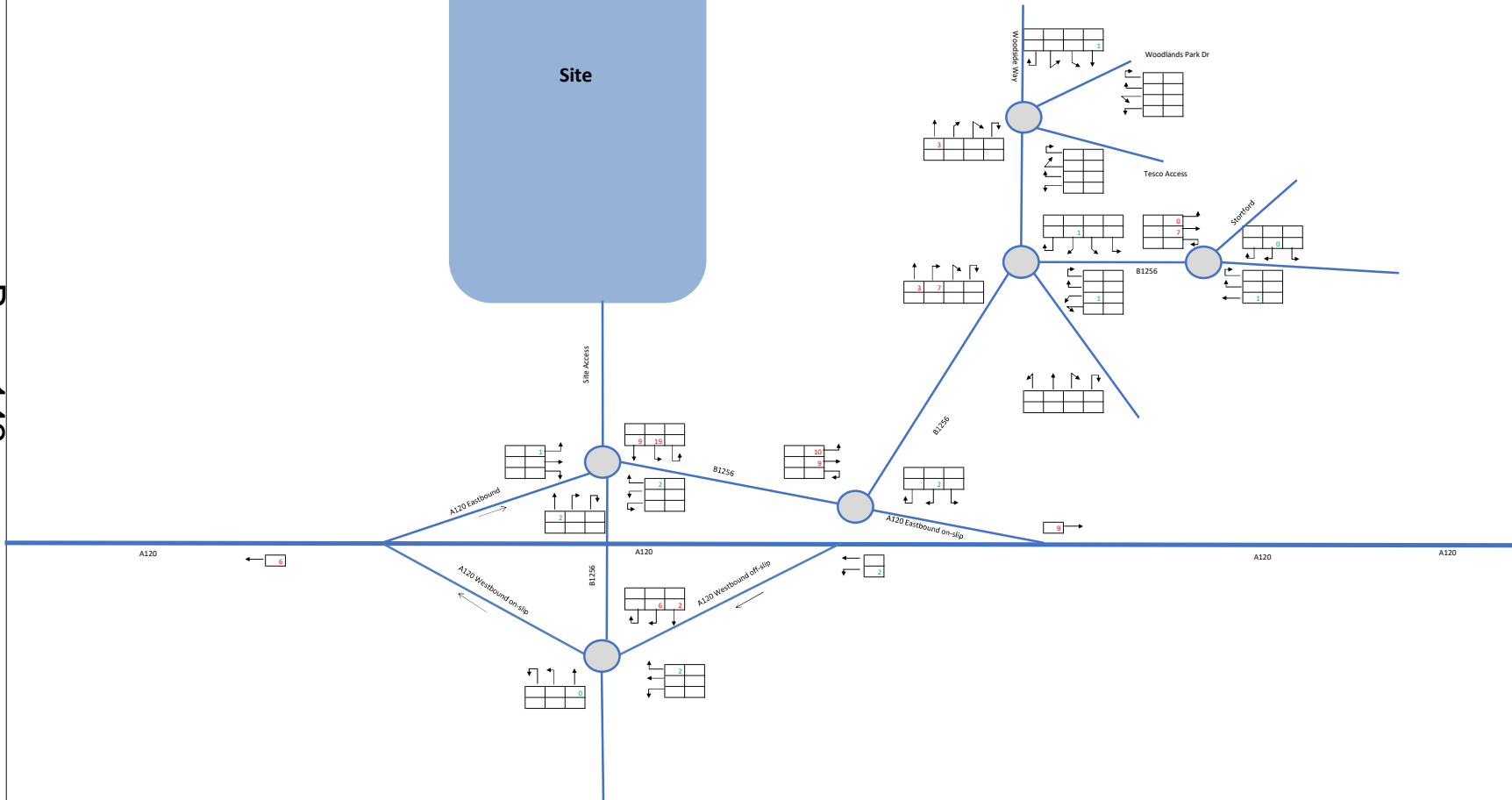
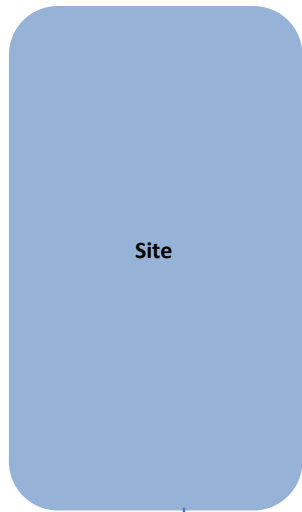


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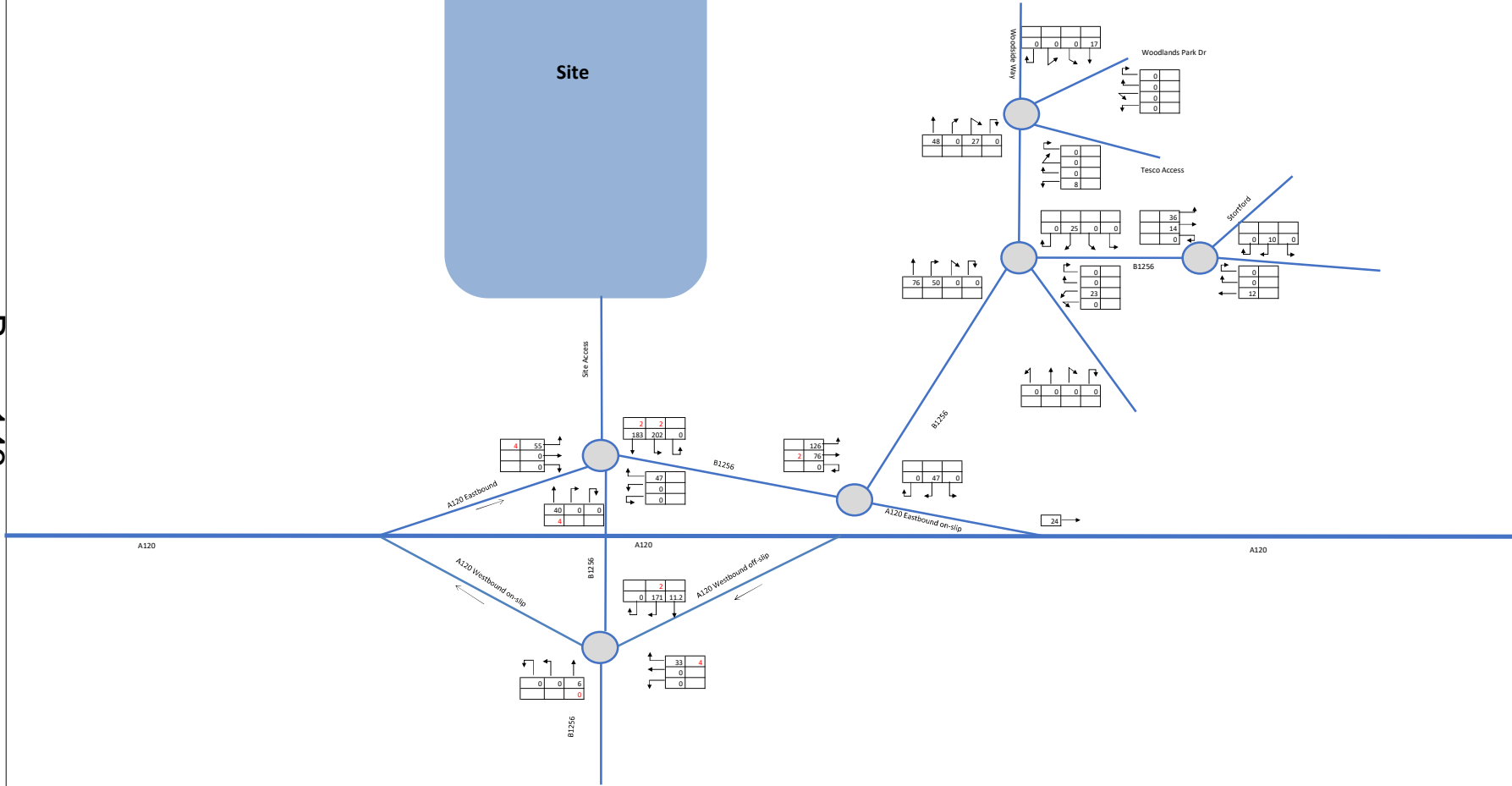
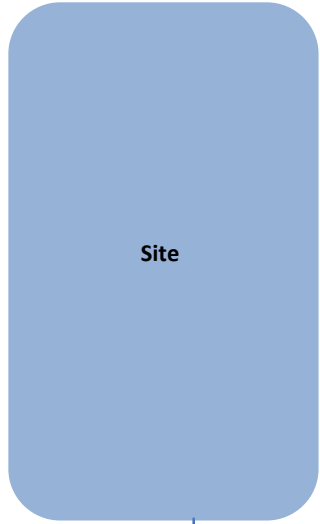


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|---------|-----|------------------------------|---|
| LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 59 - Office AM Trips |
| DSS | MDC | Mar-21 | |

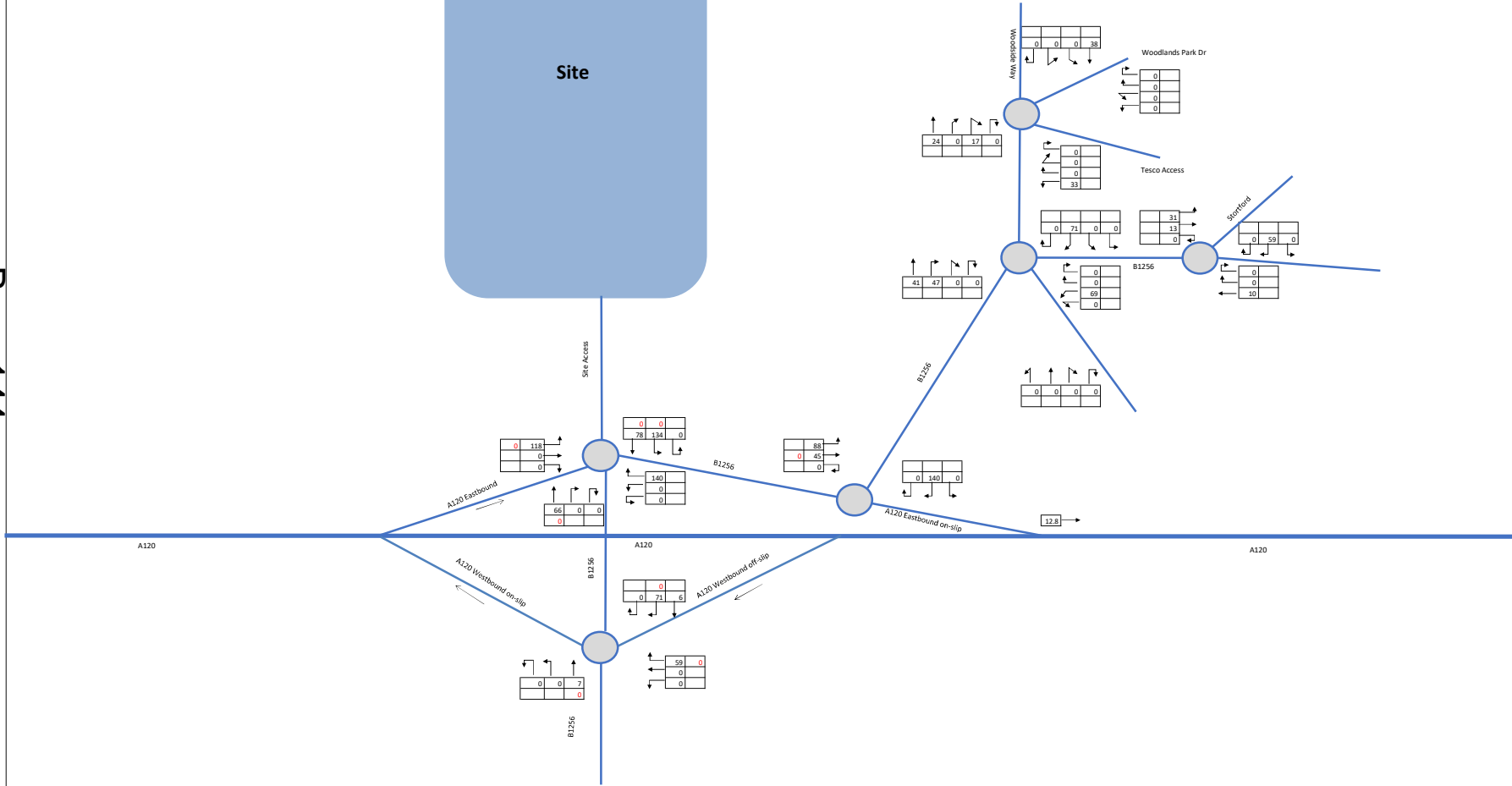
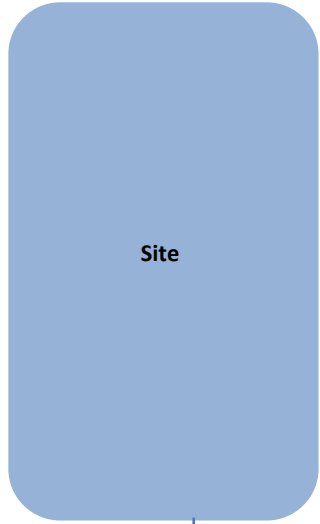
| | |
|--------------|----|
| Trips | |
| Arrivals | 5 |
| Departures | 28 |



| | | | |
|---------|-----|------------------------------|---|
| LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 60 - Office PM Trips |
| DSS | MDC | Mar-21 | |

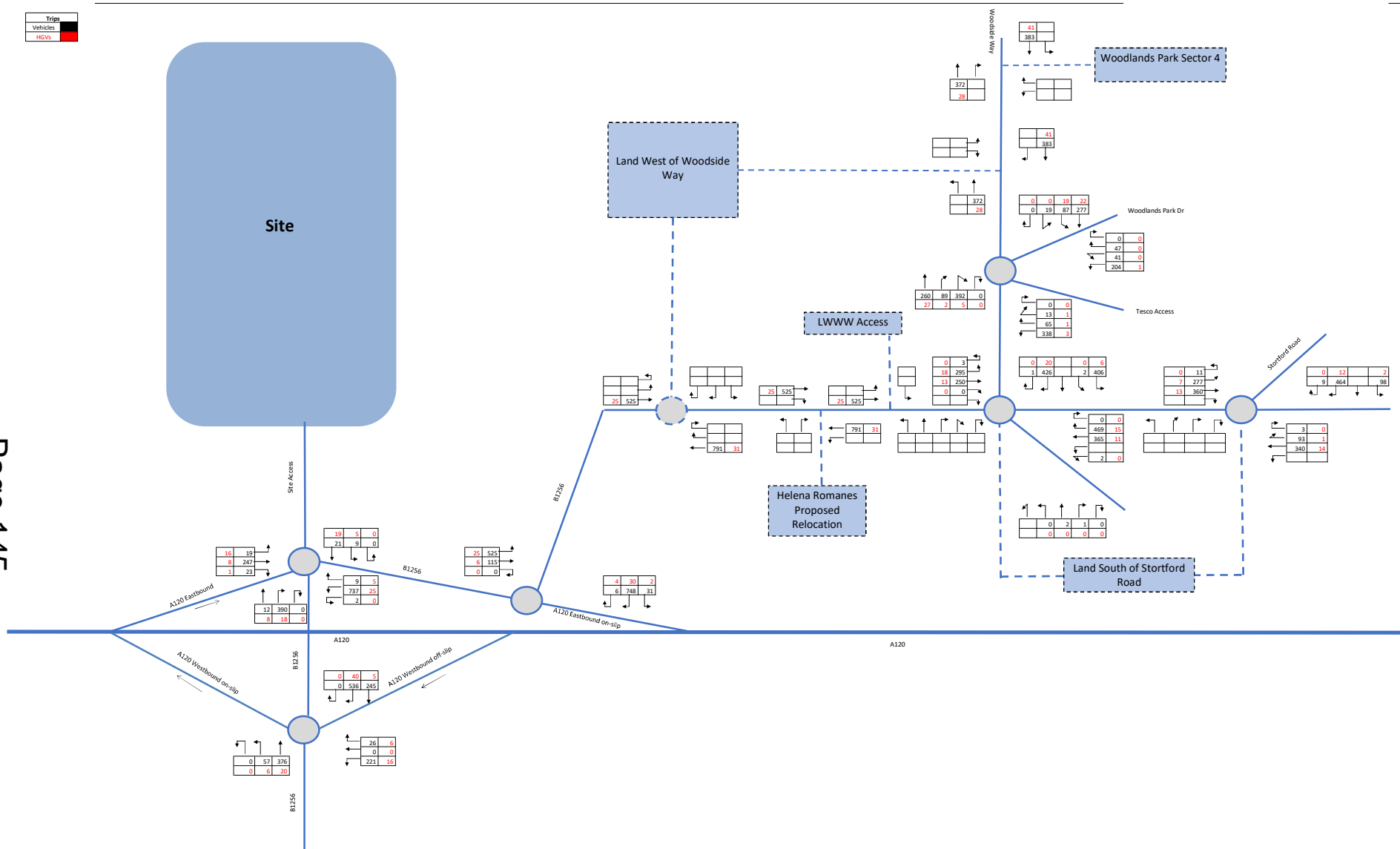


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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 61 - Total AM Development Trips |
| | DSS | MDC | Mar-21 | |



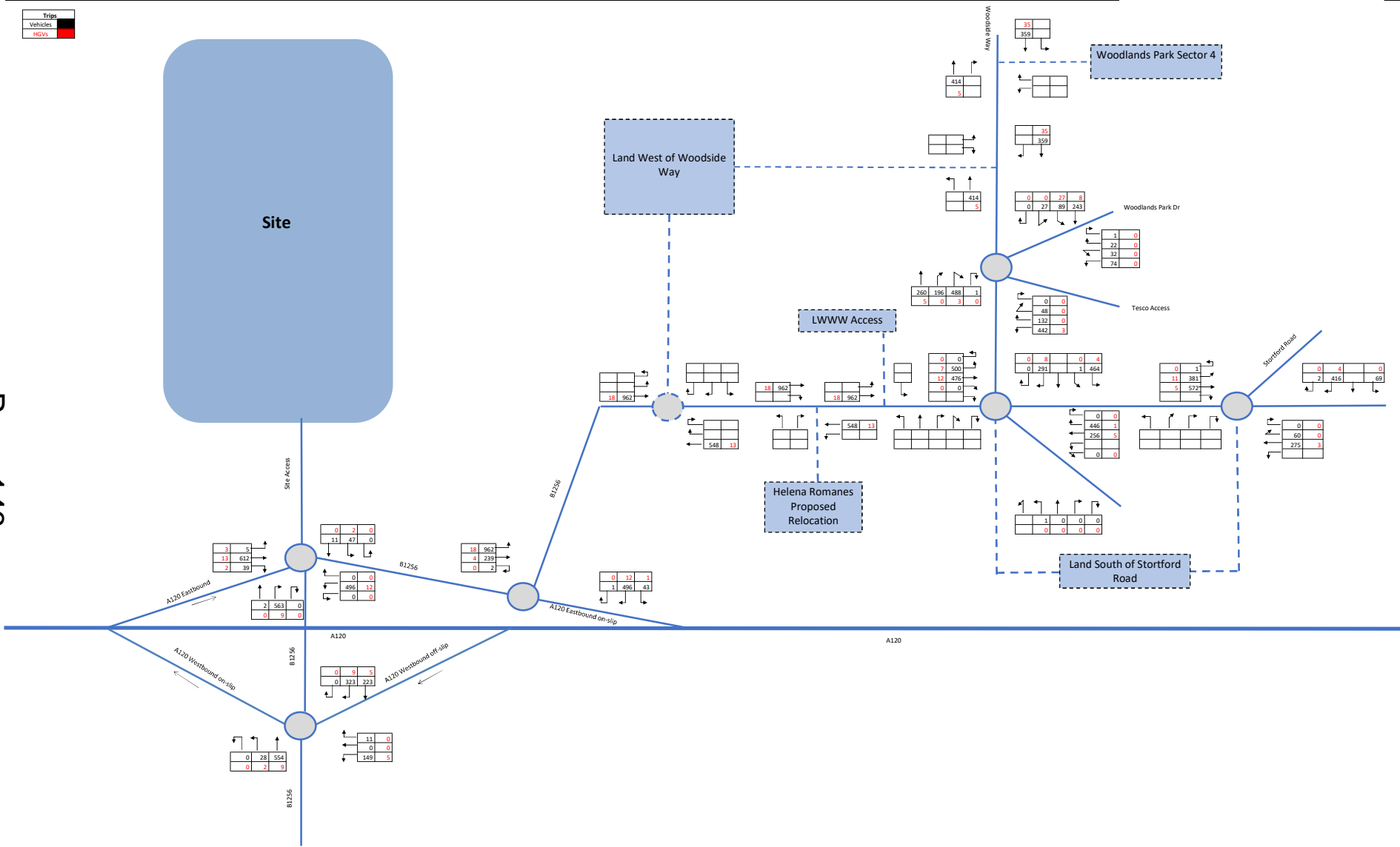
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|-----|---------|--------|------------------------------|--|
| DSS | LandSec | | Land East of Highwood Quarry | Traffic Flow 62 - Total PM Development Trips |
| | MDC | Mar-21 | | |

| | |
|----------|--|
| Trips | |
| Vehicles | |
| HGVs | |

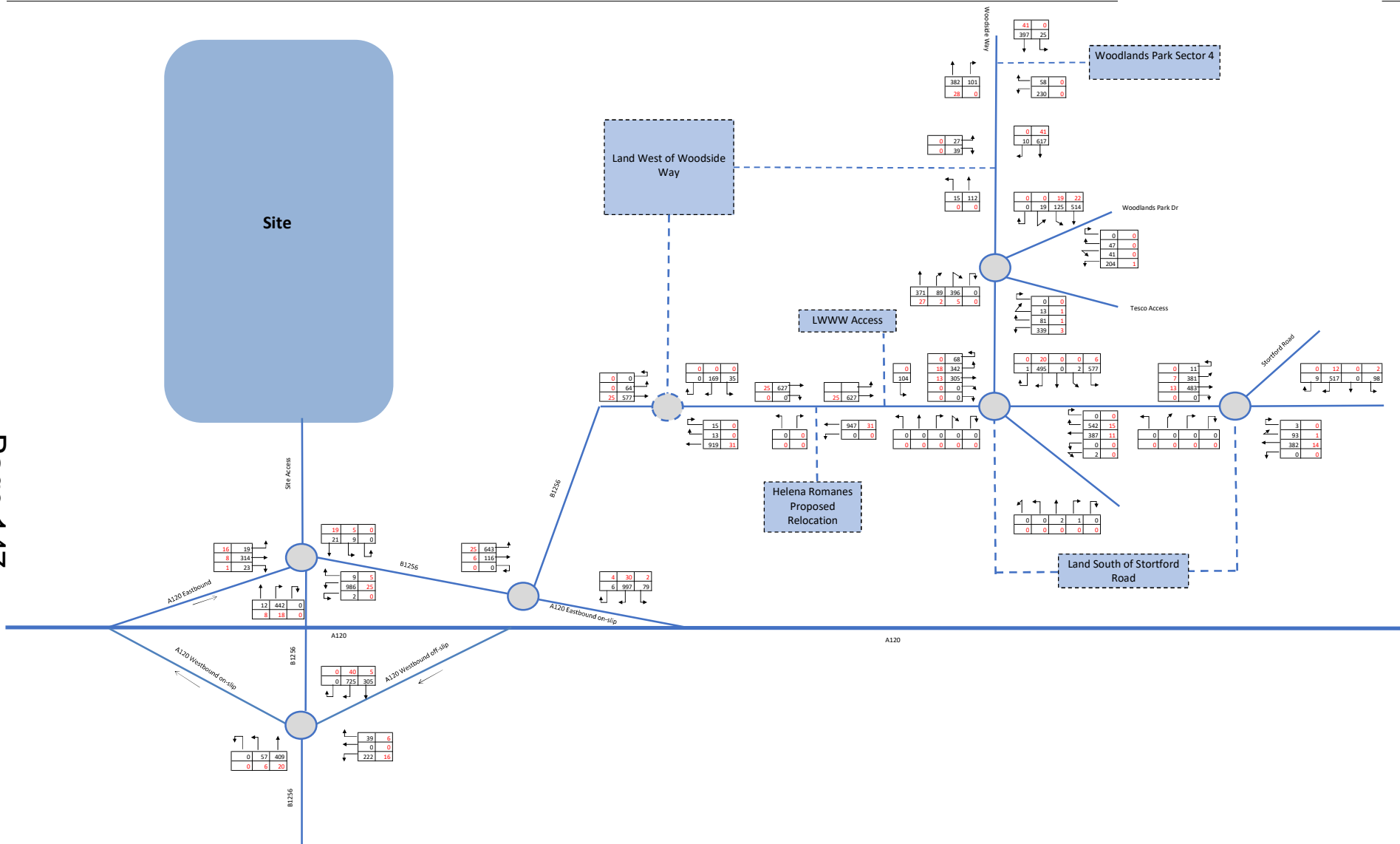


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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 63 - Scenario 1 - Observed Traffic - AM |
| | DSS | MDC | Mar-21 | |

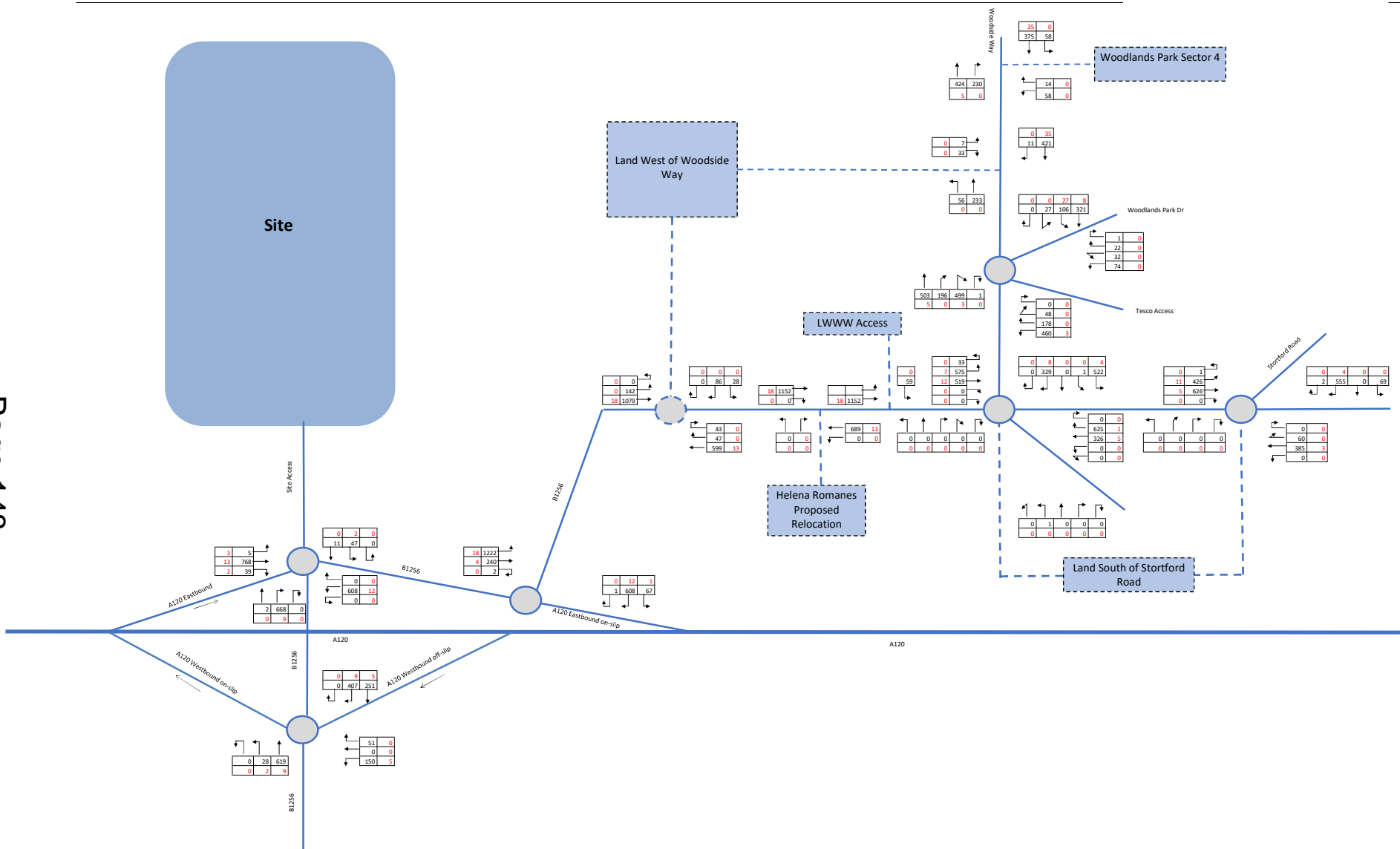
| | |
|----------|--|
| Trips | |
| Vehicles | |
| HGVs | |



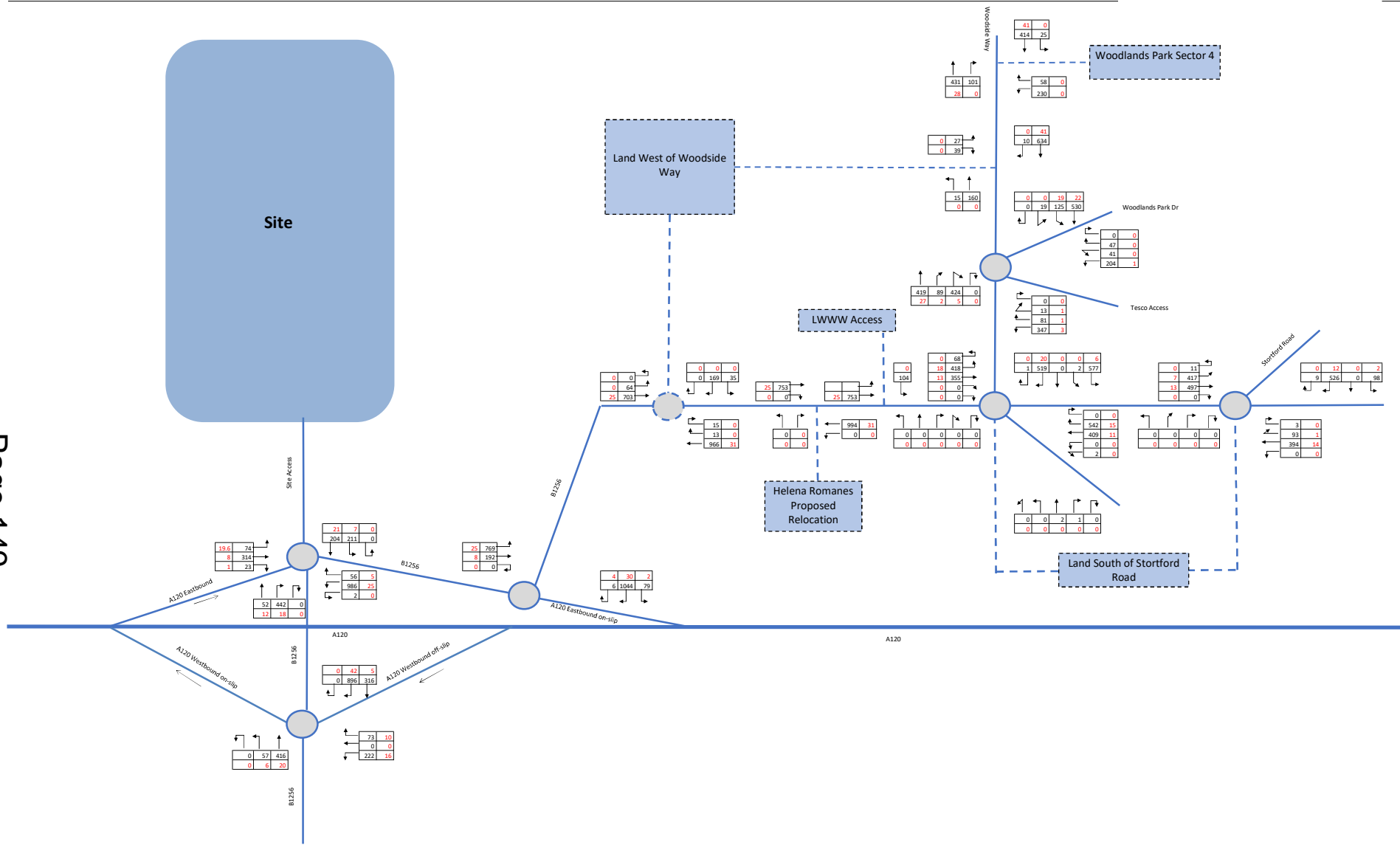
| | | | | |
|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 64 - Scenario 1 - Observed Traffic - PM |
| | DSS | MDC | Mar-21 | |



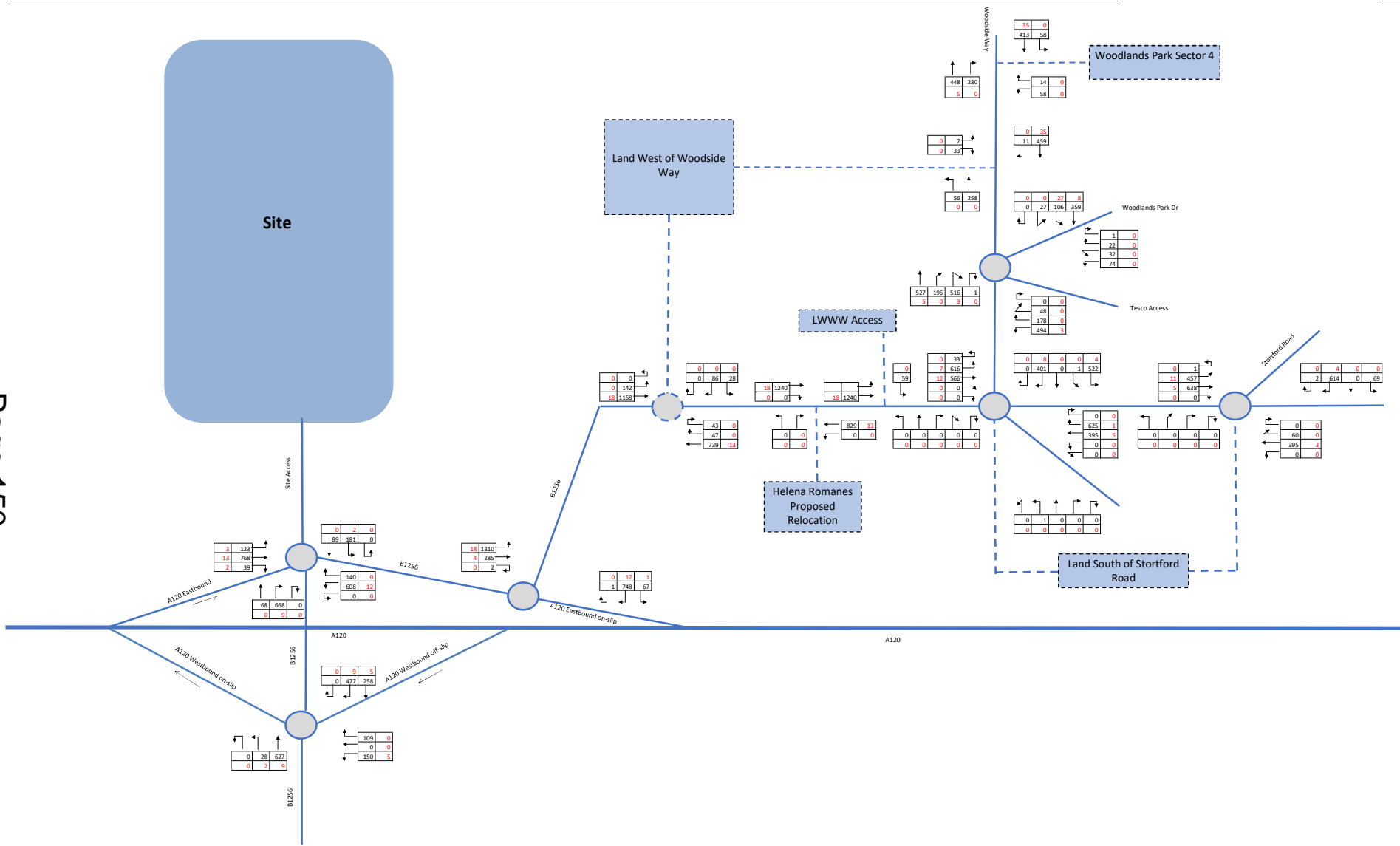
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|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 65 - Scenario 2 - Core Scenario Baseline - AM |
| | DSS | MDC | Mar-21 | |



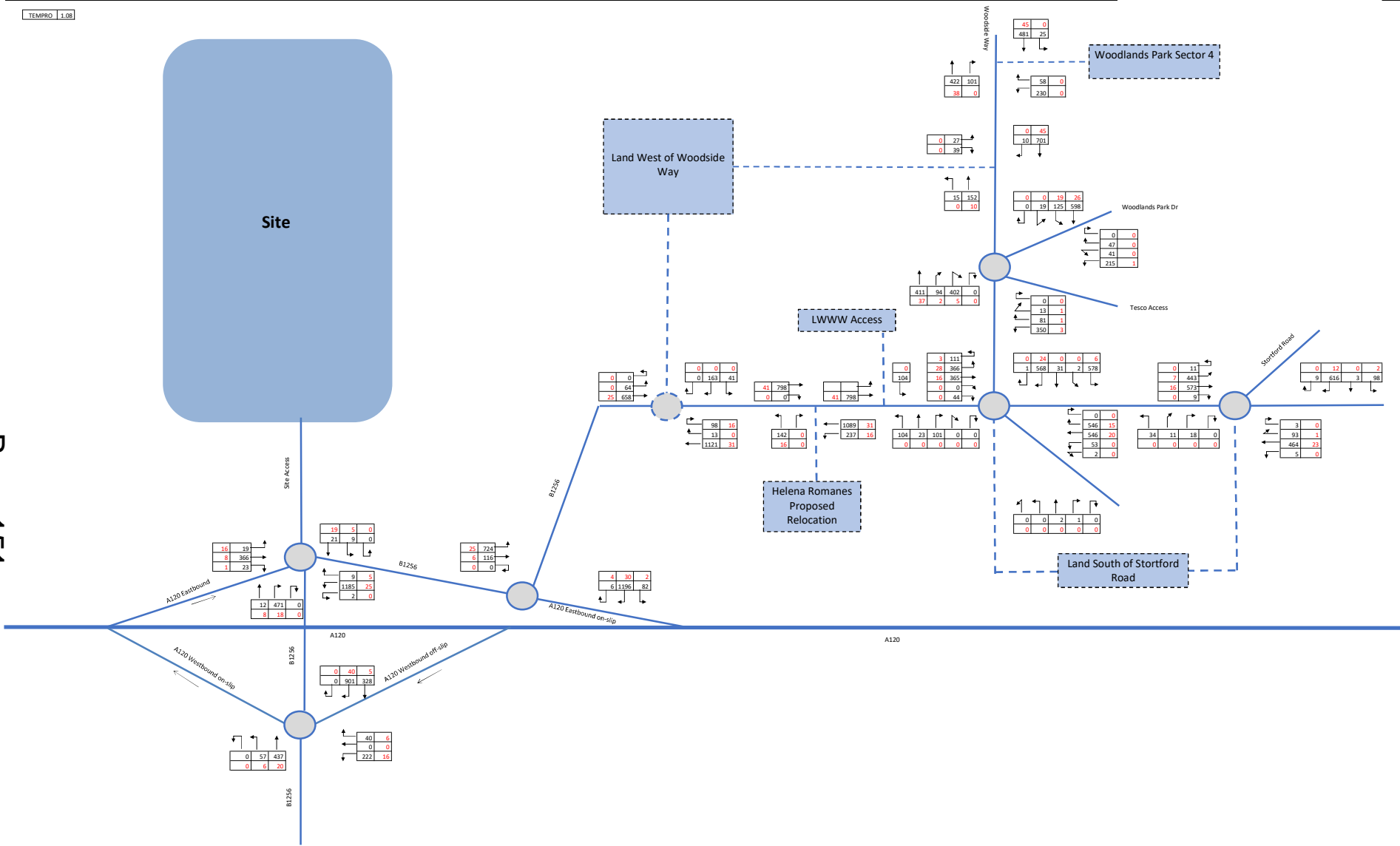
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|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 66 - Scenario 2 - Core Scenario Baseline - PM |
| | DSS | MDC | Mar-21 | |



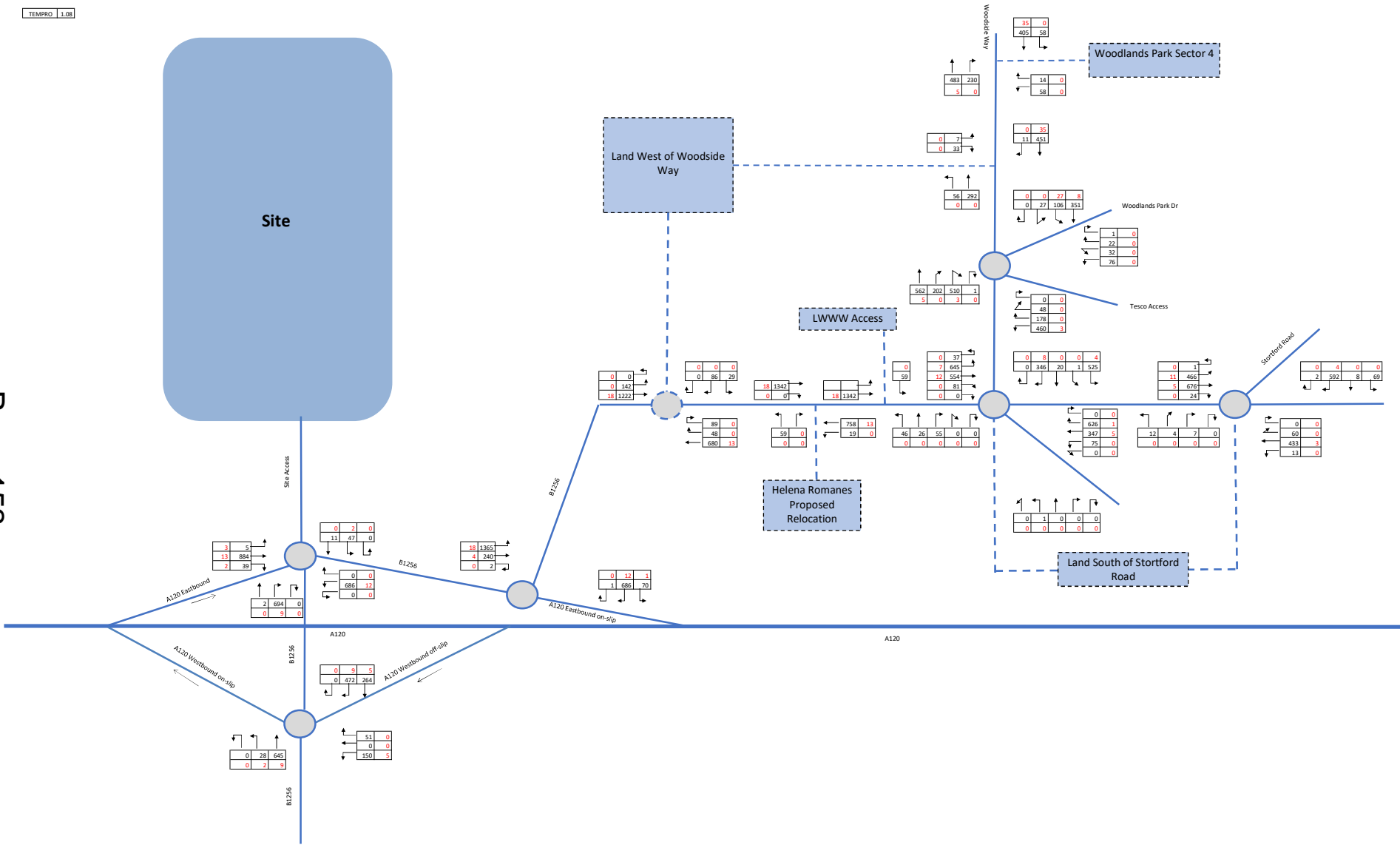
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 67 - Scenario 3 - Core Scenario Baseline with Development - AM |
| | DSS | MDC | Mar-21 | |



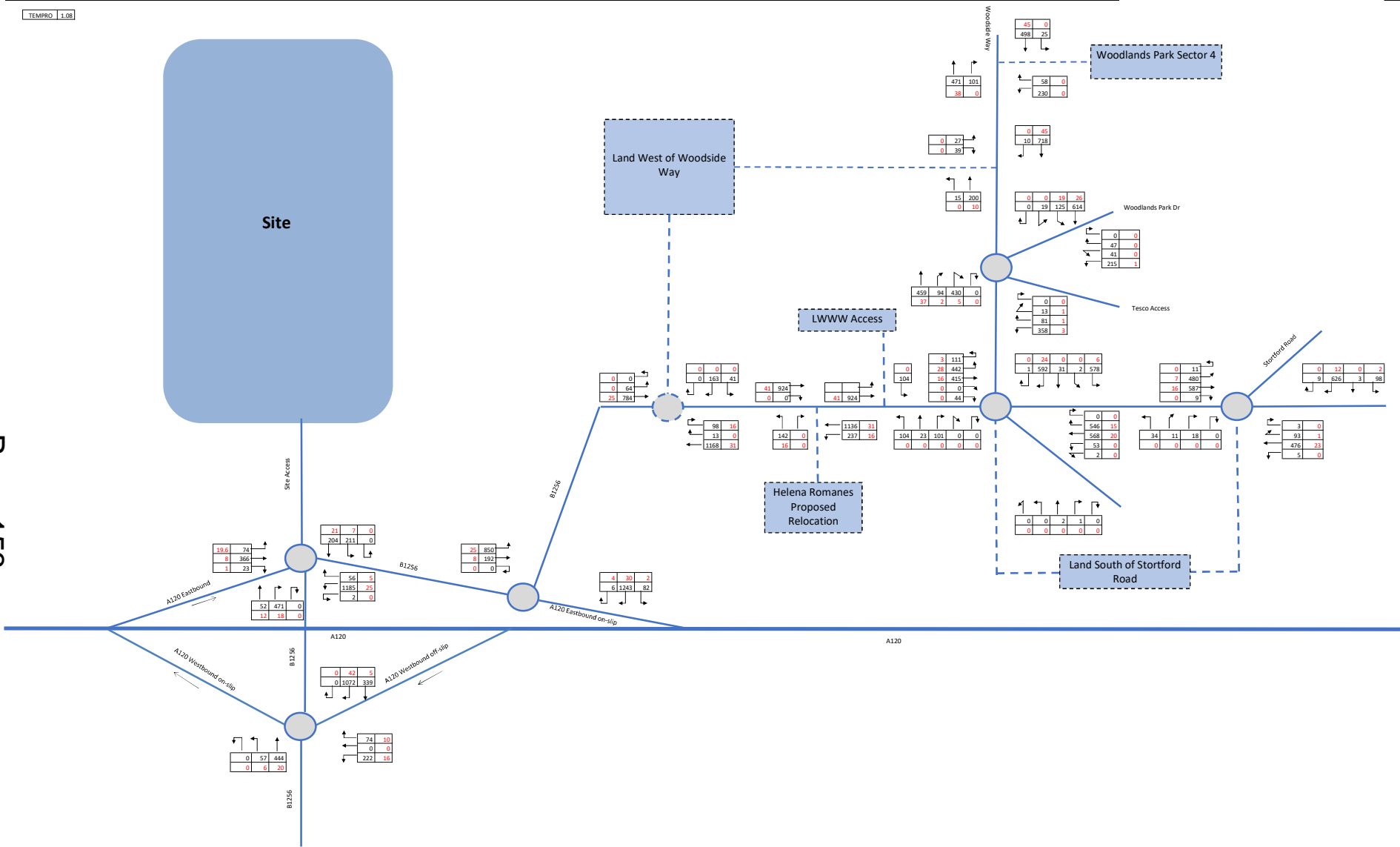
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 68 - Scenario 3 - Core Scenario Baseline with Development - PM |
| | DSS | MDC | Mar-21 | |



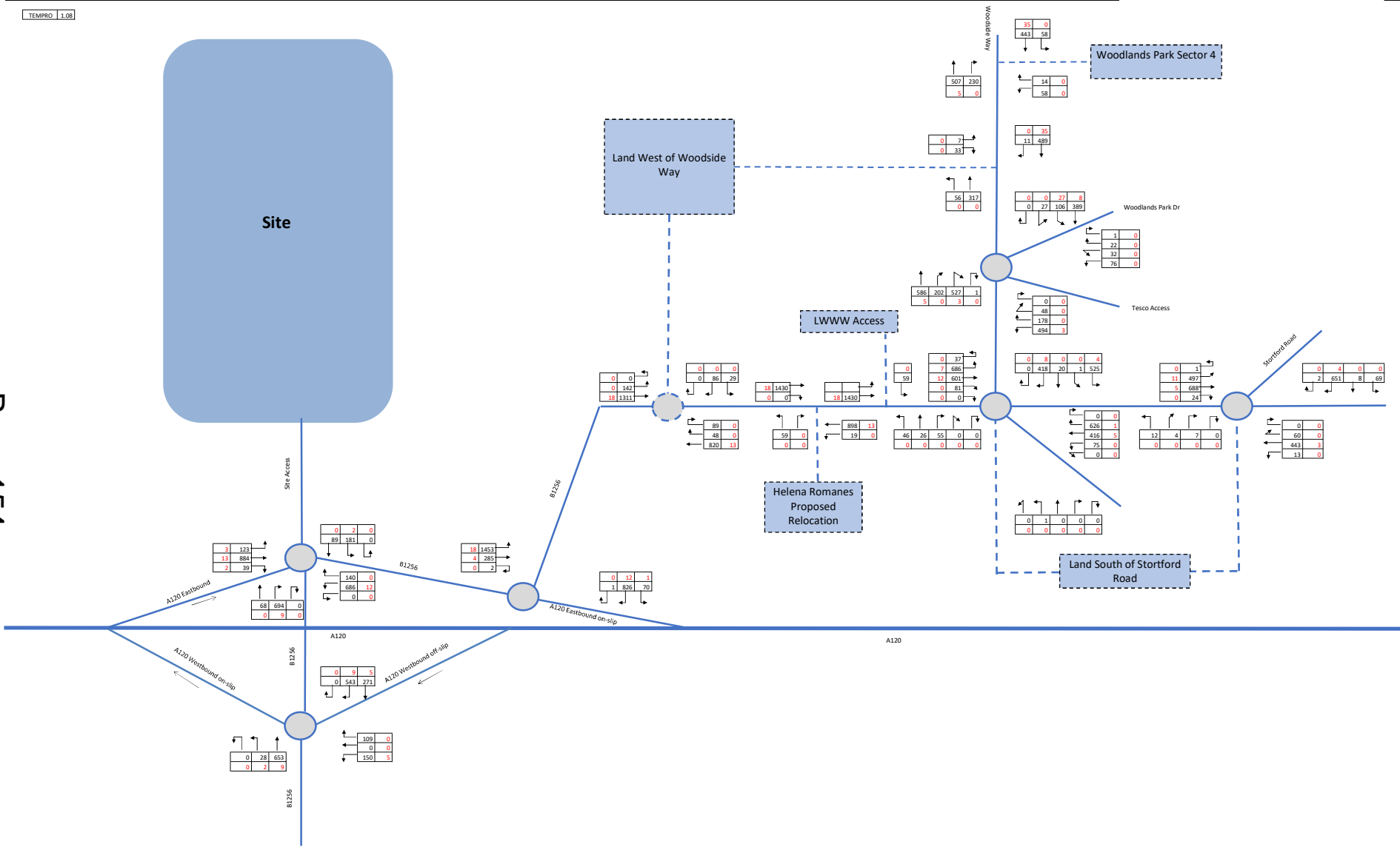
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 69 - Scenario 4 - Cumulative Scenario (without background growth) Baseline - AM |
| | DSS | MDC | Mar-21 | |



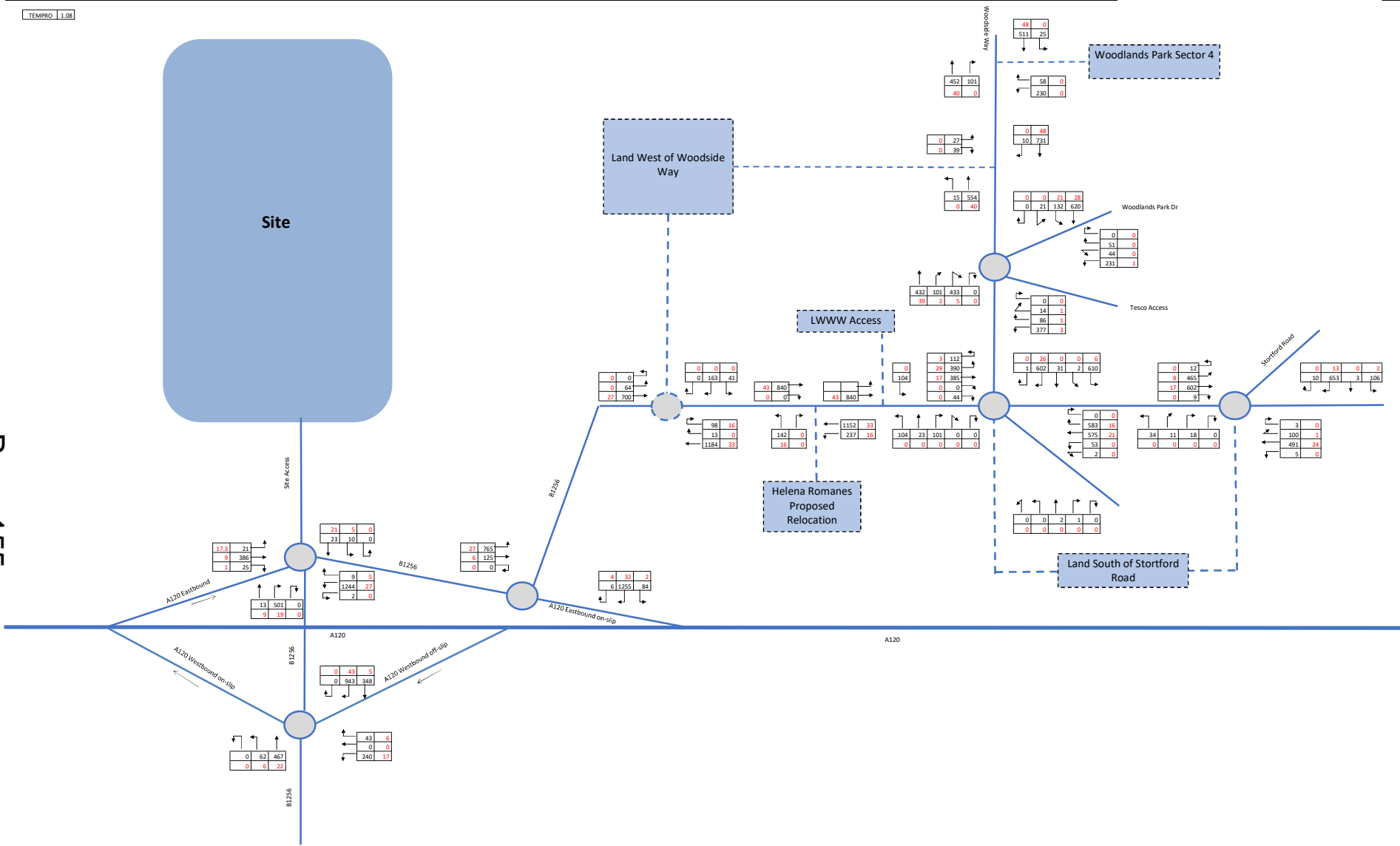
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|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 70 - Scenario 4 - Cumulative Scenario (without background growth) Baseline - PM |
| | DSS | MDC | Mar-21 | |



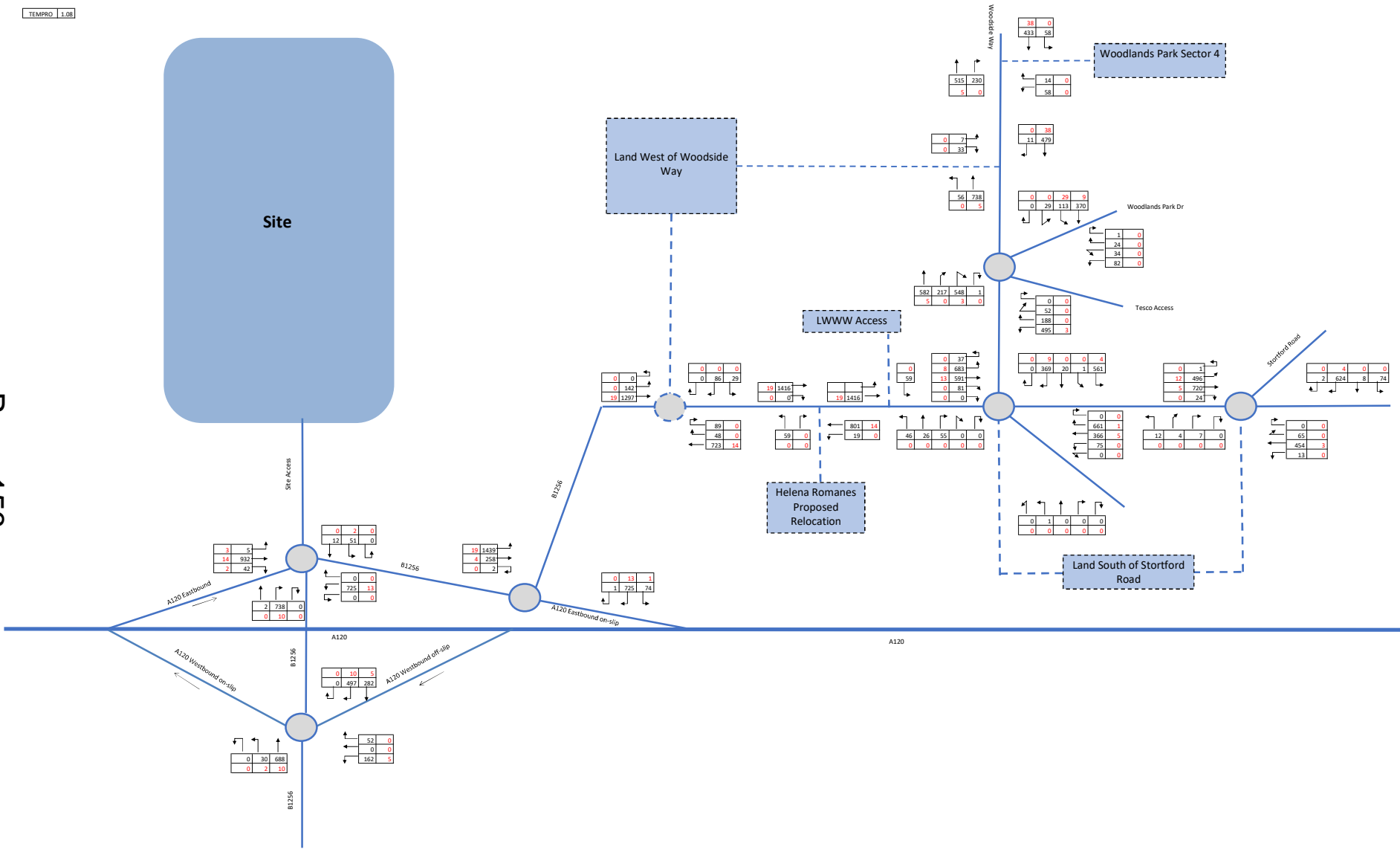
| | | | | |
|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 71 - Scenario 5 - Cumulative Scenario (without background growth) Baseline with Development - AM |
| | DSS | MDC | Mar-21 | |



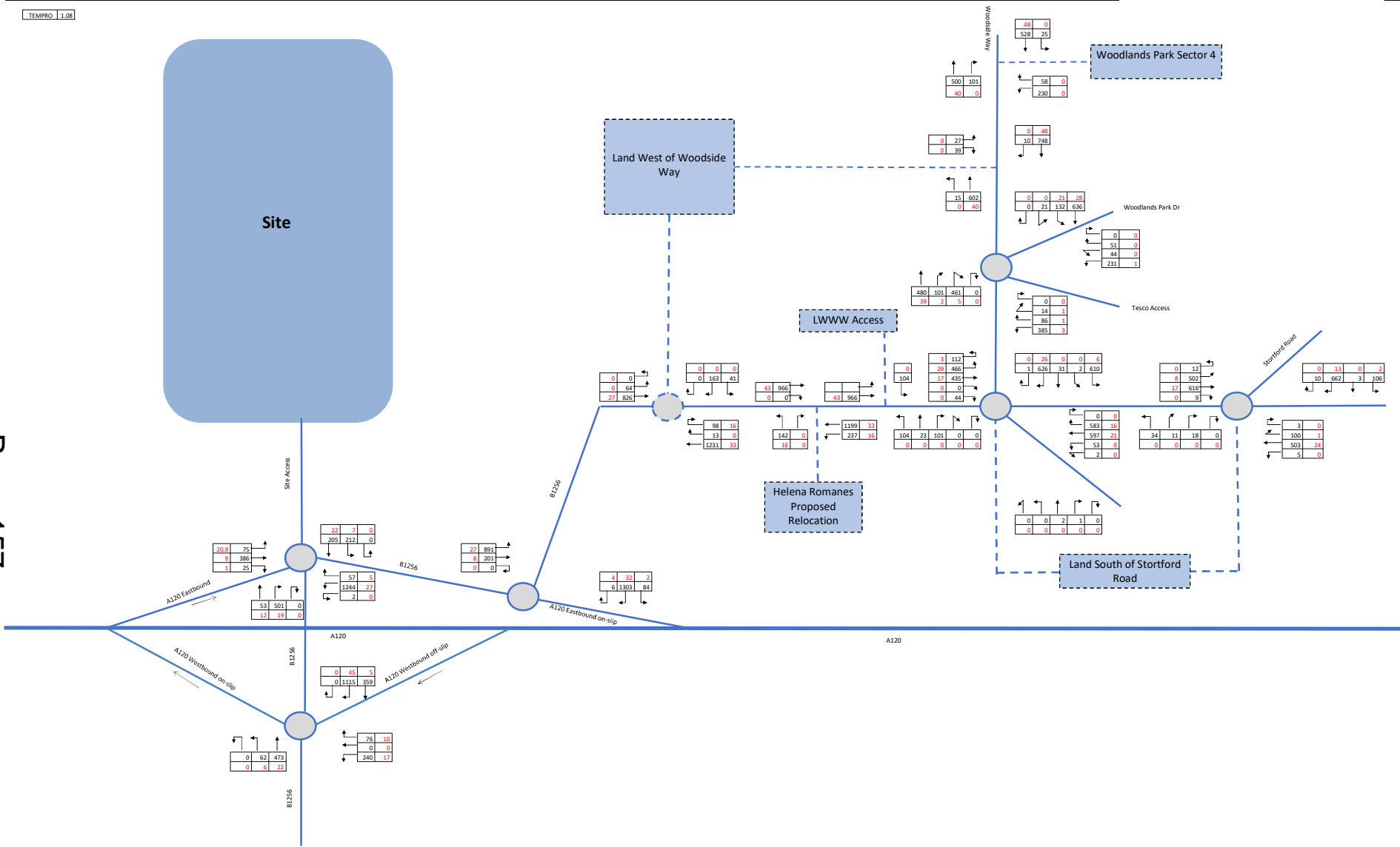
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 72 - Scenario 5 - Cumulative Scenario (without background growth) Baseline with Development - PM |
| | DSS | MDC | Mar-21 | |



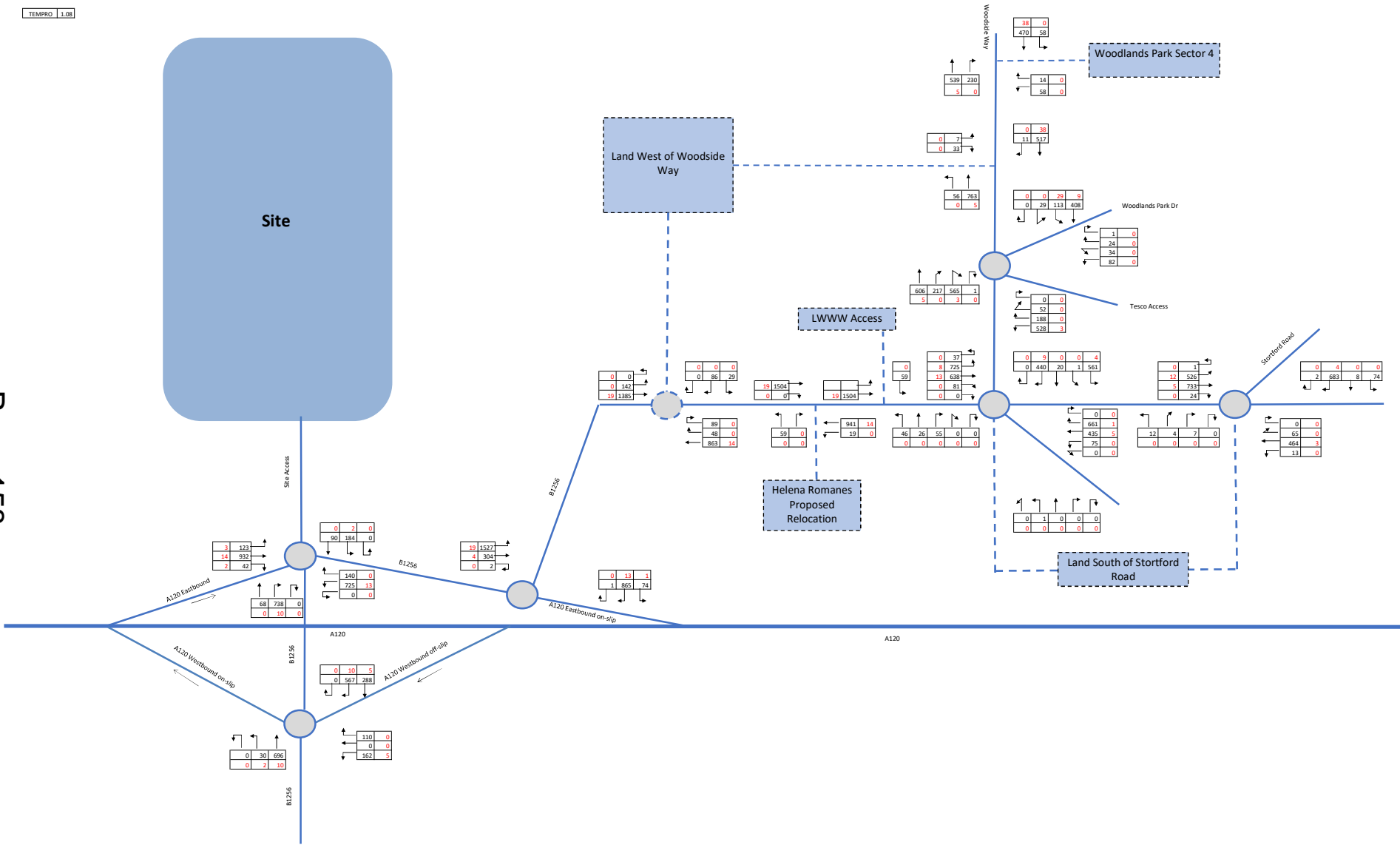
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 73 - Scenario 6 - Cumulative Scenario (with background growth) Baseline - AM |
| | DSS | MDC | Mar-21 | |



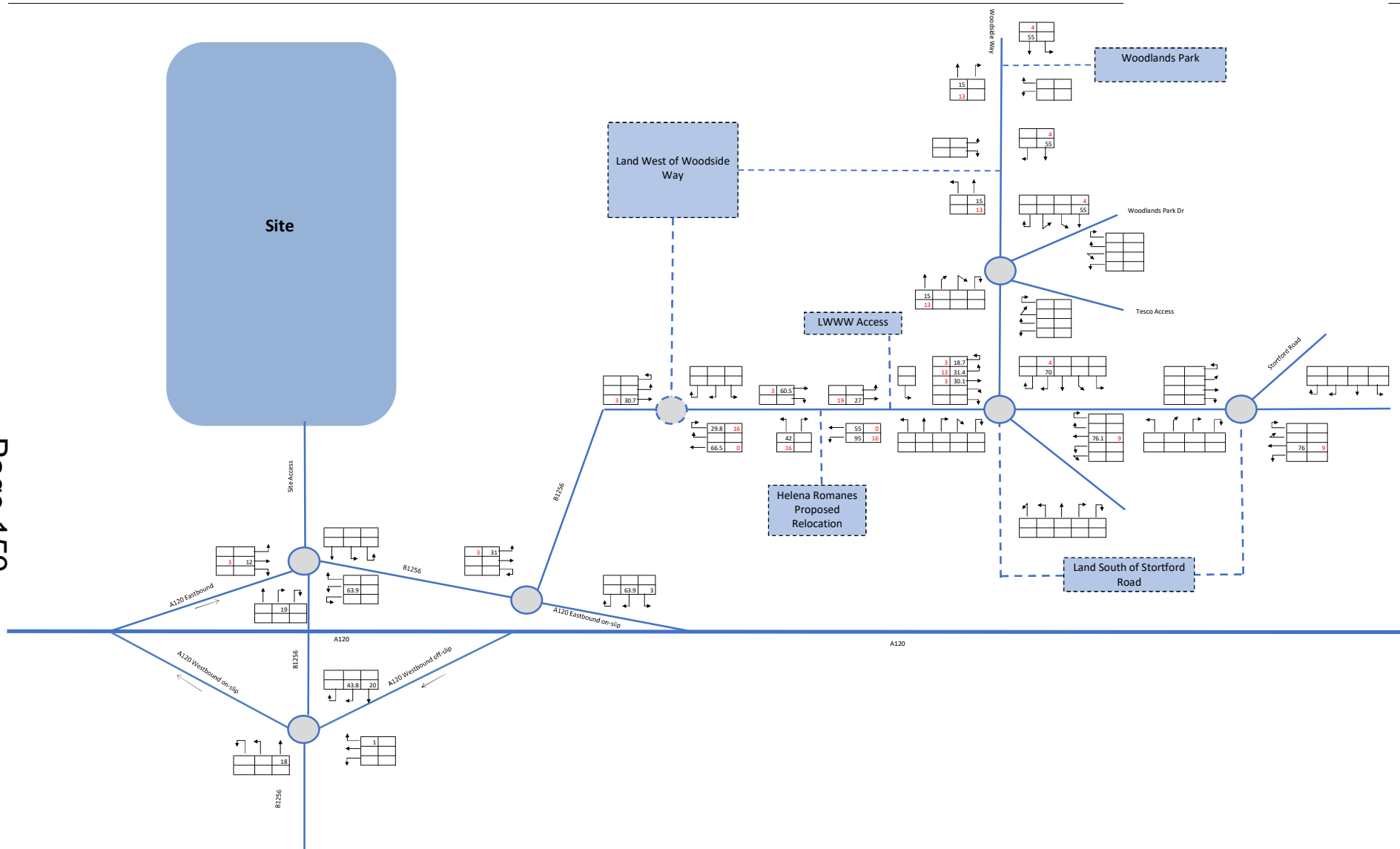
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|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 74 - Scenario 6 - Cumulative Scenario (with background growth) Baseline - PM |
| | DSS | MDC | Mar-21 | |



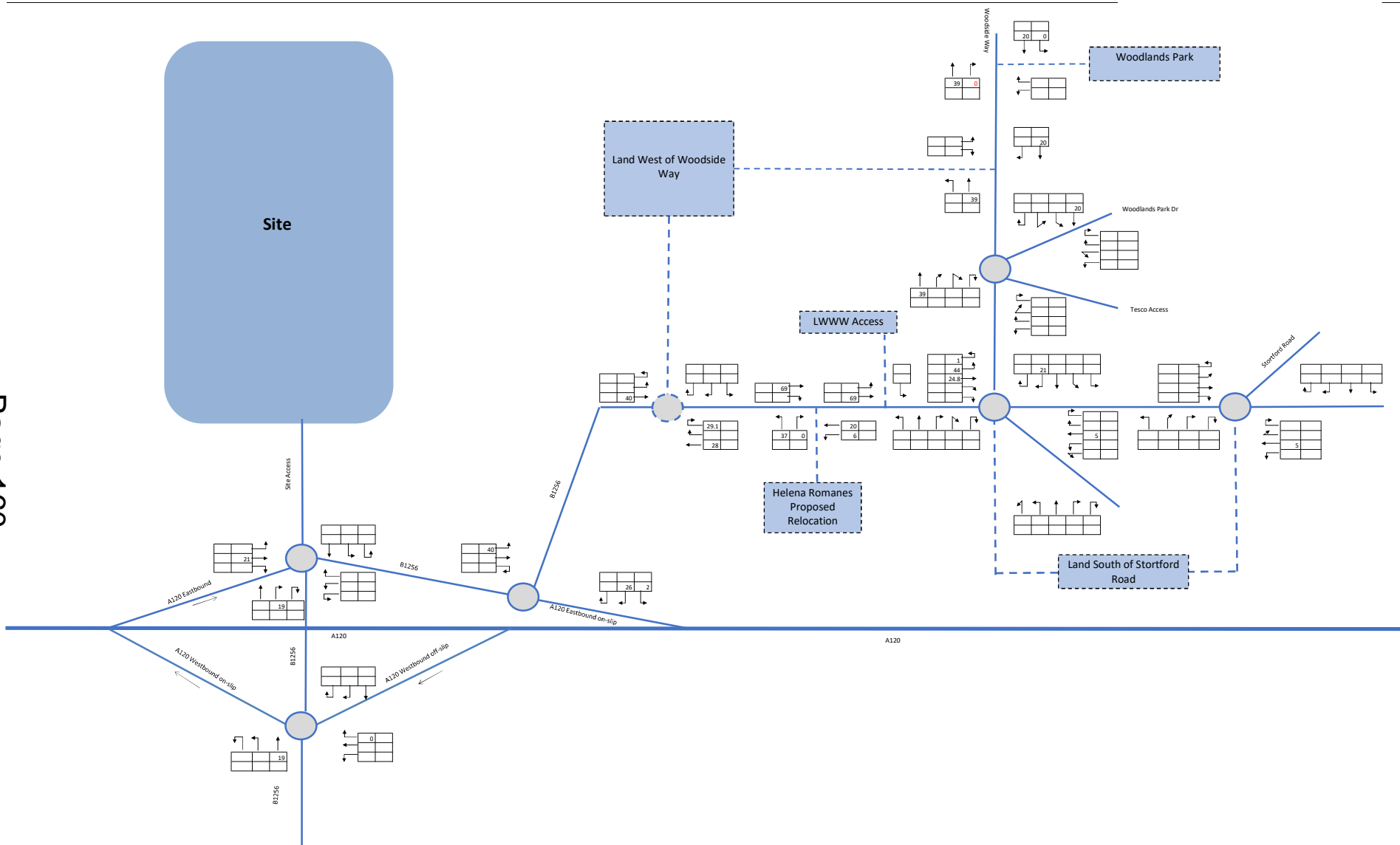
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 75 - Scenario 7 - Cumulative Scenario (with background growth) Baseline with Development - AM |
| | DSS | MDC | Mar-21 | |



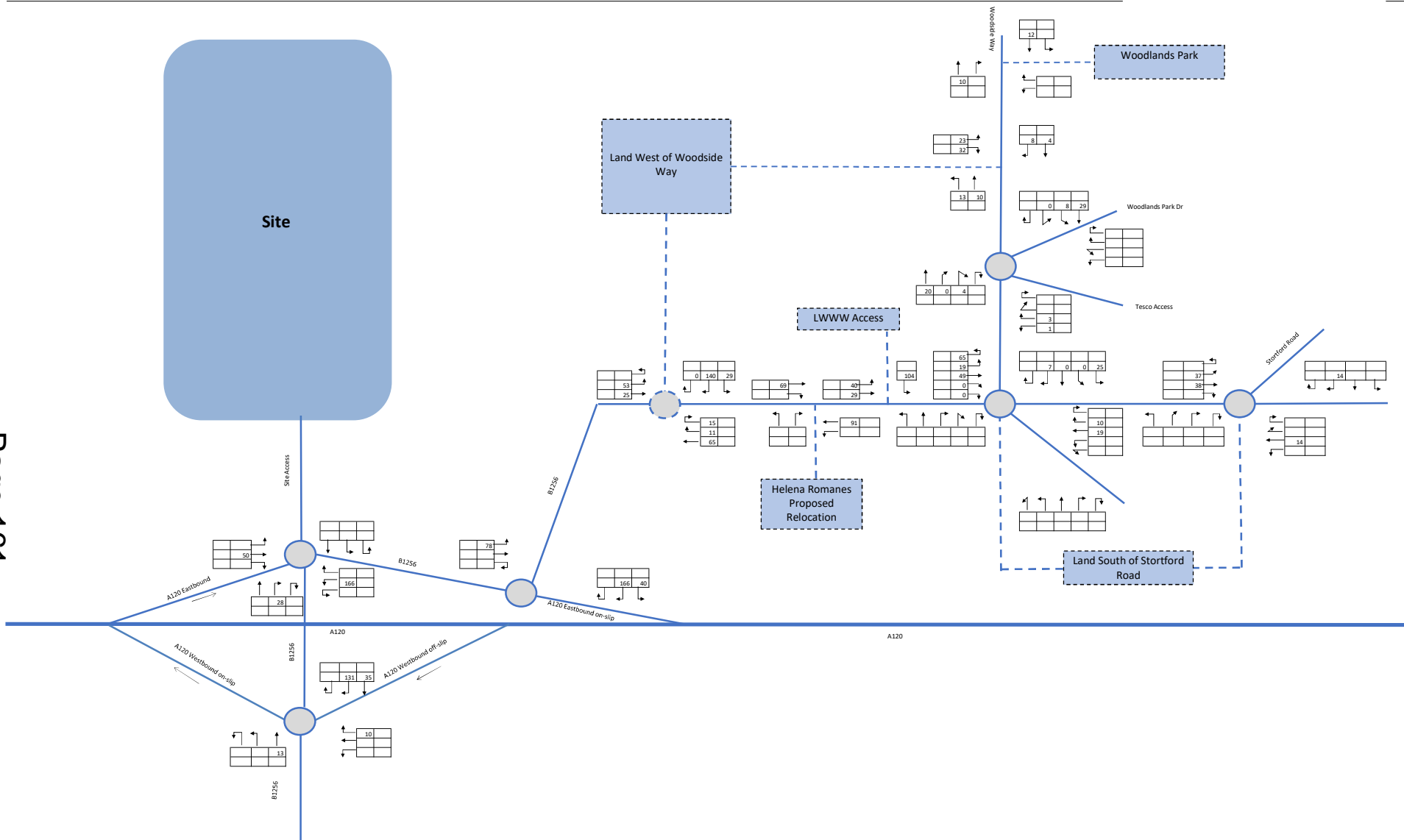
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 76 - Scenario 7 - Cumulative Scenario (with background growth) Baseline with Development - PM |
| | DSS | MDC | Mar-21 | |



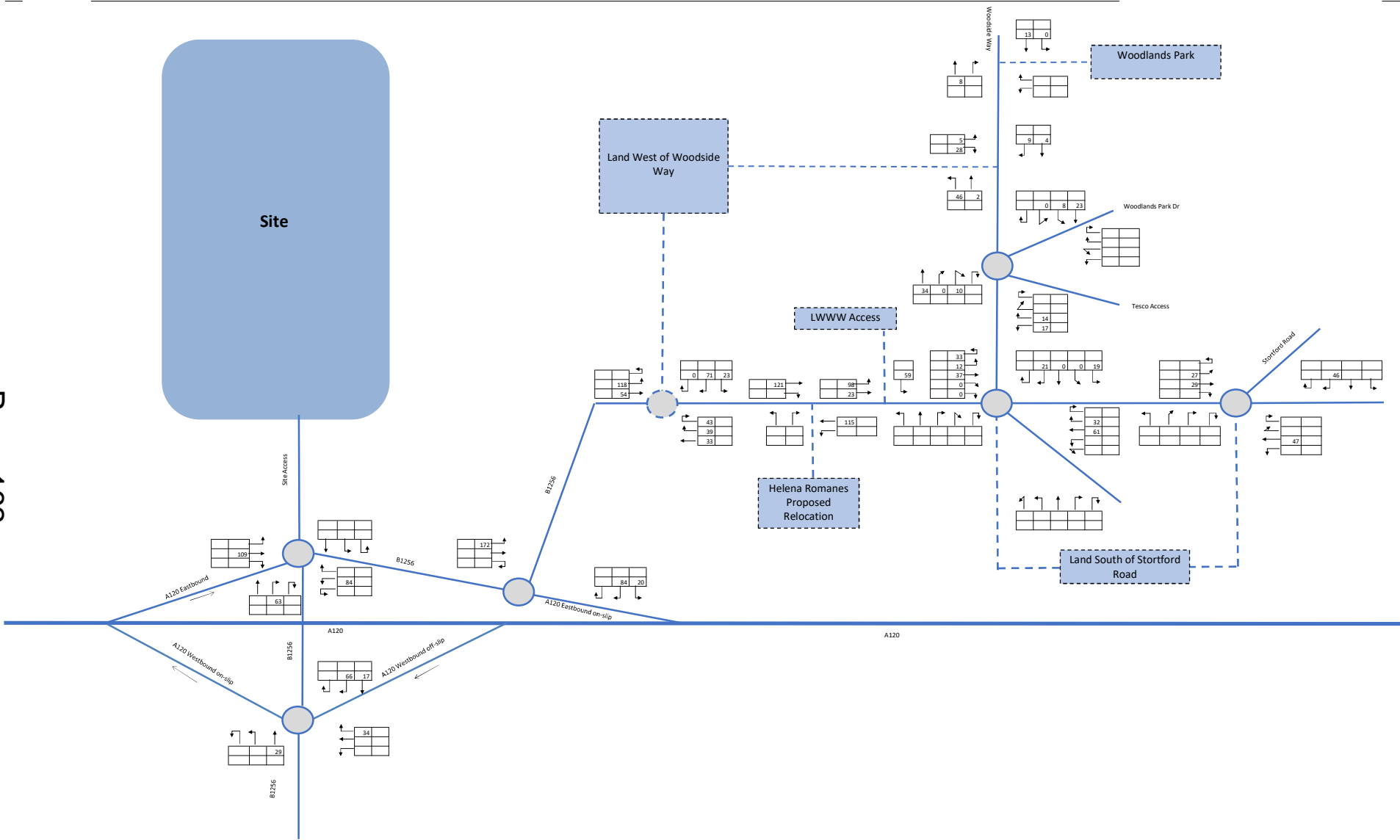
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 79 - Helena Romanes Existing Trips Redistributed - AM |
| | DSS | MDC | Mar-21 | |



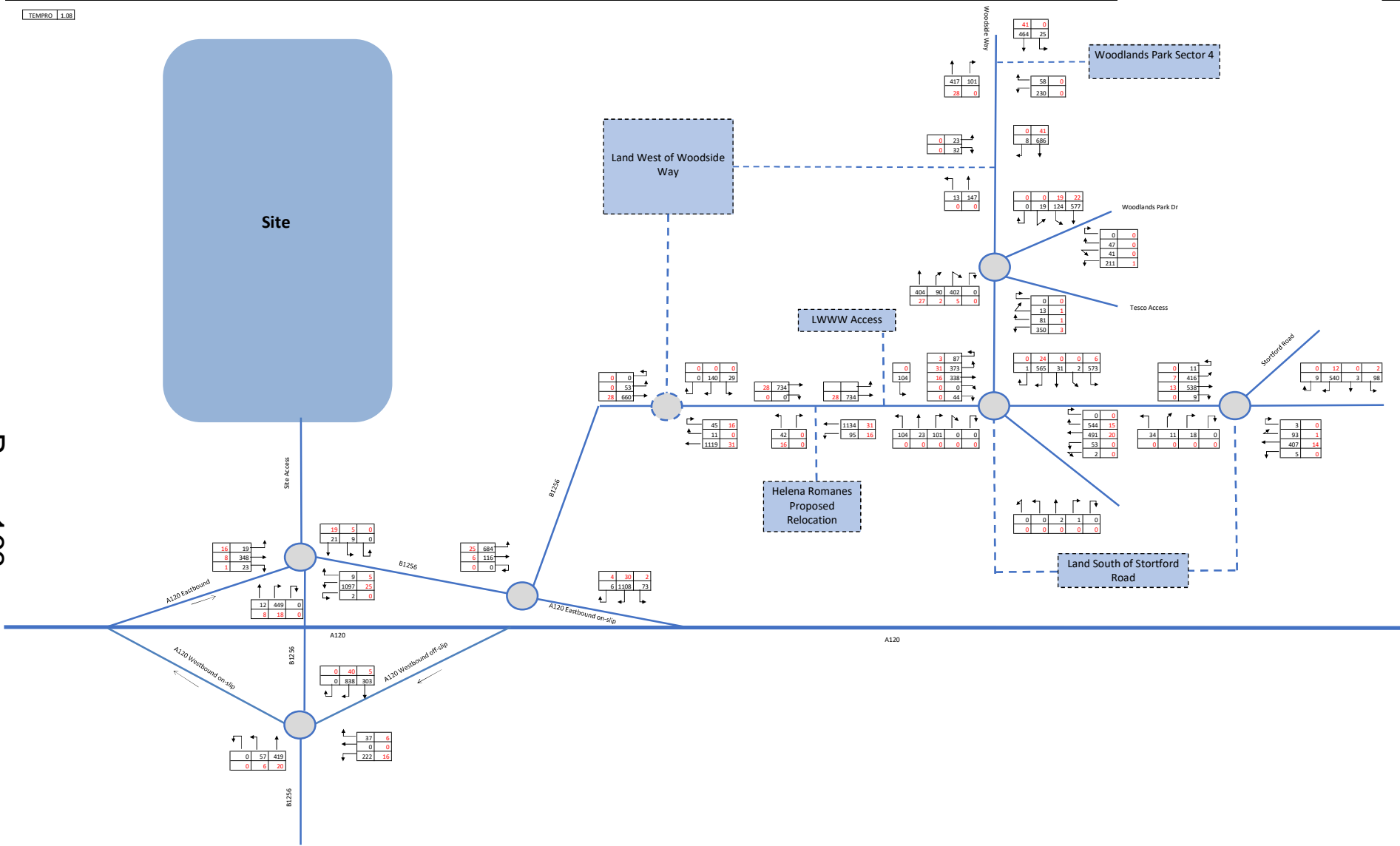
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 80 - Helena Romanes Existing Trips Redistributed - PM |
| | DSS | MDC | Mar-21 | |



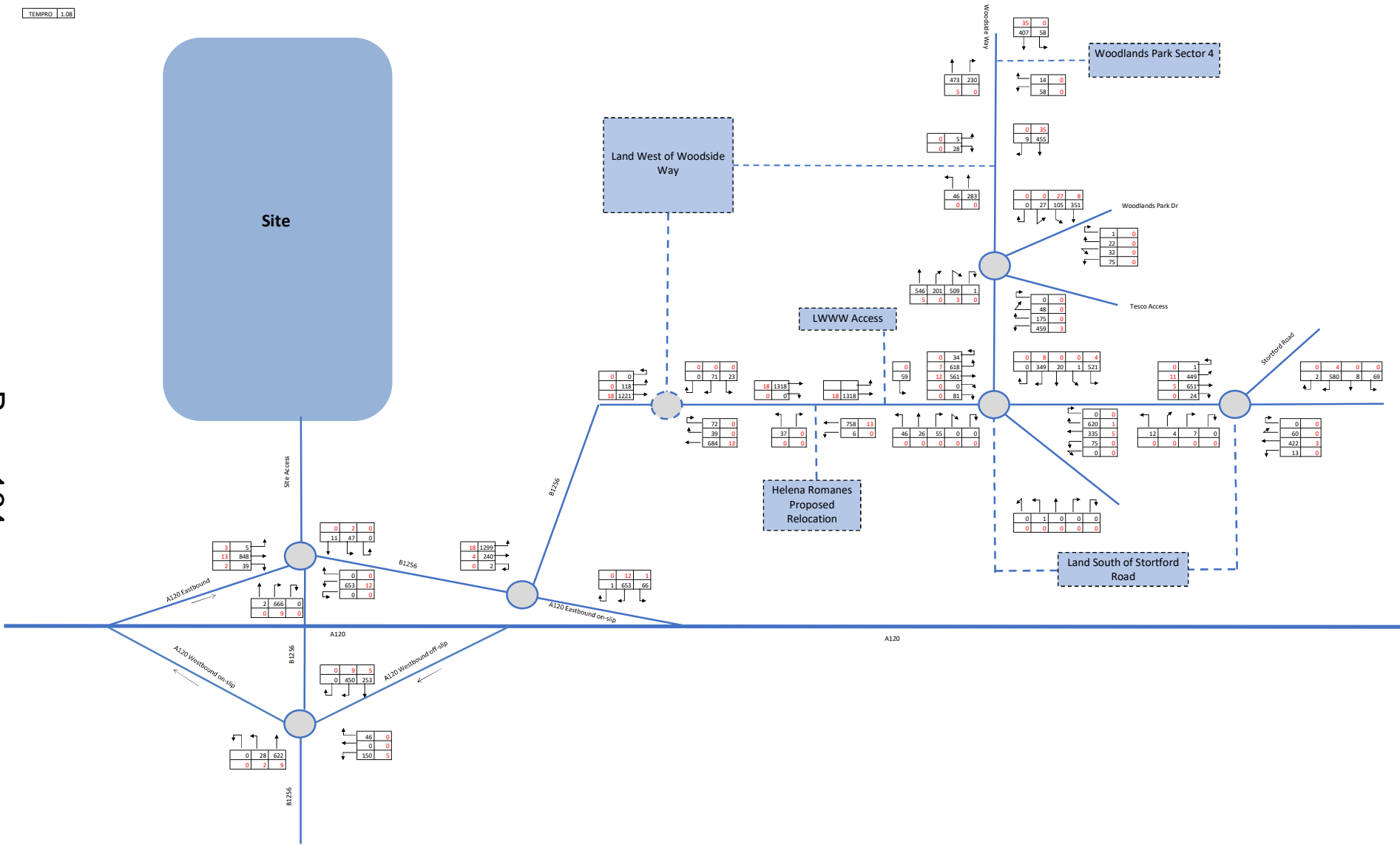
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 81 - Land West of Woodside Way Revised Vehicle Trips (790 Homes) - AM |
| | DSS | MDC | Mar-21 | |



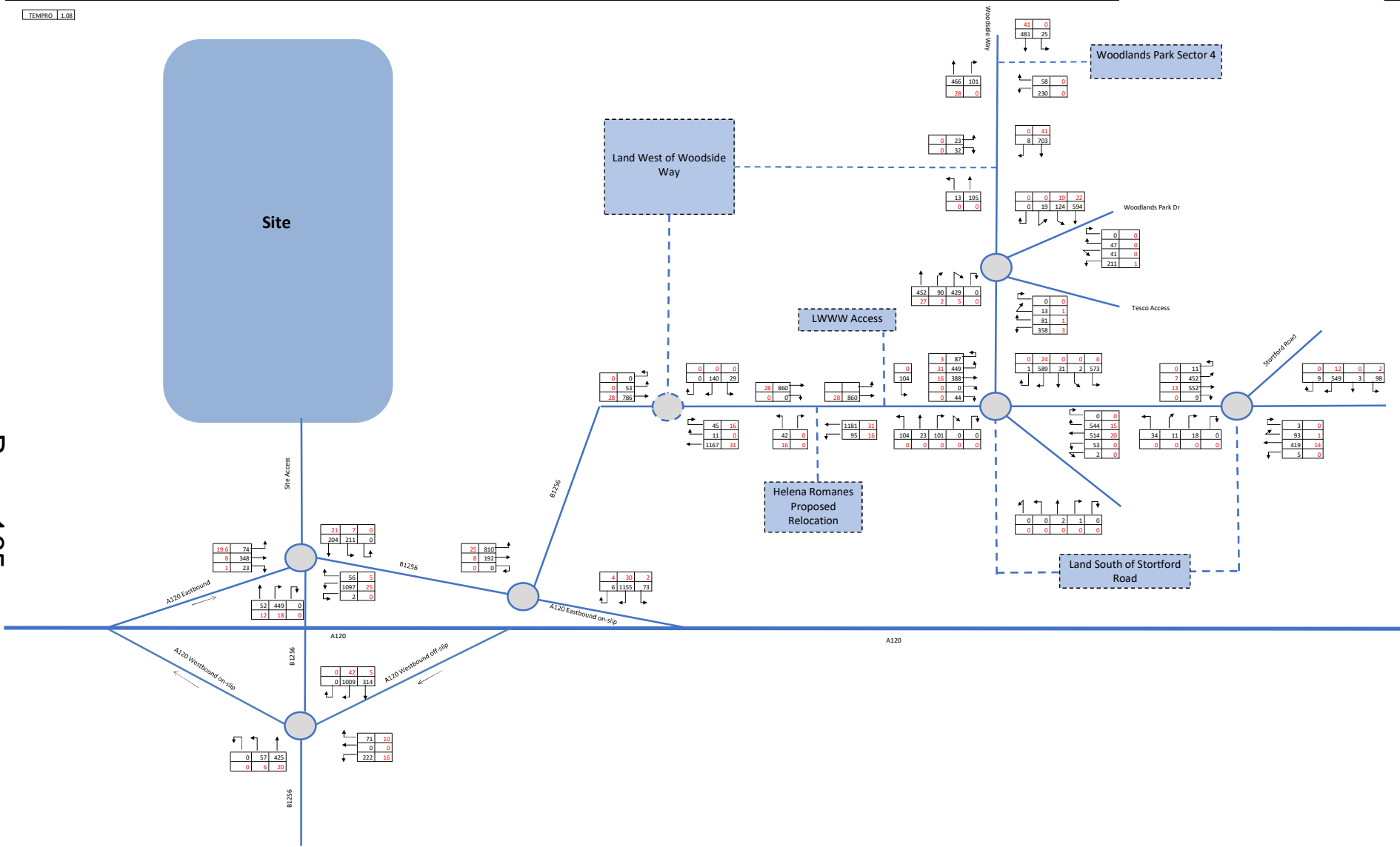
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 82 - Land West of Woodside Way Revised Vehicle Trips (790 Homes) - AM |
| | DSS | MDC | Jan-21 | |



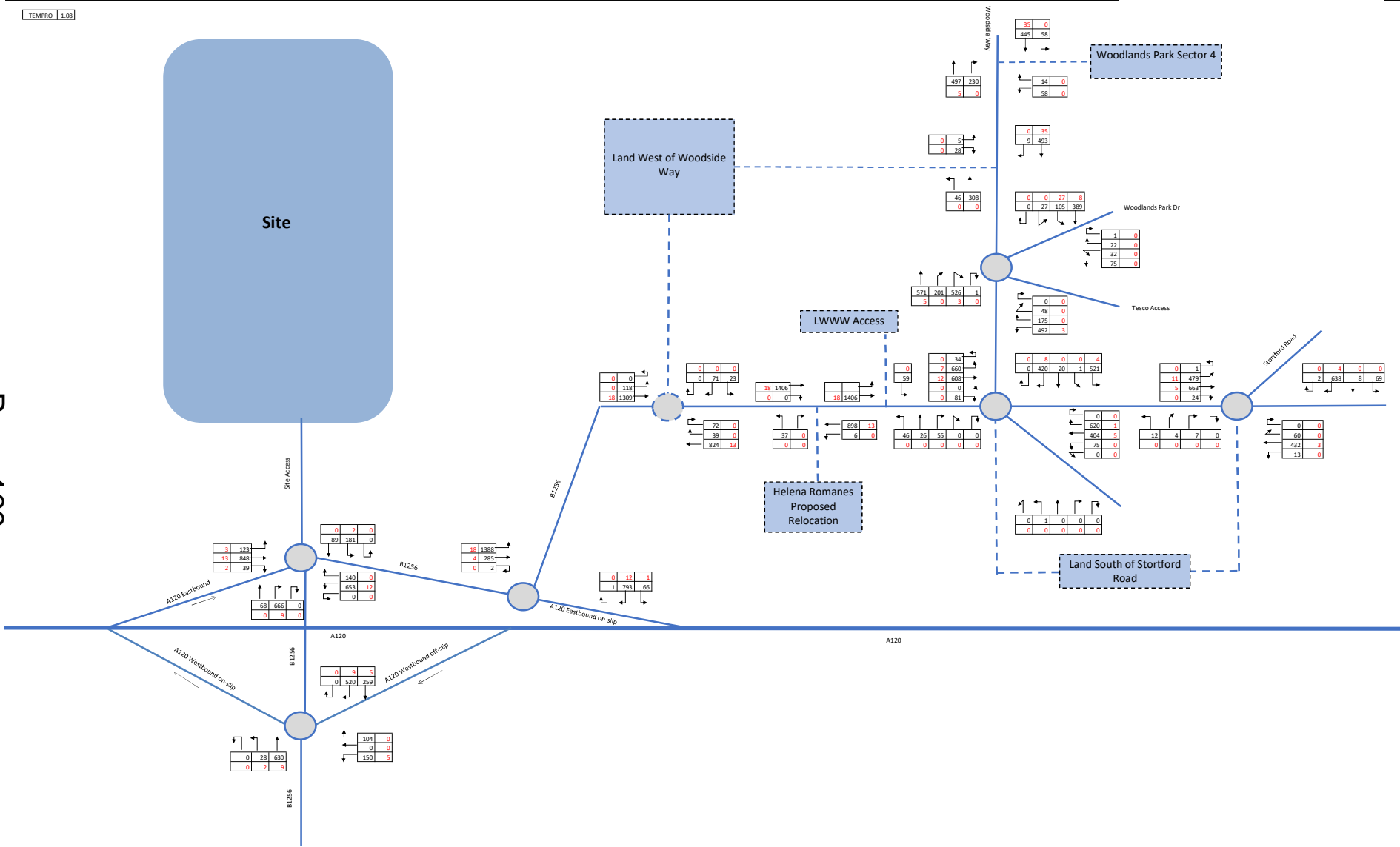
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 83 - Scenario 8 - Cumulative Scenario (without background growth) Baseline: without Helena Romanes Relocation and LWWW Reduced to 790 Homes - AM |
| | DSS | MDC | Mar-21 | |



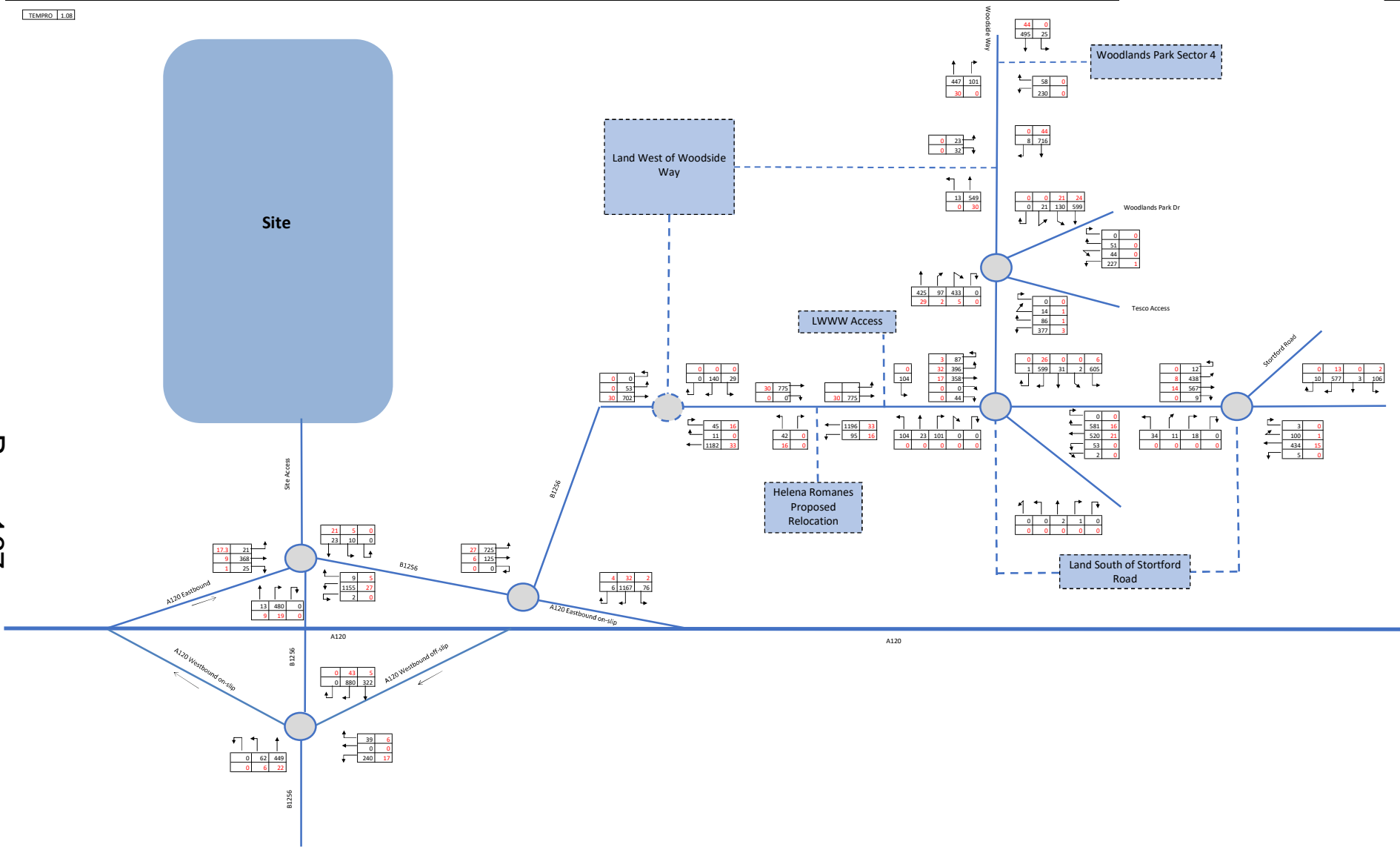
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|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 84 - Scenario 8 - Cumulative Scenario (without background growth) Baseline: without Helena Romanes Relocation and LWWW Reduced to 790 Homes - PM |
| | DSS | MDC | Mar-21 | |



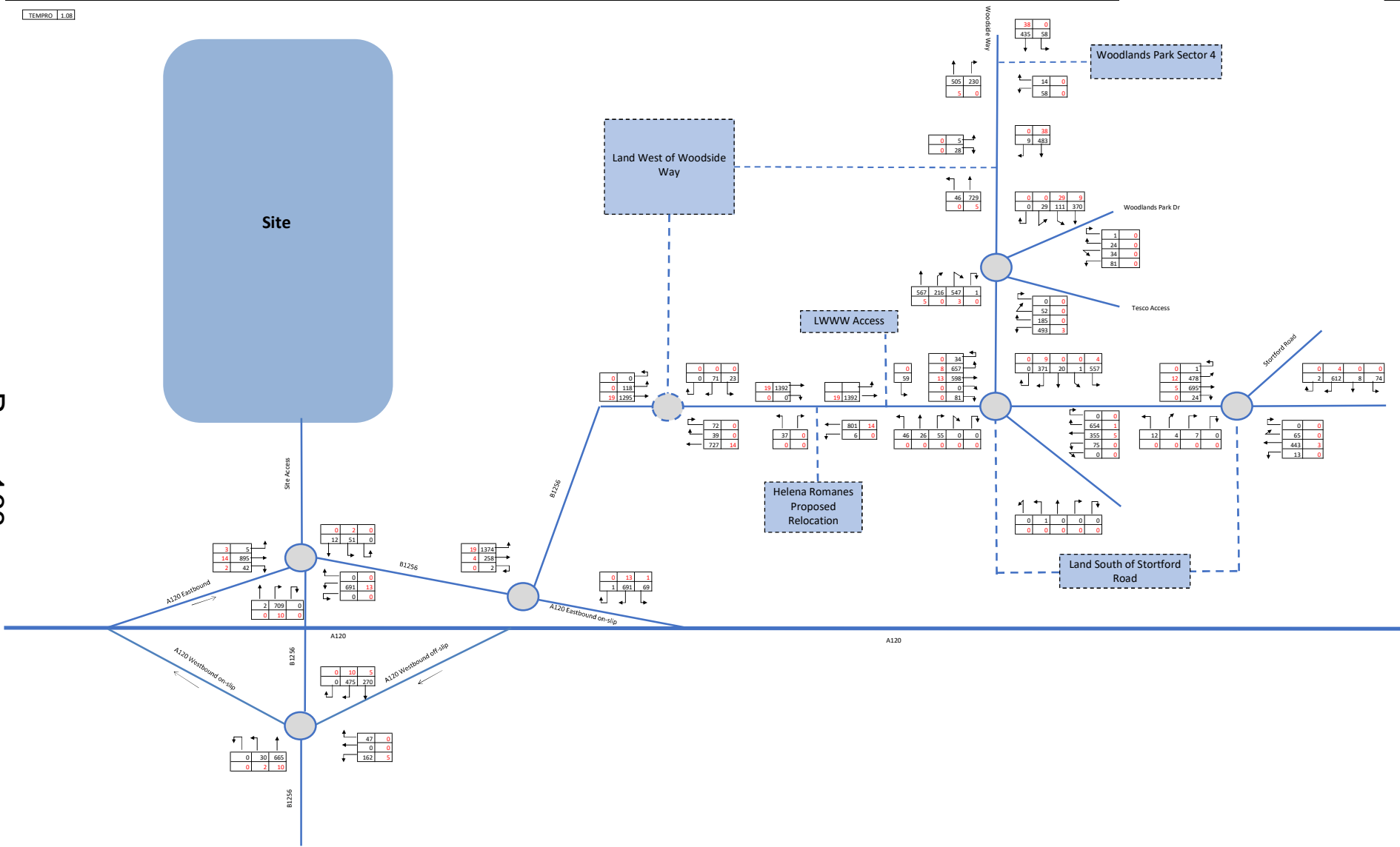
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|--|---------|-----|------------------------------|---|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 85 - Scenario 9 - Scenario 8 + Proposed Development - AM |
| | DSS | MDC | Mar-21 | |



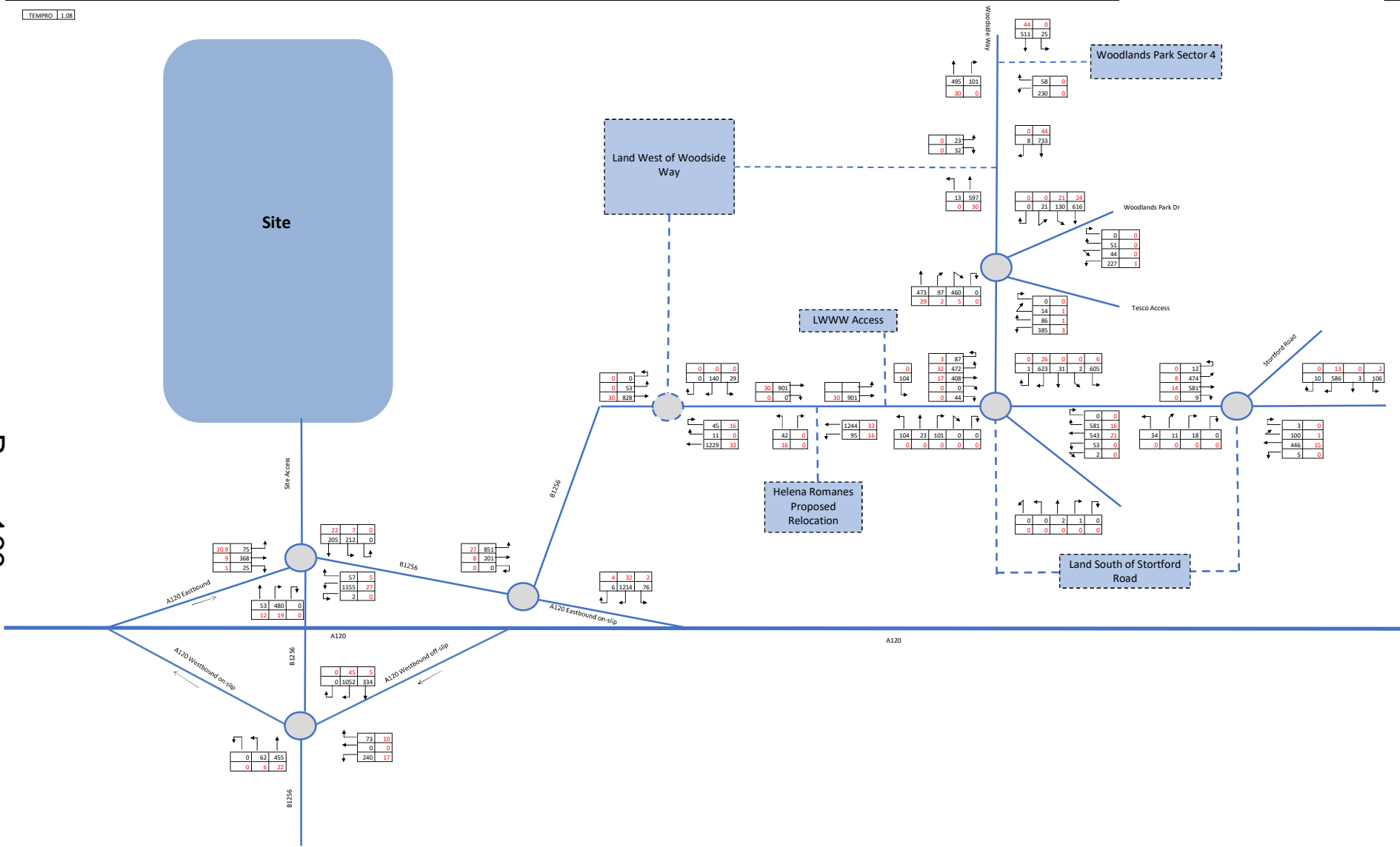
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| | DSS | MDC | Mar-21 | |



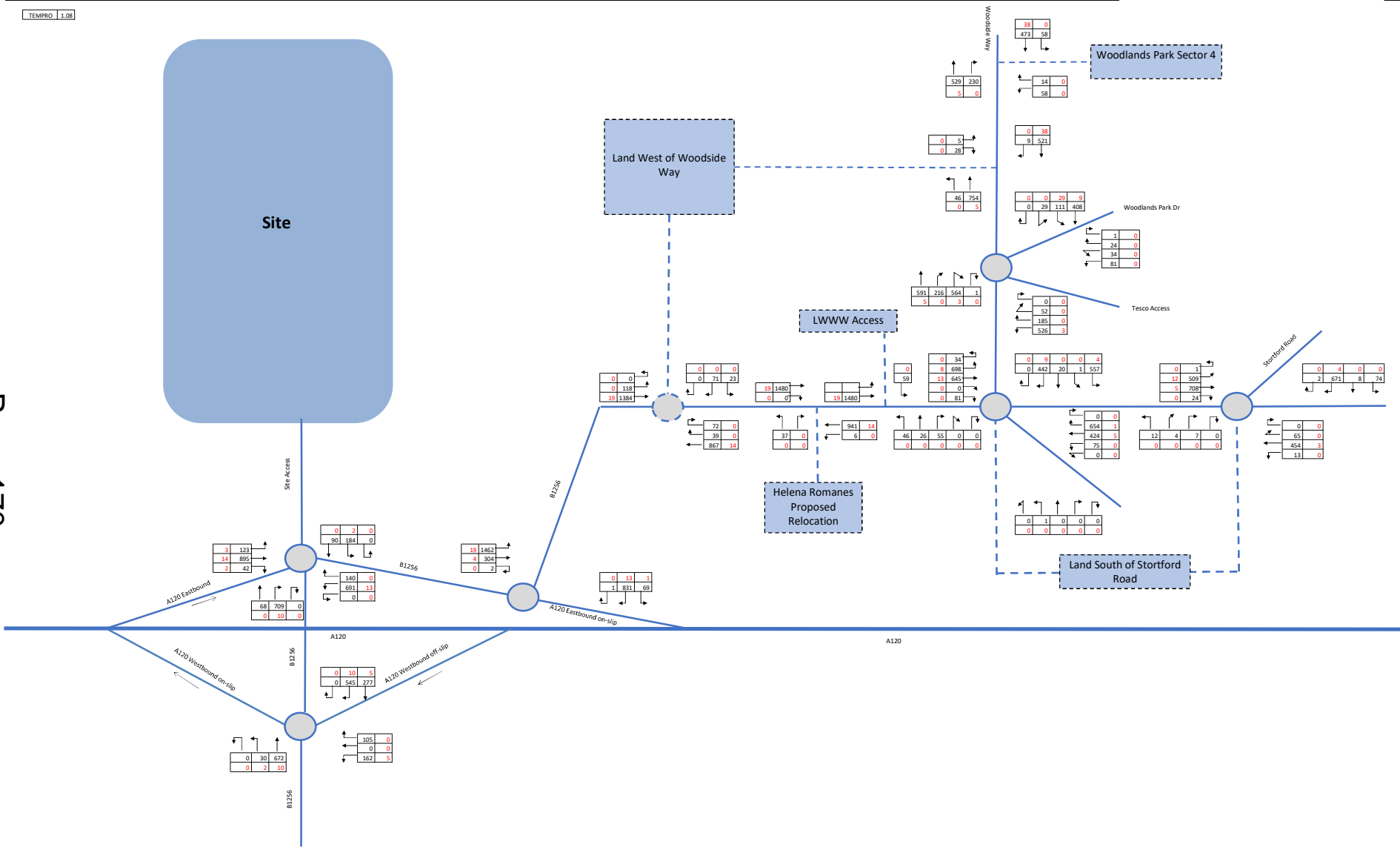
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 87 - Scenario 10 - Cumulative Scenario (with background growth) Baseline: without Helena Romanes Relocation and LWWW Reduced to 790 Homes - AM |
| | DSS | MDC | Mar-21 | |



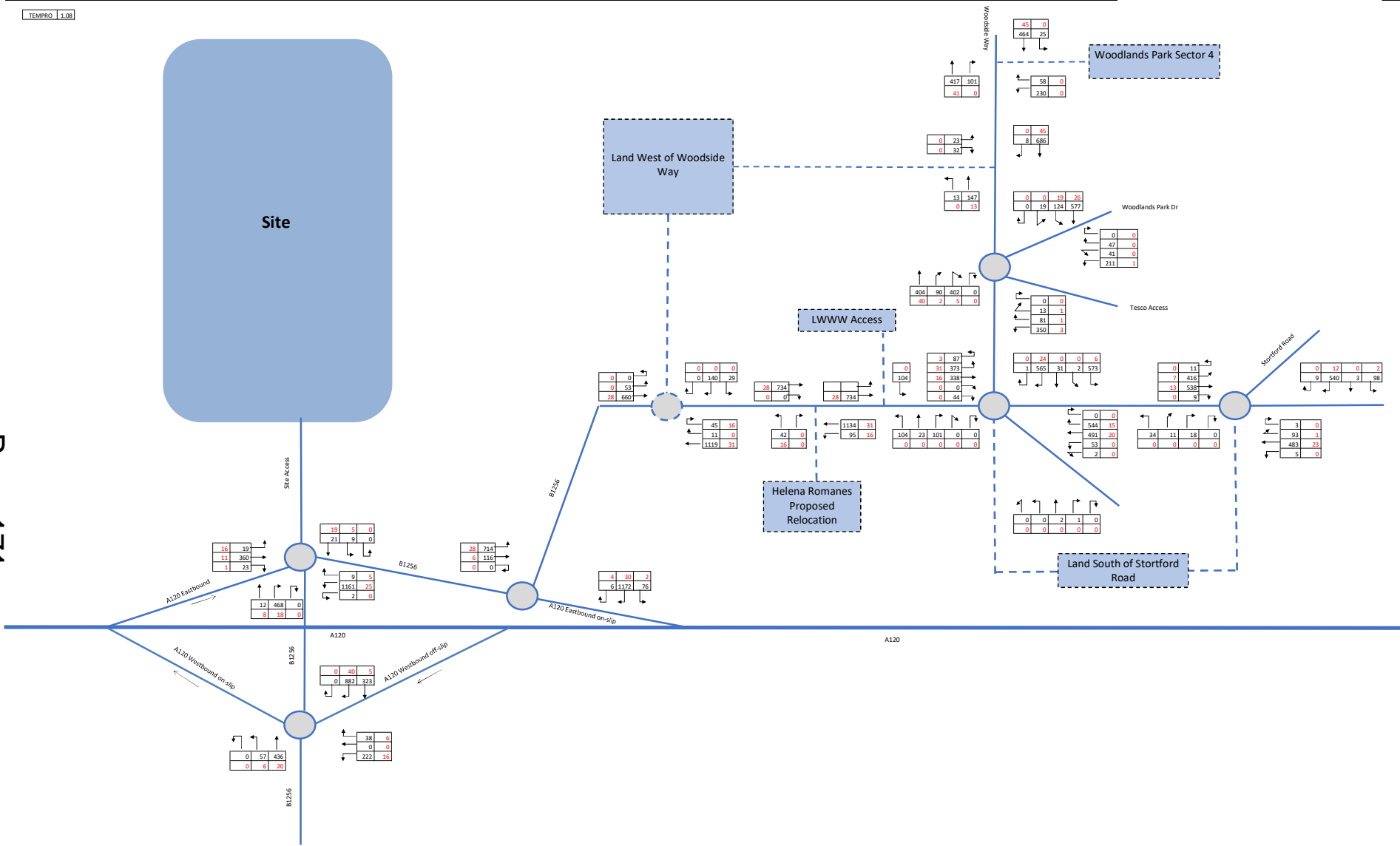
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 88 - Scenario 10 - Cumulative Scenario (with background growth) Baseline: without Helena Romanes Relocation and LWWW Reduced to 790 Homes - PM |
| | DSS | MDC | Mar-21 | |



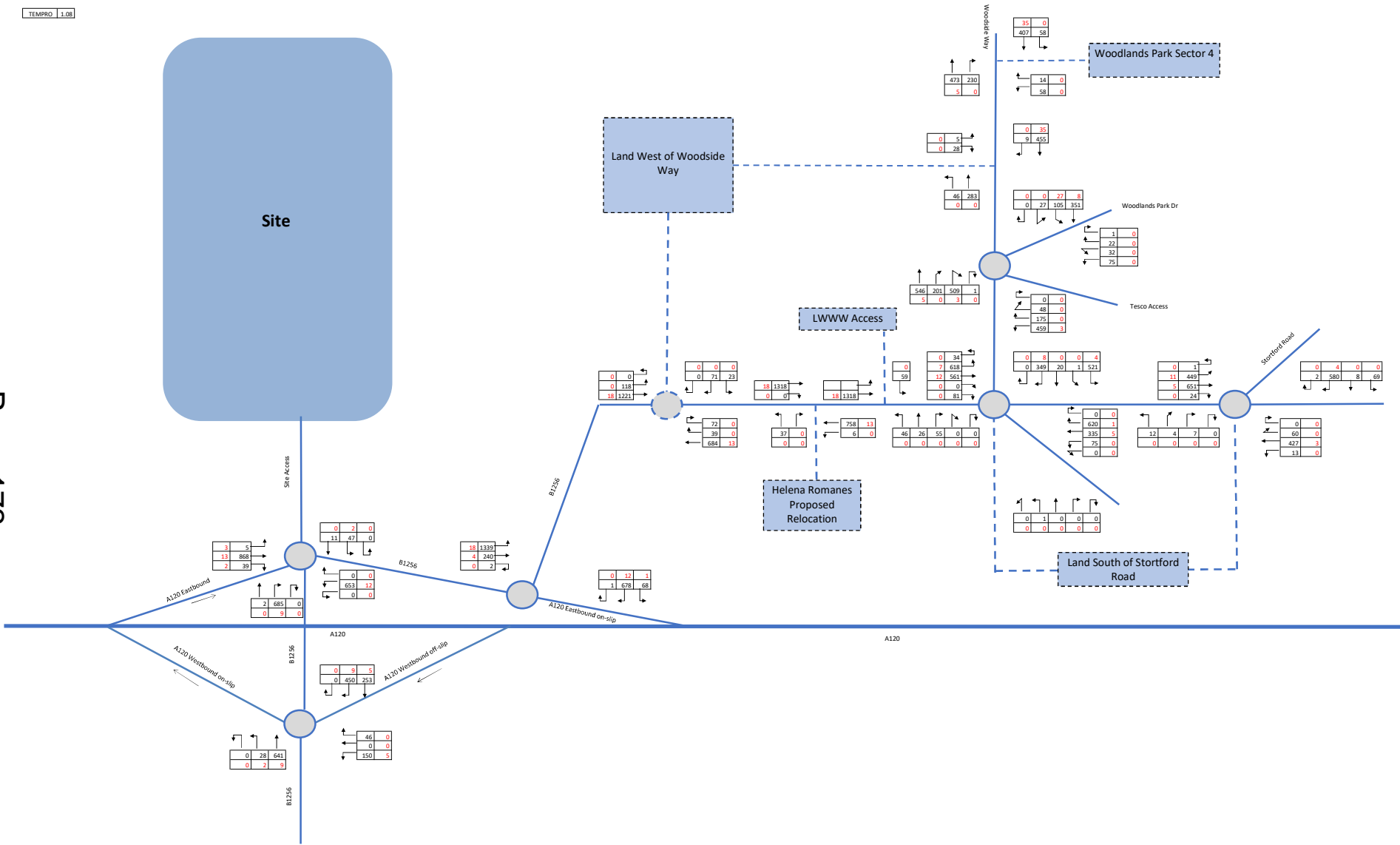
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 89 - Scenario 11: Scenario 9 + Proposed Development - AM |
| | DSS | MDC | Mar-21 | |



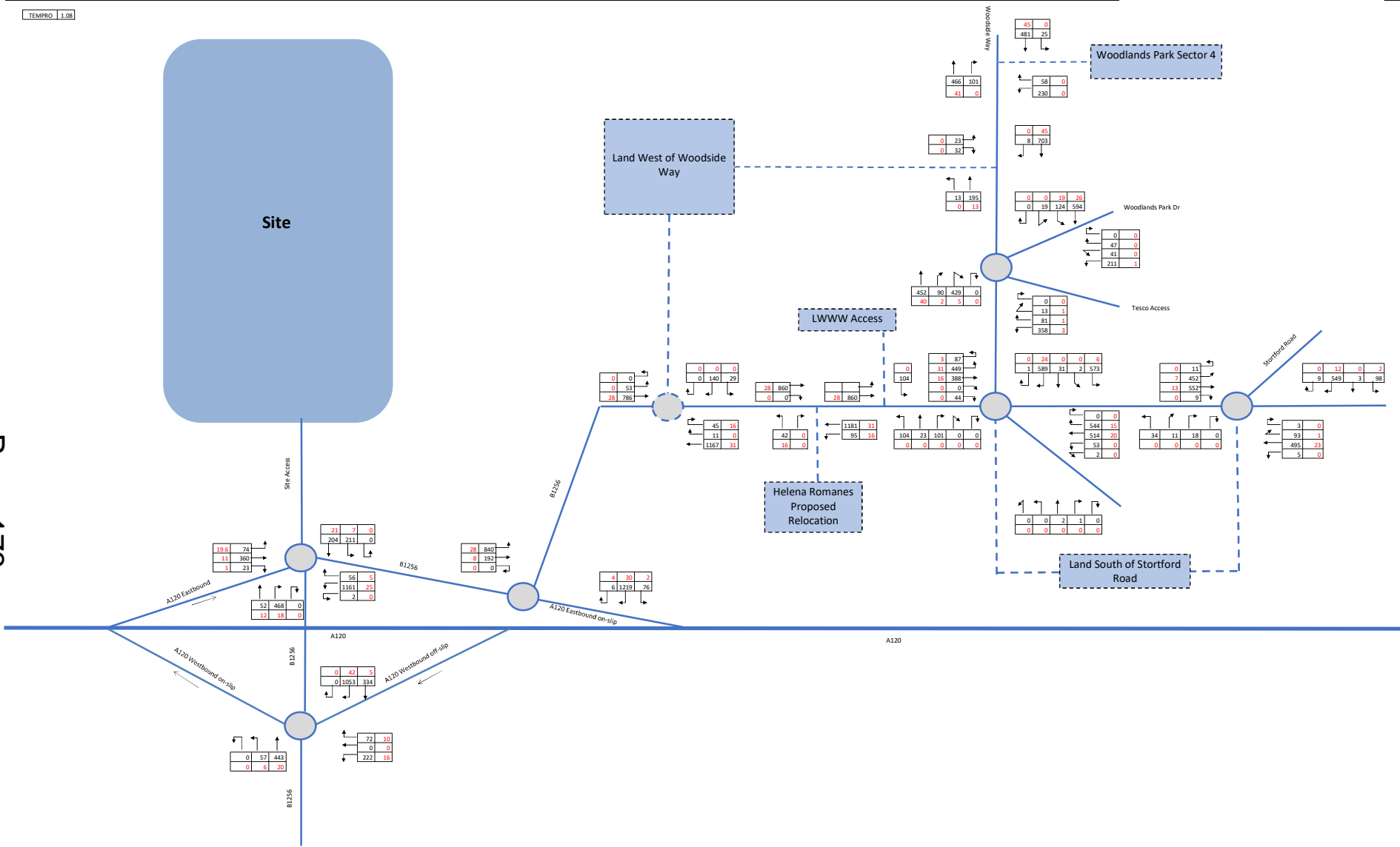
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 90 - Scenario 11: Scenario 9 + Proposed Development - PM |
| | DSS | MDC | Mar-21 | |



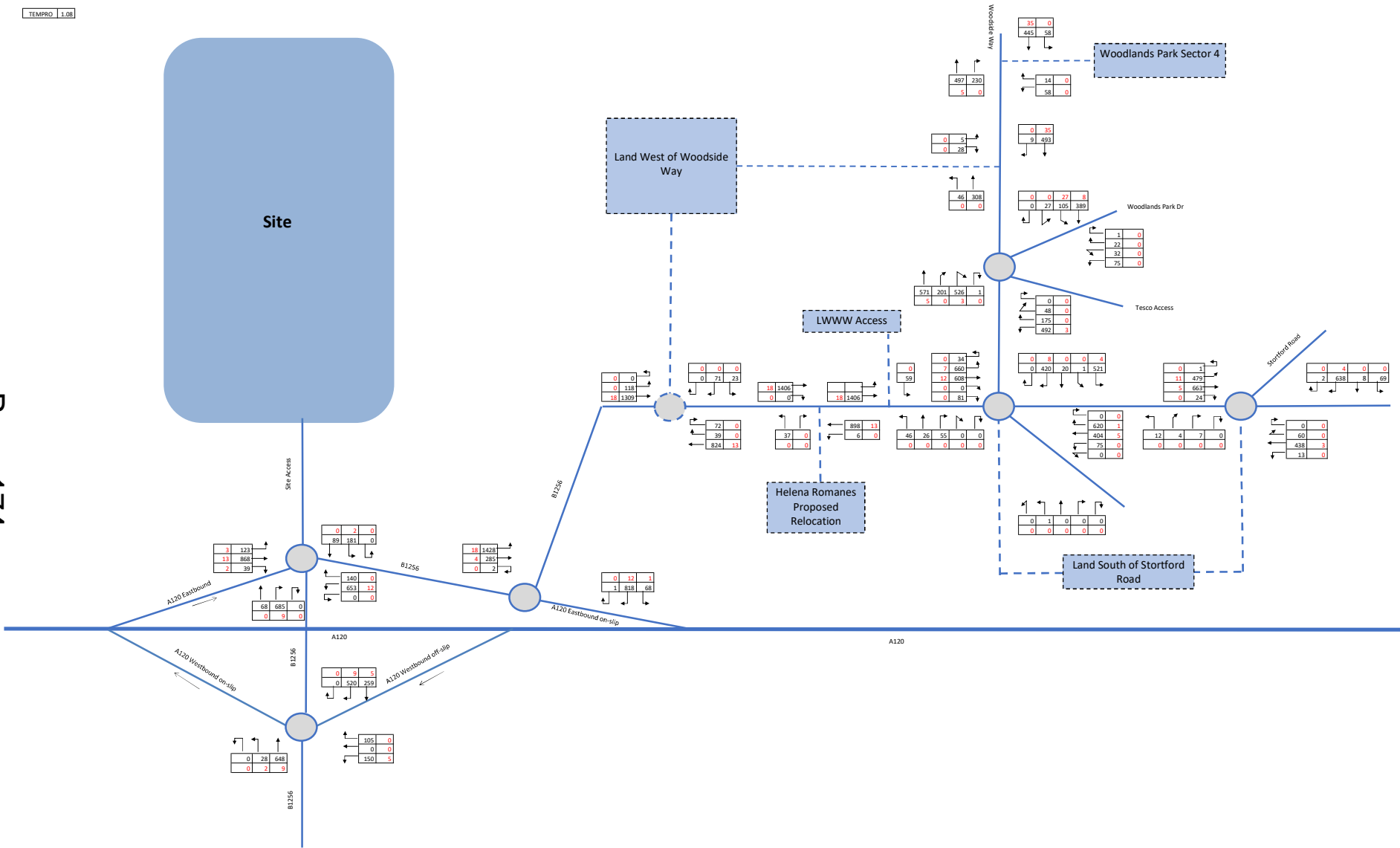
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 91 - Scenario 12 - Cumulative Scenario (without background growth): with Helena Romanes Existing Trips Redistributed and LWWW Reduced to 790 Homes - AM |
| | DSS | MDC | Mar-21 | |



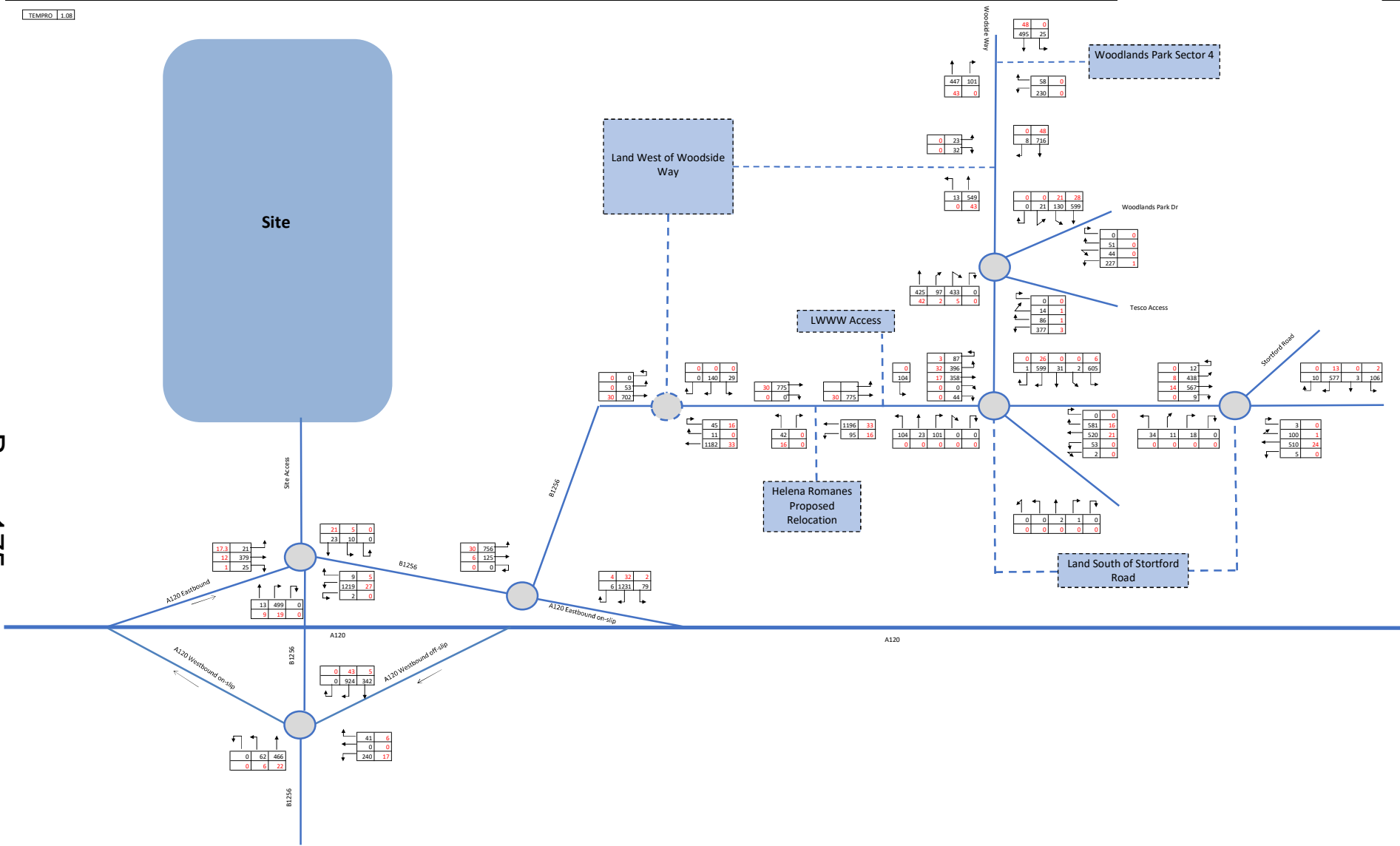
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 92 - Scenario 12 - Cumulative Scenario (without background growth): with Helena Romanes Existing Trips Redistributed and LWWW Reduced to 790 Homes - PM |
| | DSS | MDC | Mar-21 | |



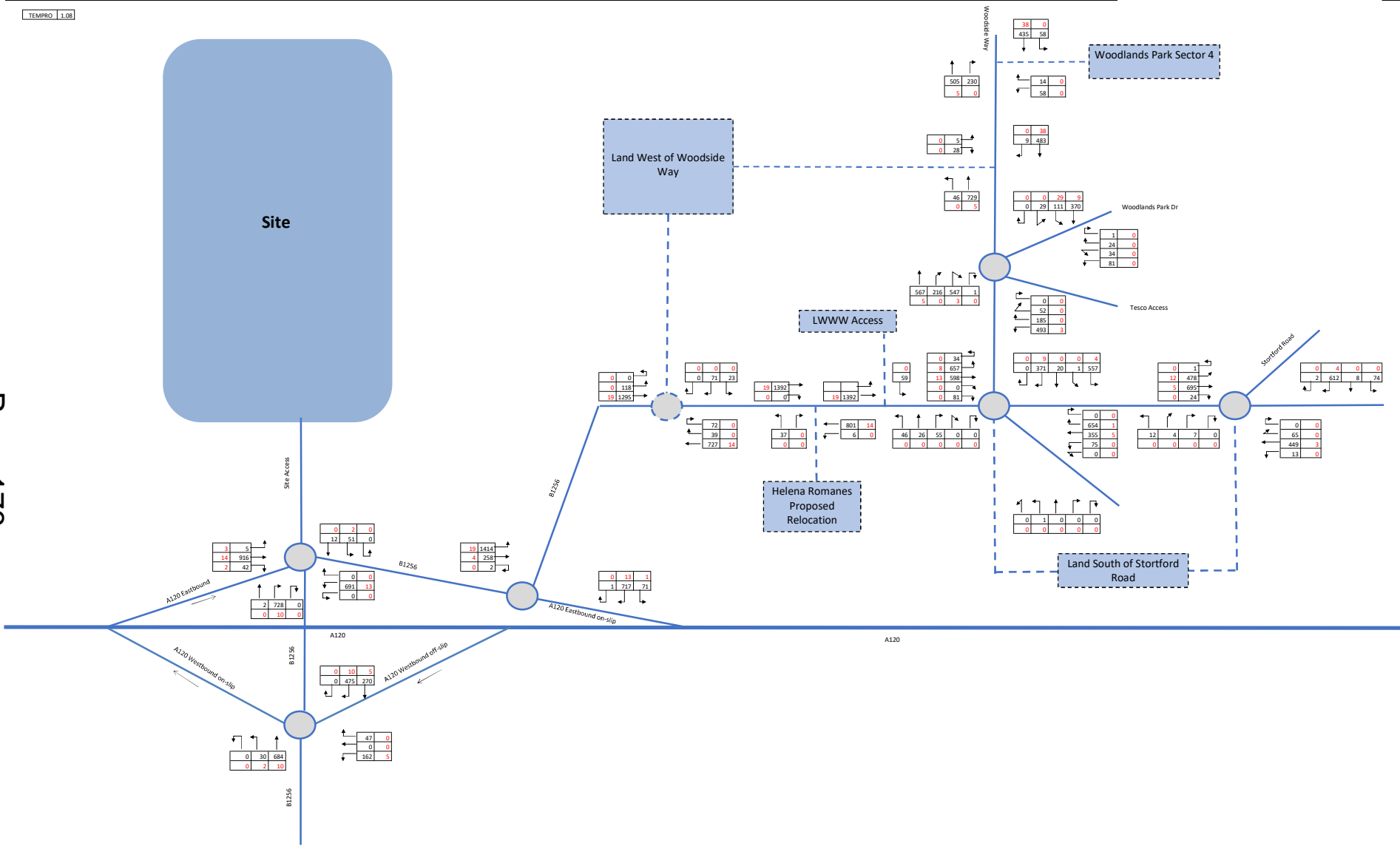
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 93 - Scenario 13 - Cumulative Scenario (without background growth): Scenario 12 + Proposed Development - AM |
| | DSS | MDC | Mar-21 | |



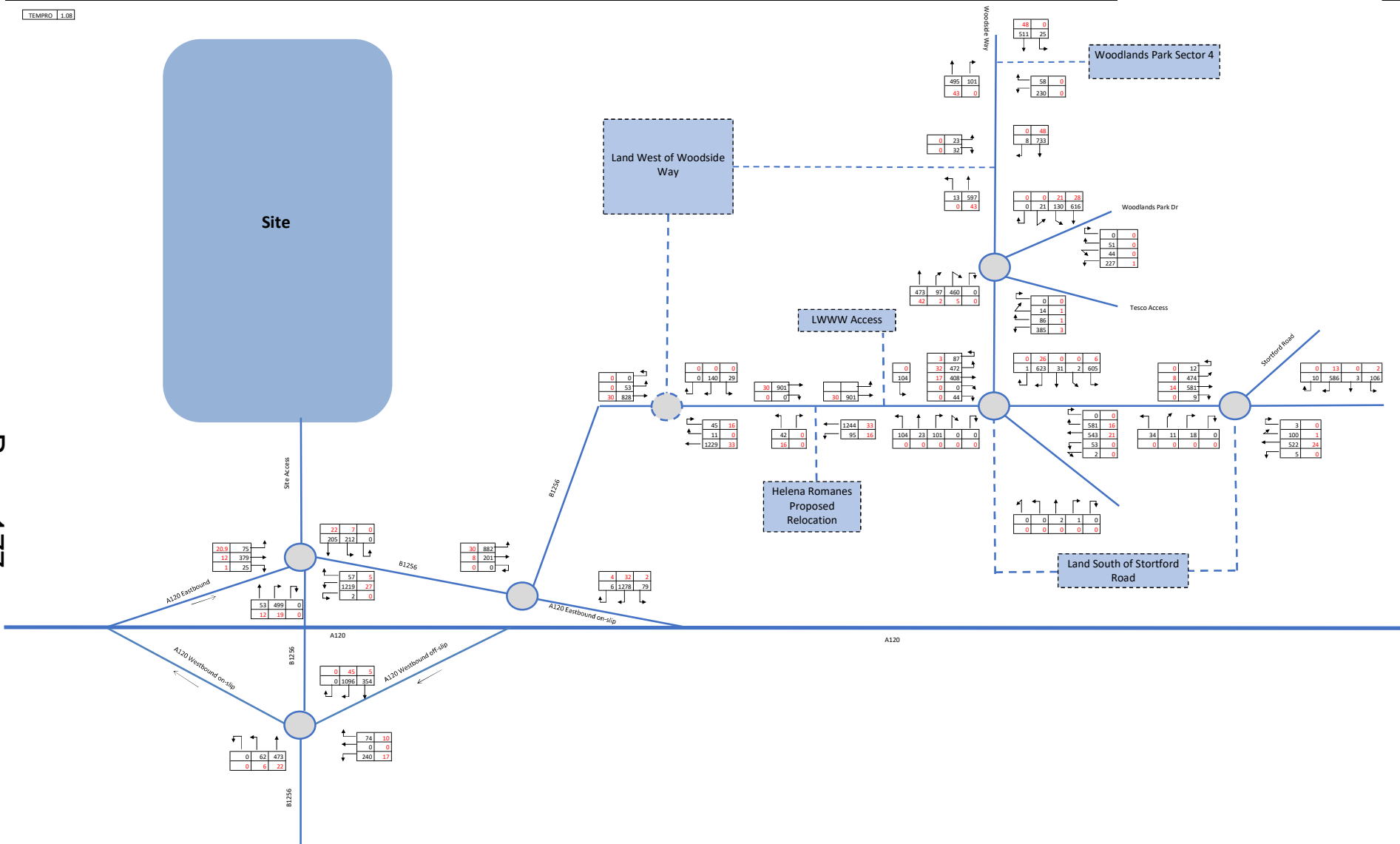
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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 94 - Scenario 13 - Cumulative Scenario (without background growth): Scenario 12 + Proposed Development - PM |
| | DSS | MDC | Mar-21 | |



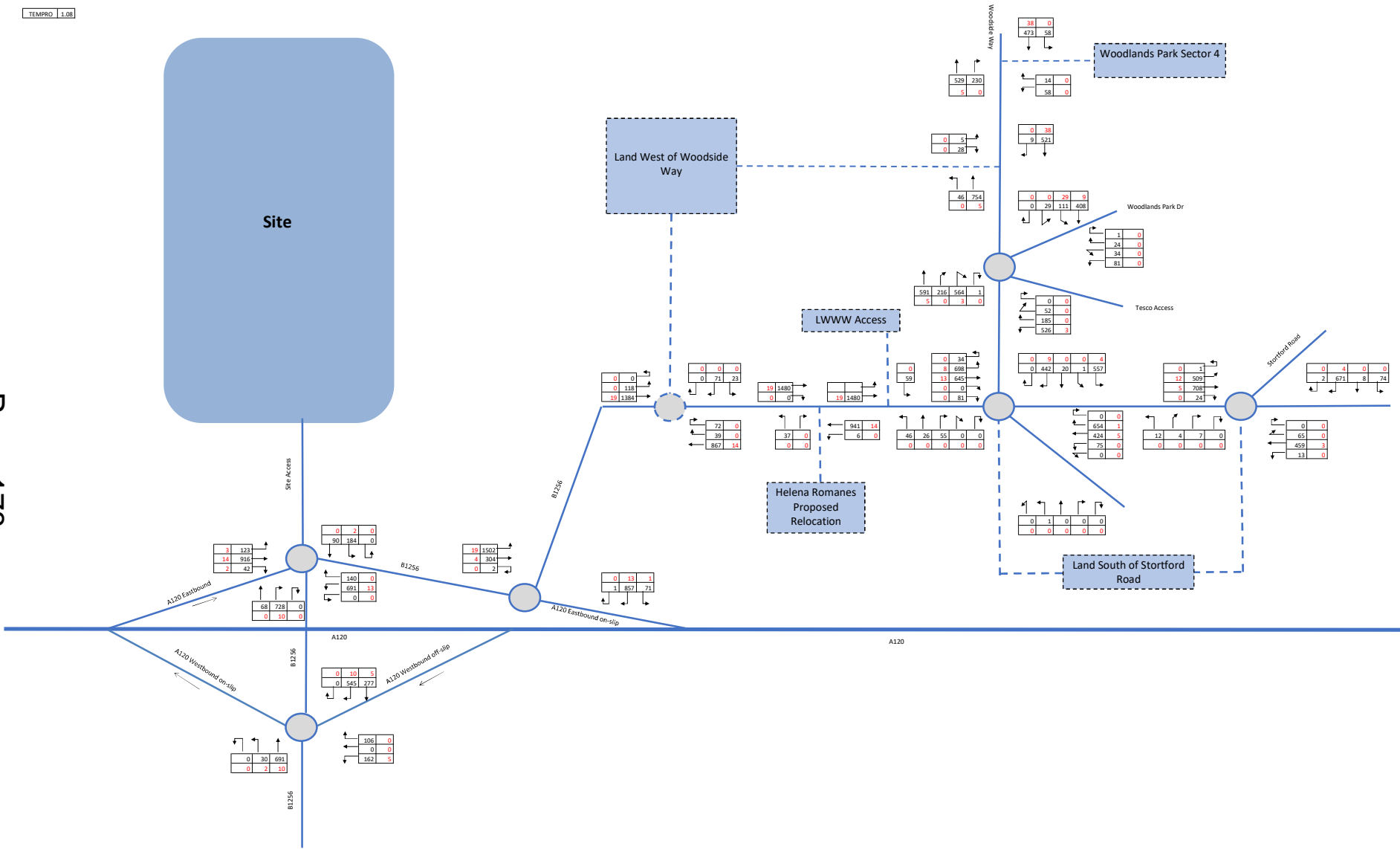
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| | DSS | MDC | Mar-21 | |



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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 96 - Scenario 14 - Cumulative Scenario (without background growth): with Helena Romanes Existing Trips Redistributed and LWWW Reduced to 790 Homes - PM |
| | DSS | MDC | Mar-21 | |



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| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 97 - Scenario 15 - Cumulative Scenario (without background growth): Scenario 14 + Proposed Development - AM |
| | DSS | MDC | Mar-21 | |



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|--|---------|-----|------------------------------|--|
| | LandSec | | Land East of Highwood Quarry | Traffic Flow Diagram 97 - Scenario 15 - Cumulative Scenario (without background growth): Scenario 14 + Proposed Development - PM |
| | DSS | MDC | Mar-21 | |

Appendix C
Technical Note TN1

WALKER ENGINEERING

Consultants in Highways, Railways
Bridges and Underwater Engineering

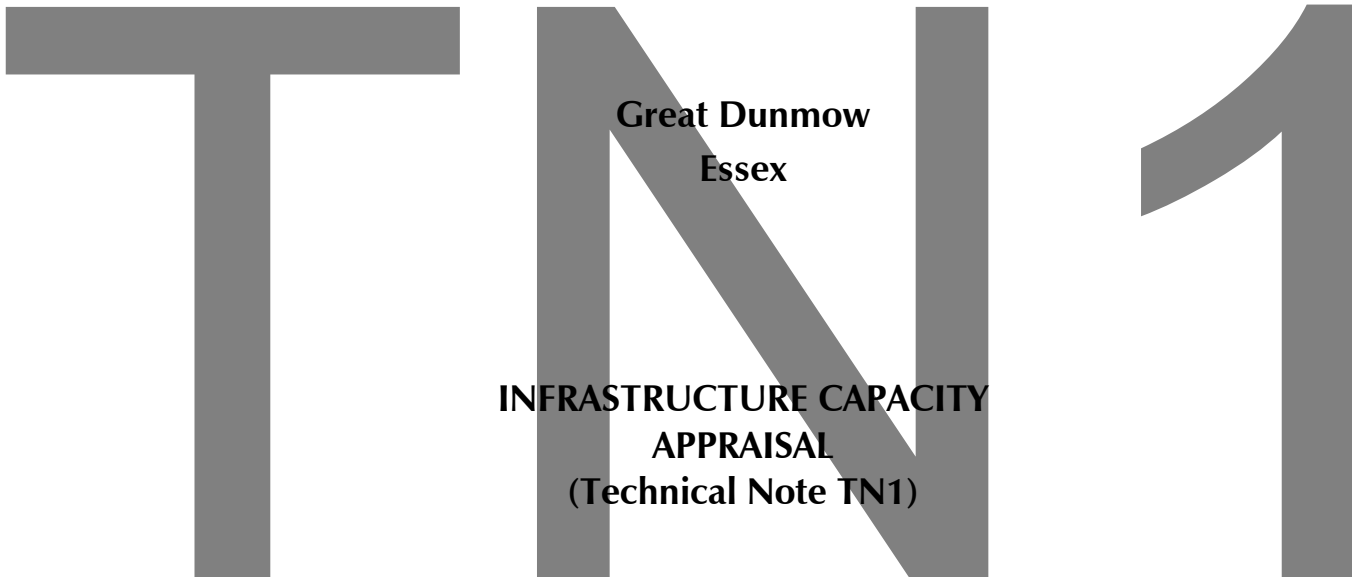
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Great Dunmow Town Council (GDTC)



Report on Proposed Development Impact Within Great Dunmow (Stage 1 - Infrastructure)

October 2020

**Great Dunmow
Essex**

Technical Note 1

**Report on Proposed
Development Impact
Within Great Dunmow
(Stage 1 - Infrastructure)**

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GREAT DUNMOW - ESSEX

Technical Note 1

Report on Proposed Development Impact within Great Dunmow Stage 1 – Road Infrastructure

1.0 [Introduction](#)

General

1.01 This Technical Note (TN1) has been prepared by *Lawrence Walker Limited (LWL)* in response to a request by *Great Dunmow Town Council (GDTC)* to examine road infrastructure serving the town in the light of planned large-scale housing growth. A combination of proposed Local Plan allocations, historic planning consents and a number of windfall sites would see over 3,000 units constructed across the town as shown at **Appendix A**, with only a limited number of localised road improvement schemes being offered in support. Today, there are 4,000. This degree of expansion, coupled with a fast-tracked approach to new educational facilities in the centre of the town, has led GDTC to be concerned that wide-spread congestion will result, even without the Garden Community referred to as Easton Park within the now withdrawn UDC Local Plan ever coming forward.

1.02 TN1 provides a critique of the available documentation in a written format. It also incorporates a specific request by GDTC that LWL liaises with all of the major players in and around the town to determine if alternatives to planned road improvements might be possible. Such parties include developers of land to the north and south of the B1256 Stortford Road; those associated with the proposed Helena Romanes School re-location and *Essex County Council (ECC)* as Local Highways Authority. No contact has been made with Highways England however, who controls the A120 Bypass to the south of the town. The organisation bases all responses to Planning Applications on Circular 2/2013 and as a result, has limited room for manoeuvre.

Overview

1.03 Great Dunmow is essentially served by a single carriageway road that passes along the southern side of the town (**Figure 1**). Known locally as the Stortford Road, it was historically designated as the A120 but following the bypassing of the town in the 2003, is now the B1256. It is narrow; busy; multi-functional (serving both as a Local Distributor and the main bus route around the town) and fast, even though it is subject in general to a 40mph Speed Limit. There is a single wide footway on the norther side and whilst much of the road is lit, non-highway usage appears limited. Timber bus shelters are notable feature along much of the route.



1.04 Great Dunmow sits predominately to the north of the B1256 but remote from it, giving the route to and from the west quite a rural feel, with open vistas and intermittent tree cover. To the east there is more extensive planting, meaning that views are restricted with only limited opportunity to see beyond the immediate roadside towards the town. As a result, nowhere does the road suggest it is urban, with the possible exception of the limited length close to Tesco over the central section as can be seen above. Even here though, views of the Superstore to the north are well masked by a tree-lined boulevard, which is matched by what feels like a walled garden to the south. Because of such features (and in spite of its high speed) the road provides a pleasant entrance into the town today. Given this, the most striking feature of current development proposals must surely be that however they are presented, the imposition of around 3,000 new houses and a school served mostly by the B1256 will undoubtedly change its feel forever.

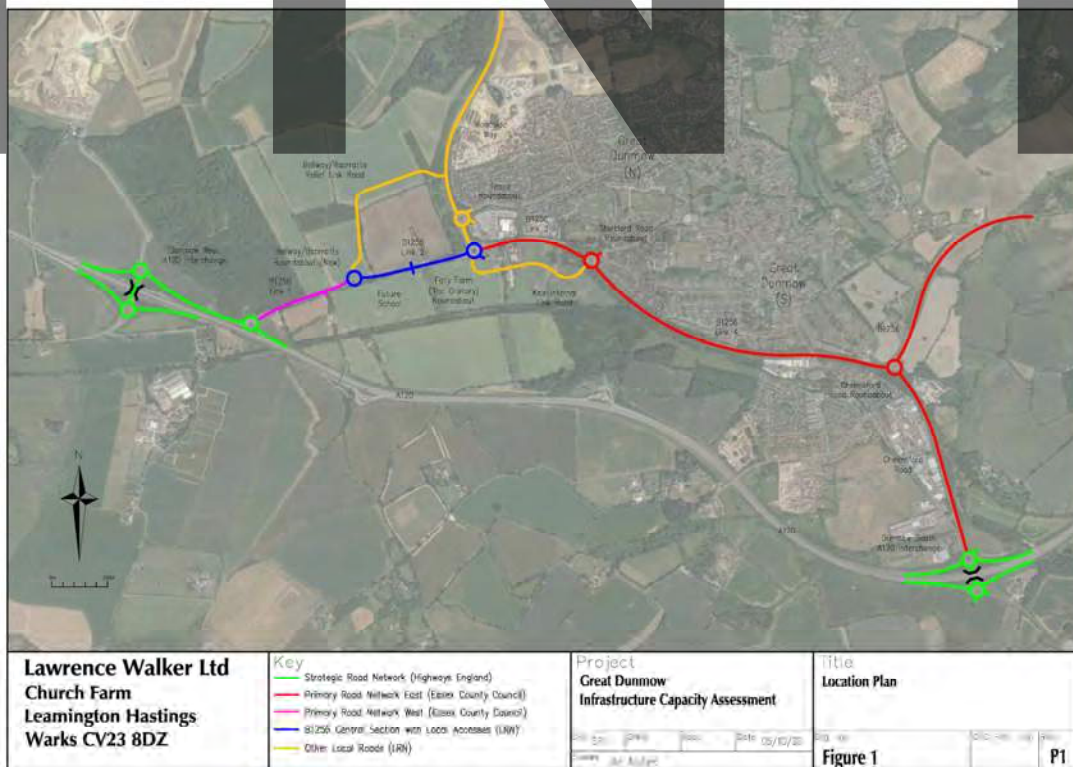
1.05 Turning to specifics, at a macro level 3,000 new dwellings will always generate a peak outbound flow of well in excess of 1,000 new car trips per hour in the morning, with a similar inbound flow in the evening. Great Dunmow is a rural community and the draw of large employment areas such as Stansted in normal Covid-free times is significant, meaning that employees commute, and mostly by car. No matter how it is presented, this *will* result in the B1256 being over-capacity from the central section out to the A120 to west of the town long before many of the houses proposed are built and occupied. This is a simple matter of arithmetic (nearly double the size of the town and nearly twice the traffic will result) and is easily demonstrated by noting that once urbanised, the route past Tesco will have a capacity of no greater than 1,200 vehicles per hour and possibly as low as 900. It is projected to be carrying around 1,600 by 2033 (**Appendix B**). Options for intervening are then limited and likely to be confined to ensuring that junctions proposed to serve new development over particularly the central section do not themselves further impede traffic flows. Even so, journey times along the B1256 will be much slower in the future than they are today, with peak-hour congestion prevalent. This is the inevitable consequence of disparate planning and the lack of any new strategic infrastructure being provided to serve it - a conclusion that was independently reached by *White Young Green* (WYG) in 2019 acting on behalf of the District Council as part of their now withdrawn Local Plan:-



Scope of Report

- 1.06 TN1 covers five aspects of development around Great Dunmow, being:-
- The establishment of what development is actually proposed, by when and what is its net contribution to road infrastructure in the area likely to be;
 - The accuracy of technical submissions; traffic modelling; traffic impacts and current thinking as far as it affects the B1256;
 - Whether the infrastructure covered by **Figure 1** herein is adequate to meet the needs of the town in the future and if not, what are the implications;
 - What the impacts of the proposed Helena Romanes School re-location and associated (somewhat opportunistic) access arrangements will be if it progresses, and;
 - Having discussed possible traffic interventions with ECC and other interested parties locally, do opportunities exist that might improve the situation along the B1256 by amending some or all of the consented road improvements.

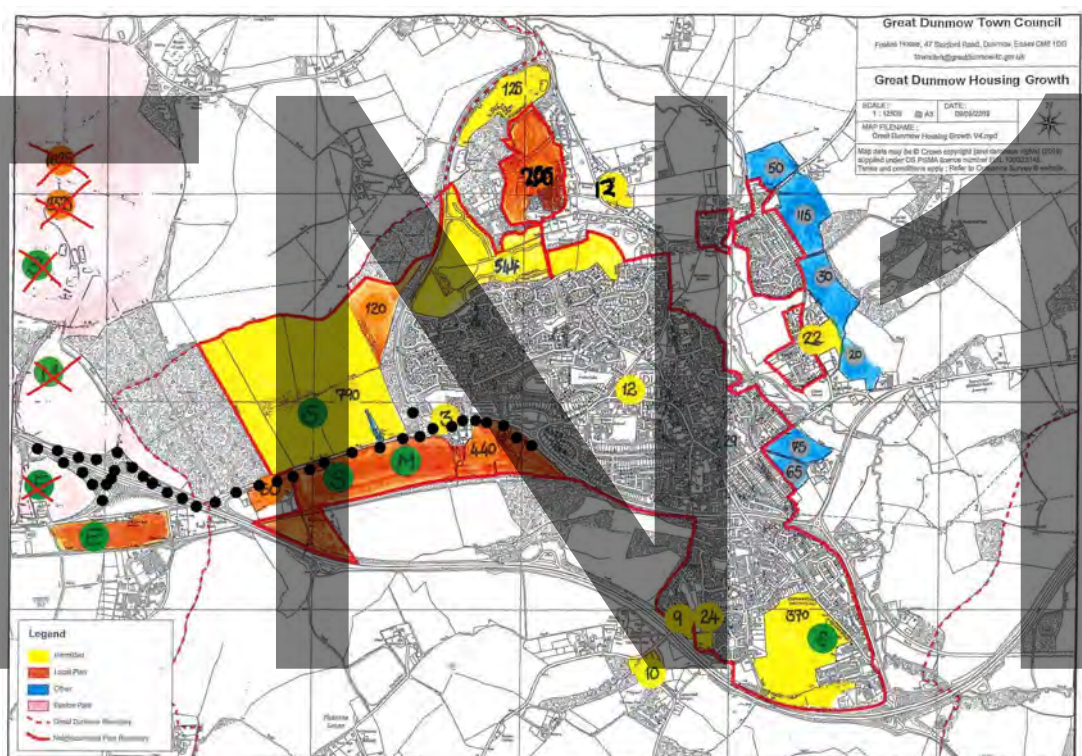
1.07 Each aspect is now assessed to determine whether, in LWL's view, the projected situation along the B1256 in the future can be made tolerable over the red and blue sections indicated below. In so doing, it should be noted that Stage 1 considers only Road Infrastructure and not Public Transport. It should also be noted that the level of consented development when coupled with that proposed or likely to occur will inevitably lead to the central and western sections being over capacity. Either additional new roads or road widening will be required to alleviate this situation going forward. It cannot be reversed (given the number of extant planning consents already in the system) and is unlikely to be materially affected by improved modal split away from the private car in a Covid-free world out towards the west. Great Dunmow residents are served by what is essentially a single carriageway road connecting them to their jobs, and it cannot be expected to serve a town of in excess of 7,000 dwellings.



2.0 Current Committed & Potential Future Schemes

Overview

2.01 The projected housing developments that are consented, planned or otherwise likely to occur are summarised at **Appendix A** and reproduced below. They total in excess of 3,000 dwellings, within a town that encompasses about 4,000 today. This near-doubling of the population will see a profound change in the both the feel and appearance of the town, and this is perhaps the most marked consequence of such extensive house building. The figure does not include the ill-fated Eastern Park Garden Community to the west either, which was part of the now withdrawn UDC Draft Local Plan. Whilst the site no longer has a valid status, it is understood that the developers still have aspirations to build in the area and as a result, may pursue a stand-alone planning submission for it at some stage. It has not been considered in TN1 but if pursued, would have a significant impact on the town and local services contained within it.



2.02 Notwithstanding internal housing growth, there are a number of other developments and expansions planned in the wider area that would have an impact on traffic movements in and around the town. Stansted is the most relevant (where an increase in passenger numbers is planned in a Covid-free world) but closer to home, proposals for the Helena Romanes School are the most severe. The latter is discussed in more detail within **Section 5**, but essentially an immediate shortage of Primary School places compounded by the imminent large increase in housing has led ECC to conclude that increased capacity will be needed by September 2021. This is planned to take place on the orange land denoted "S" and "M" above and whilst potentially benign in its own right, the proposed means of access off the B1256 is far from that and instead is likely to have a significant and wholly detrimental impact on the Stortford Road. Again, this aspect is discussed alter in this TN1 in **Section 4**. Beyond that, through-traffic and general growth will need to be considered over time in line with **Section 3**.

Specific Large-Scale Proposals

2.03 For the purposes of this assessment, the two larger schemes fronting the B1256 have been singled-out for special consideration as these have by far and away the most impact. Together, they account for 1,230 units, or about 40% of all planned growth in the town. They also account for nearly all planned infrastructure improvements in Great Dunmow such as they are, meaning that any possibility of altering the status-quo must realistically involve them. Together with the re-located Helena Romanes School, they control the B1256 frontage over its central section and this is again likely to concentrate minds.

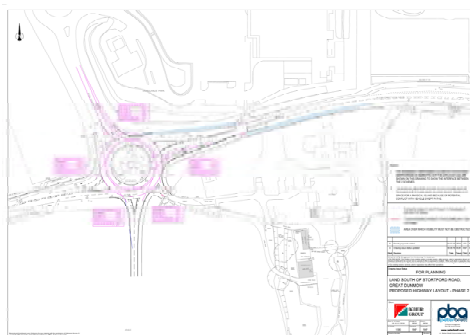
2.04 Elsewhere, development is fragmented and largely infill, suggesting a scatter-gun approach to strategic planning. In the absence of a CIL to provide for any accompanying infrastructure, this *under-the-radar* form of development leads to the same overall traffic increases as would a smaller number of larger sites, but none of the benefits in terms of new roads. Most will feed back onto the B1256 by one or other local route no matter their physical location, leading to large-scale traffic increases and problems just the same. Given they account for 60% of the planned growth, the failure to secure any meaningful improvements along the B1256 simply condemns it to a future that will inevitably involve congestion.

2.05 For the record, the two major sites comprise:-

- i) The Bellway/Barratts *West of Woodside Way* development totalling 790 units. It encompasses various Planning Consents including UTT/13/2017/OP; UTT/16/1466/DFO & UTT/18/1826/DFO, with the latest infrastructure proposals being provided at **Appendix D**. Access is to be provided by three new junctions that include various internal connections intended to function as a Spine Road, but the most notable feature in terms of impact is a left-in-left-out T-Junction onto the Stortford Road.
- ii) The 440 units Kier scheme to the south of *The Granary*, which is covered by most recently UTT/18/2574/OP. It has two points of access as shown at **Appendix E**, linked by an internal estate road.

Planned Road Improvements

2.06 Road improvements in and around Great Dunmow are limited in any meaningful sense and are almost entirely based on developments consuming their own smoke. That is to say, each of the larger sites is tasked with returning nearby junctions to the same state of operation with the improvements and the development in place as they would otherwise be without both. As a result, their benefit is marginal and mainly confined to the two A120 Interchanges and the Folly Farm Roundabout next to The Granary as shown below. Their impact, or otherwise, is considered in more detail in **Section 4**.



3.0 [Traffic Modelling, Traffic Impacts & Accuracy of Current Submissions](#)

General Synopsis

- 3.01 As outlined in **Section 2** above, the largest impacts along the B1256 come from the two identified housings schemes, coupled with the Helena Romanes School because of its convoluted means of access. Each is supported by its own bespoke Transport Assessment(s) or TA as usually termed; the accuracy, validity and scope of which has been examined in detail by LWL as part of this TN1.
- 3.02 Interestingly, there is no over-arching assessment of the B1256 and instead each TA works on the basis that other developments are covered as either committed individual schemes if close-by, or more generally through the use of TEMPRO growth factors applied to a range of traffic surveys if not. Whilst a valid approach at least on paper, there are inconsistencies between the various submissions and the age of some make the conclusions dubious. These are explored below. Overall, it would have been more sensible if at least one TA had taken a holistic view and considered everything and everyone else in the round, but out-with an adopted Local Plan, this was never a likely outcome.

Strategic Traffic Modelling

- 3.03 There is currently no *Strategic Traffic Model* (STM) that covers Great Dunmow and this was a matter taken up by LWL at the recent UDC Draft Local Plan EiP Hearings. That Plan was withdrawn, leaving the area devoid of any long-term traffic prediction tool. Whilst the matter was again taken up by LWL at the NEA EiP, those Plans too fell and again no progress was made on an STM. That which was put forward covered Great Dunmow only at its extremities and Stansted (the area's main employer) not at all, making it largely useless as far as the town was concerned. ECC has confirmed that this remains the position today and that it has assessed all TA's on the basis of the manual approach outlined above.
- 3.04 That said, documents were prepared by WYG on behalf of UDC for use at the EiP, which were subsequently supported by several produced by Atkins amongst others. **Appendix B** shows one such document, which purported to indicate "Network Stress" in 2033 based on a manual analysis. It showed a series of over-stretched links between the A120 and The Granary Roundabout, suggesting that over the critical central section, usage would be as much as 126% of available capacity (down from the 139% indicted to the west). The appraisal did not include the Helena Romanes School, which as discussed later in **Section 5** will reduce capacity still further. Clearly at the EiP, it had already been accepted that the impact of the UDC Draft Local Plan on Great Dunmow would be severe. Since many of the schemes associated with it have, or are about to, still come forward, that situation has not changed since. No road improvements have or were to be provided, and instead the Plan relied upon an ill-conceived and unviable *Bus Rapid Transit* system to mitigate impacts. It has now been formally abandoned. Great Dunmow is thus left with all of the impacts and none of the potential mitigation by default.
- 3.05 Looking specifically at the numbers, the WYG data provides various flow predictions for the B1256 past The Granary; noting always that the Bellway/Barratts development is included as a loading point only, and not as a series of accesses. Without Easton Park, the figure of 1,374 movements westbound in the AM Peak is suggested, which LWL has previously accepted as being reasonable. It would put the road at around 15% above capacity by 2033, which is not unrealistic. This figure has therefore been taken forward as a useful comparator.

Land South of Stortford Road (termed *The Granary* herein)

3.06 Various TA's and supporting documents have been produced by Stantec on behalf of Kier and these are generally comprehensive and well-reasoned. As discussed above they do rely on a manual approach however (as opposed to the use of an STM) and thus there are limitations concerning the long-term accuracy of the results. None-the-less, the April 2019 TA Addendum is the most reliable and overarching document currently in the public domain in LWL's view. It responds to a number of issues and queries raised by Highways England as well as ECC, so is likely to be robust. It pre-dates the Helena Romanes School application though, so this must be noted.

3.07 Working through the document, the most relevant comparator is Table 4.8, which is reproduced below as a public document for ease of reference. LWL acknowledges Stantec's work here. It shows the capacity of The Granary Roundabout in 2030 before improvements later proposed are enacted; making it directly comparable with the WYG assessment.

| Existing Layout | RFC | |
|------------------------------|--|------|
| | 2030 Future Base with Proposed Development | |
| | AM | PM |
| 1 - Woodside Way (N) | 0.75 | 0.74 |
| 2 - B1256 Stortford Road (E) | 0.85 | 0.67 |
| 3 - Farm Access | 0.00 | 0.00 |
| 4 - New Access | 0.75 | 0.26 |
| 5 - B1256 Stortford Road (W) | 0.65 | 1.00 |

3.08 Looking at the Table, the indications are that without improvement, the Roundabout would be over-capacity by 2030 and improvements were therefore proposed. Taking the Stortford Road (E) Arm, the actual flow used to derive the AM Peak Hour figure of 0.85 was 1,145. Allowing for 142 right-turners, it then suggests a ratio of $1,145 / (1374 - 142) = 0.93$ when compared to the more global WYG assessment, or a 7% reduction. However the WYG assessment is for 2033 and not 2030, so in reality the two approaches give very similar results. LWL is therefore content that the Stantec assessment is both sound and reasonable, with the exception of its exclusion of the Helena Romanes School which it pre-dates.

The West of Woodside Way Development (termed *WoWW* herein)

3.09 Undertaken by Clarkebond on behalf of Barratts, the June 2018 TS represents the most up-to-date appraisal of the 790 unit site. Whilst it is again well written, the date of the original submission was 2013, meaning that the TA is based solely on a 2026 out-turn year. This is no longer realistic and as discussed in **Section 4**, results in a series of designs that are not robust. Neither Clarkebond nor ECC as the Highways Authority are in any way at fault here it must be stressed, but the result is none-the-less a situation whereby the main B1256 Site Access Roundabout may well be close to capacity on the day it opens, if built as is currently proposed.

3.10 To verify this statement, it is first sensible to compare the flows used by Clarkebond in their TA for 2026 with those derived by Stantec for 2030. The corresponding figure to the 1,145 noted above is 1,054, which is lower by 9%, or around 2% per annum as might be expected. However, that is not the whole story, as the Clarkebond submission pre-dates that made by Stantec. As a result it did not have the full turning data later produced by Stantec for their scheme and also relied upon the use of TEMPRO. Moreover, it did not include increases instructed by Highways England to the Trip Rates for the development as a whole nor alterations to the distribution there-of, meaning that it again underestimated the final flows along the B1256. This is easy to quantify by referring to Table 7.1 of the Clarkebond TA below. LWL acknowledges Clarkebond’s work here.

Table 7.1 Stortford Road/ Woodside Way Roundabout – Modelling with Mitigation Scheme

| 2026 | AM Peak | | | PM Peak | | |
|--|--------------------|--------------------|------------------|--------------------|--------------------|------------------|
| | Queue ¹ | Delay ² | RFC ³ | Queue ¹ | Delay ² | RFC ³ |
| 2026 Assessment Year ‘with no development (Baseline)’ | | | | | | |
| Stortford Road East | 1 | 0.08 | 0.47 | 1 | 0.07 | 0.47 |
| The Granary | 0 | 0.00 | 0.00 | 0 | 0.00 | 0.00 |
| Stortford Road West | 0 | 0.05 | 0.38 | 2 | 0.11 | 0.66 |
| Woodside Way | 1 | 0.07 | 0.43 | 1 | 0.10 | 0.57 |
| 2026 Assessment Year ‘with development (Proposed Access Strategy and Mitigation)’ | | | | | | |
| Stortford Road East | 2 | 0.14 | 0.69 | 1 | 0.09 | 0.56 |
| The Granary | 0 | 0.00 | 0.00 | 0 | 0.00 | 0.00 |
| Stortford Road West | 1 | 0.07 | 0.44 | 3 | 0.14 | 0.73 |
| Woodside Way | 2 | 0.11 | 0.63 | 2 | 0.12 | 0.63 |

Notes: 1. The maximum mean queue predicted by the model for any 15-minute time period.
 2. The maximum mean delay per vehicle predicted by the model for any 15-minute time period.
 3. The maximum RFC (Ratio of Flow to Capacity) predicted by the model for any 15-minute time period.

3.11 As can be seen from the Table, the RFC of the Stortford Road (E) Arm for the AM Peak Hour is 0.69. Based on identical geometry, the corresponding figure from the Stantec TA is 0.85. Thus the flow on the B1256 has been underestimated by 23% at the macro level. Around 9% is accounted for by the change in Design Years as note above, but that still leaves 13% on a compound basis (1.13 x 1.09 = 1.23) that results simply from Stantec using more robust data. The net result is that whilst The Granary Roundabout B1256 improvements remain reasonable as covered by Stantec (but see also **Section 4.26** below), the Site Access Roundabout design presented by Clarkebond in their TA might be suspect in 2030 or beyond. It then follows that by default, it might be close to capacity when built if any of the other schemes happen to have come on-line to any degree before then. It does not allow for the Helena Romanes School either (which is set to open in 2021) suggesting that in practice it may well cause issues during each rush hour from the day it opens; not least because of the extra U-Turns that result.

3.12 In so noting, it must be clearly stated that neither Clarkebond nor ECC as Highways Authority are in any way at fault. The outline scheme was originally approved in 2015 and the detailed submission pre-dates both the Stantec TA and the School coming forward. It is thus a matter of hindsight. However, it remains the case that the TA for the WoWW scheme as used to support the design of the Site Accesses is today not robust. This is considered further in **Section 4**.

The Helena Romanes School (termed *The School* herein)

3.13 The third document that looks at the B1256 over the central section is the most recent; being the Ardent TA dated July 2020. As with the other two, it is well written and Ardent has been most helpful in outlining its findings.

3.14 Along with the Clarkebond work however, the Ardent TA suffers from a number of timing issues that affect the validity of the assumptions it makes when applied to the real world. The adoption of a 2027 Design Year is compliant with DfT expectations but given the levels of development expected to the north and east of the site and their duration, does not produce a whole-life solution. Children from these areas will be using the school for many years into the future beyond that whilst the sites are built-out, so an assessment that at least reflected the former Local Plan out-turn year of 2033 would have been more realistic and indeed sensible. Even the use of 2030 would have been consistent with the Stantec TA. TEMPRO has again been used, coupled with a ramping down of the housing expectation so as to only include those houses expected to be delivered by 2027. The two combined spell danger when looking at junctions along the B1256 for reasons already discussed above and it is worth noting that other TA's (and most notably the Stantec TA) suggest most will be close to capacity not long after that date, even before U-Turning traffic is considered.

3.15 That said, it must again be stressed that the above is in no way a criticism of either Ardent or ECC in its triple role as Highways Authority, Planning Authority and Education Authority. It is simply a function of the way the current system works by splitting both Planning and Highways responsibilities for different types of development across disparate authorities that are not then tied together through an adopted Local Plan. The result is none-the-less the same; being a situation whereby the B1256 over its central and western sections has not been assessed by anyone for a realistic whole-life scenario that reflects what drivers will *actually* experience in the near future as Great Dunmow expands.

3.16 Turning then to the specifics, there are two aspects of the Helena Romanes School re-location that have a bearing on future traffic conditions along the B1256. These are firstly the actual additional traffic flows generated by it, and secondly the impact that the chosen form of access will have on the two nearby roundabouts because of the U-Turns it produces. Each is now examined in turn.

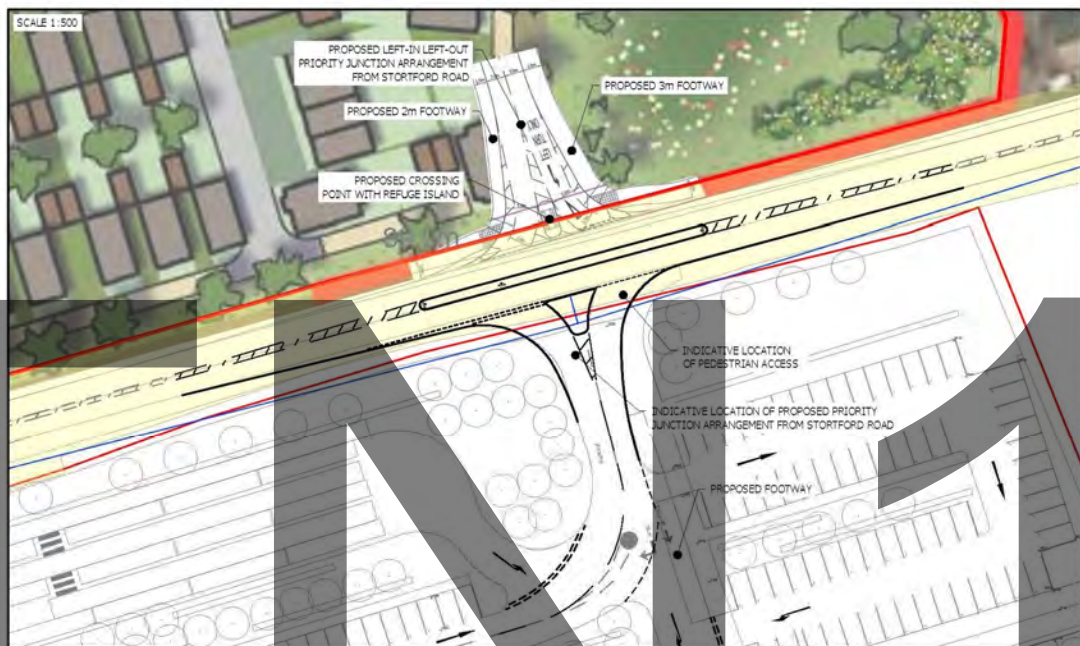
3.17 Looking firstly at the traffic impacts from a conventional stand-point, Table 6.1 of the TA offers an insight into the projected level. It is reproduced below for ease of reference and LWL acknowledges Ardent's work here.

Table 6.1 Percentage Impact of Development on Key Junctions

| Route | AM Dev Impact | PM Dev Impact |
|---|---------------|---------------|
| Junction 1 – Land West of Woodside Way Proposed Access Roundabout | 9% | 5% |
| Junction 2 – Woodside Way / Stortford Road Roundabout | 11% | 4% |
| Junction 3 – Woodside Way / Tesco Roundabout | 5% | 3% |

3.18 As can be seen from the table, the impact of the (School) re-location is material and needs to be taken into account when looking at junctions and main-line flows along the B1256. It was not with respect to both The Granary and WoWW developments, since both associated TA's pre-dated that of the School. This is considered further in **Section 4**. Commentary on whether the TA for the School itself should have then considered the other two sites within a realistic time-frame so as to provide both a global and realistic assessment is provided above.

3.19 With respect to the means of access, a left-in-left-out solution is proposed as shown below. This form of access has been largely dictated by the need to deliver at least Primary School places by September 2021 and this is discussed further in **Section 5**. The main consequence is that capacity in both directions along the central section of the B1256 and at the roundabouts at either end is artificially eroded when compared to a direct access off (say) the nearby Woodside Way Site Access Roundabout. Because of the time-frame issues noted above, this has not been quantified correctly to date. It is worth noting specifically that U-Turning traffic is particularly corrosive on capacity, as it affects every arm. The consequences of this are considered further in **Section 4**.



Summary

3.20 Having reviewed all of the available documentation and spoken with the various groups involved, the most striking feature of the current position is an absence of joined-up thinking. No document in the public domain looks at the whole picture, and instead each developer has been tasked by the relevant Planning Authority with consuming only his own smoke through strict adherence to the formally withdrawn 2007 Guidelines. That, coupled with the lack of an adopted Local Plan; no Strategic Traffic Model and the knowledge that Para 109 of the NPPF makes it very difficult for Planning Authorities to turn individual applications down on traffic grounds, has led to a perilous situation as far as the B1256 is concerned.

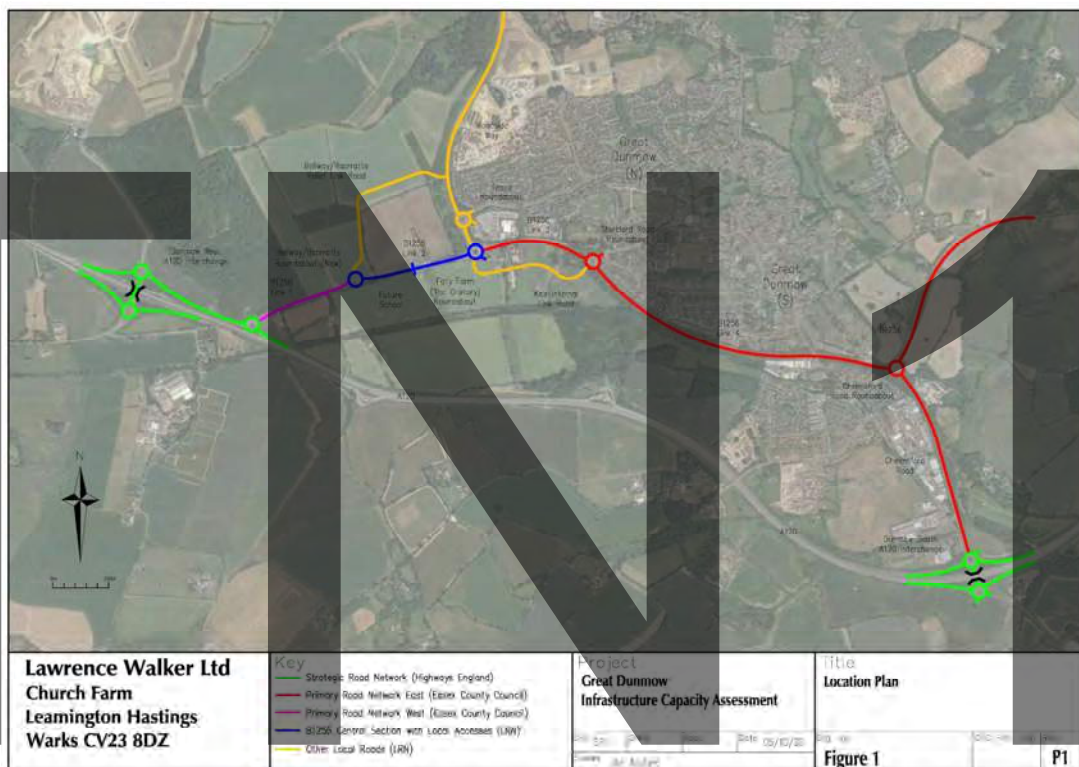
3.21 Specifically, the Stantec TA for The Granary does not consider the Helena Romanes School re-location because it pre-dates it and could not therefore have known about it in detail until the application was made. The Clarkebond TA for the WoWW development does not use the most up-to-date data from the Stantec TA as it pre-dates that and therefore underestimates traffic on the B1256, again through no fault of its own. The Ardent TA for the School is based on an artificially premature out-turn date in strict accordance with the current rules, so it misses what would otherwise have been an opportunity to rectify the other two omissions and look at the real picture today on behalf of all. As discussed in **Section 5**, it also proposes a convoluted form of access that only compounds the problem.

3.22 Overall, LWL concludes that the current situation is not represented by any of the three TA's covering the three major schemes, although it must be said without blame. The implications of this finding are now discussed in **Section 4**.

4.0 Adequacy of Road Infrastructure

Current Position

4.01 This section of TN1 looks at the key infrastructure identified in **Figure 1** and reproduced below to determine where deficiencies might lie in the real world. In so doing, it has been assumed that The Helena Romanes School application will be approved in November of 2020 and in the format currently identified. Its individual context is assessed in **Section 5**, whilst opportunities to influence and/or amend the scheme to the benefit of the B1256 are discussed in **Section 6**. It is hoped that both sections might persuade ECC to seek amendments before they grant Planning Consent. As noted in **Section 2.02** however, this seems hopeful at best given the urgent need for Primary School places. Options are none-the-less presented that offer a phased approach and a means to overcome this.



Design Year

4.02 As submitted, the three main schemes that will largely determine traffic flows into and out of the town along the B1256 for years to come deploy disparate Design Years and this is not helpful in understanding their combined impact. Specifically, the WoWW scheme uses 2026 for largely historical reasons; the Helena Romanes School re-location 2027 because of its projected year of full opening and the Kier development at The Granary 2030. The Local Plan out-turn year previously assumed by UDC in their Draft Regulation 19 submission was 2033.

4.03 Sensibly, 2026 and 2027 are not realistic. Irrespective of the rules, designing new infrastructure for a five year operational life when surrounded by major developments is a technical evasion of reality. Even 2030 is less than 10 years away today, suggesting that from a standing-start in 2021 Bellway, Barratts and Keir would need to sell a combined total of 150 units per year from 2022 onwards. Possible, but in a post Covid-19 world unlikely since they represent only 40% of the proposed new stock. A Design Year of 2030 has therefore been adopted together with a Test Year of 2033 to ensure a robust and more strategic approach.

The Strategic Road Network (Green)

- 4.04 The SRN in the locality is shown in Green on **Figure 1** and comprises the two A120 Interchanges for the purposes of this assessment. It is mostly controlled by *Highways England* (HE) as part of the Trunk Road Network and is largely unaffected by the Helena Romanes School proposals. The 2030 appraisal presented by Stantec in their April 2029 TA Addendum is thus a valid submission.
- 4.05 Looking at the correspondence and reading through the Addendum, it is clear that HE has applied the Circular 2/2013 Guidance in their usual dogmatic way and their Consultants (AECOM) equally so. As a result, the Stantec appraisal is robust and remains sound out to 2030. Whilst a 2033 Test Year analysis would suggest an additional 7% increase in traffic flows largely in accordance with **Section 3.08** above, this would make only a marginal difference strategically in LWL's view, particularly with respect to the A120 South Interchange. This is mainly because of the way HE requires key developments to be included in any assessment, but also reflects the fact that any that have yet to be submitted for planning will still have to look at both junctions a-fresh anyway. As a result, both junctions are likely to remain within capacity over the previously identified Local Plan period out to 2033.

The Primary Road Network East (Red)

- 4.06 Controlled by the County Council as part of the LRN, the Red roads on **Figure 1** form the primary link out to the A120 towards the south and east. Again it is felt that the impact of the Helena Romanes School on these roads will be minimal, suggesting that the Stantec 2019 TA Addendum is again a good starting point.
- 4.07 As can be seen from **Figure 1**, the Primary Road Network East contains two junctions; namely the Stortford Road and Chelmsford Road Roundabouts onto the B1256. Both are currently three-arm, but the former ultimately forms the eastern access to the Kier site by the addition of a fourth into the development. Neither roundabout appears in the April 2019 Addendum, indicating that changes made between it and the original TA were not thought to affect the conclusions reached.
- 4.08 Turning to the August 2018 TA, the 2030 assessments of the two junctions are provided at Tables 6.15 & 6.17 respectively. They indicate ample capacity, with the maximum RFC being reported as 0.76 at the B1256 western approach to the Stortford Road Roundabout. Alterations to the flows and distributions noted in **Section 3.11** above will have only a marginal impact on this approach, suggesting that even by 2033 both junctions will remain within capacity. No further assessment has therefore been undertaken at these two locations.
- 4.09 Finally looking at the B1256 itself, Link 3 is likely to be the most critical, for which the Stantec TA suggests a one-way PM Peak Hour flow of around 1,200 vehicles in 2030. As a predominately rural 7.3m road with no intermediate accesses, it has a one-way capacity of around 1,600. It is thus likely to remain well within capacity beyond 2033, as indeed was suggested by WYG at the UDC EiP (**Appendix B**).



Local Roads (Orange)

- 4.10 Only three local roads have been considered in this TN1 as the LRN in general does not significantly influence the movement of traffic into and out of the town. All vehicles ultimately have to reach the B1256 by some means and congestion on one particular part of the LRN tends to resolve itself by drivers simply choosing an alternative option. This will be even more prevalent in the future, as internal roads provided with the Bellway/Barratt and Kier developments will allow for the bypassing of both the Tesco and Folly Farm (The Granary) Roundabouts should they need to to avoid any issues. As can be seen from **Figure 1**, the only route of any note is then likely to be Woodlands Way itself out to the north and the only junction; the Tesco Roundabout.
- 4.11 Considering the latter first by looking at the April 2019 Stantec TA Addendum, as with junctions along the eastern parts of the B1256, the Tesco Roundabout has not been included. This again indicates that changes made to the original TA were not thought to affect the conclusions reached here either.
- 4.12 Referring then to the TA itself, Table 6.11 is the most relevant and it indicates that with the exception of the Tesco arm, the junction is projected to operate at less than two-thirds of capacity in 2030. The Tesco arm is, of course, of limited relevance as far as the LRN is concerned. Even by 2033 and after allowing for the Helena Romanes School, it is still unlikely that this junction will suffer from serious congestion in the foreseeable future. If it does, then some traffic will simply use the Bellway/Barratts Spine Road anyway. Overall, the Tesco junction is of limited concern and any potential for it to cause any substantial re-routing is also limited, other than along new routes specifically designed to so serve.
- 4.13 Secondly looking the capacity of Woodside Way itself to the north, the Stantec TA suggests a one-way PM Peak Hour flow of around 1,100 vehicles by 2030 along what is a newly-built road. This level of traffic is unlikely to cause any concern for the foreseeable future on what is a high-standard link with a capacity of something in the order of 1,600.

The Primary Road Network West (Magenta)

- 4.14 The Magenta part of the B1256 between the A120 West Interchange and the new West of Woodside Way Site Access is the most critical part of the road infrastructure serving Great Dunmow. More than half of all the traffic into and out of the town passes along this link, and yet none of the three TA's dealing with the major sites looked at it. There is no Policy or CIL to protect it, and no mitigation strategy for it following the demise of the ill-fated *Bus Rapid Transit* system discussed in **Section 3.04**. It is narrow, busy, multi-functional and fast, making it a stand-out as a potentially problematic section of road going forward.
- 4.15 Looking then at the specifics, capacity along the B1256 was raised as an issue by LWL at the UDC EiP in 2019 and it was accepted that by the end of the Local Plan period in 2033, it would be significantly over-capacity. **Appendix B** produced by WYG suggested a figure of 139%, and LWL did not dispute this figure at the time. At this level of over-usage average speeds would drop to about 8mph at peak times (which is a typical speed for a horse and cart) and would set Great Dunmow back by more than 100 years in transport terms. Traffic would seek to divert where it could, which would route extra traffic at best out towards the A120 South Interchange and the back along the A120 to head west. This is a lengthy detour however and one that would route more traffic through the central section of the B1256, and indeed past the School. This is not an ideal scenario.

- 4.16 Examining then the numbers in turn by heading east to west along the B1256 from The Granary Roundabout:-
- i. The Stantec April 2019 TA Addendum provides westbound traffic flows out of The Granary Roundabout for 2030 and suggests a total flow of 1,145 vehicles in the AM Peak Hour (**Section 3.08** above refers). For reference, the WYG report quoted 1,374 for 2033, as noted in **Section 3.05**;
 - ii. The Ardent TA for the Helena Romanes School indicates a total of 30 new trips will be generated by 2027 heading towards the A120, and;
 - iii. At the WoWW Site Access Roundabout there is a net change of 206 vehicles based on the Clarkebond TA, assuming the full 790 units are built-out and a 63% distribution in favour of the westbound B1256.
- 4.17 Overall, the total flow on the B1256 will be approximately 1,380 by 2030 outbound in the AM Peak Hour, rising to 1,610 by 2033. Both figures exclude any developments to the west and also Eastern Park. The road is a narrow single carriageway and has a capacity of around 1,200 vehicles per hour. This means that by 2033 it will be running at 134% of capacity, which is similar to the figure suggested and indeed acknowledged by WYG at the UDC EiP of 139% (**Appendix B**). The road will sensibly need to be widened (or more realistically dualled) long before either date is reached.
- B1256 Central Section (Blue)**
- 4.18 This is the key part of the Great Dunmow Local Road Network; providing as it does both local access and for through movements between the town and the A120 in both directions. Busy, narrow and soon to be home to new left-in-left-out junctions in either direction, the advent of the School in particular will change its appearance and function forever.
- 4.19 Looking firstly at the capacity of the road itself, Stantec predicts 1,145 vehicles westbound in the AM Peak Hour as noted above in 2030, rising to 1,374 based on the WYG numbers by 2033. Neither allows for the School however, which Ardent suggests will add a further 237 trips according to Figure FD45. This brings the total to between 1,382 and 1,611, which is more than the flow predicted to the west of the Woodside Way site along what is basically a straight and open road.
- 4.20 Now the capacity of single carriageways that are encumbered by major left-in-left-out accesses is not an exact science. Without such provision a figure of 1,200 would be a good starting point as per the B1256 out to the west, but that figure might be as low as 900 if interaction outside of the School is high. The road will therefore be, at best, 15% over-capacity by 2030 as previously noted. It could easily be as much as 78% over the limit by 2033. This is a very high number and spells extremely bad news for those wishing to use the road in the future other than to go to the School. Long delays would be the consequence and in most cases for those who possibly could, it would be quicker to walk at 4mph anywhere in Great Dunmow than use the B1256. Clearly this is not an option for those working outside of the town and large-scale diversions would inevitably result.
- 4.21 In order to accurately assess the capacity of the B1256 over its central section, a micro-simulation model would need to be established. This is beyond the scope of this TN1 so should be requested by ECC Highways of their own ECC Education Department as a matter of urgency as part of the current application. It will hone-in on the exact capacity, but it will not be less than 1,200 in LWL's view. It could easily be as low as 900 as noted. Either way, the road will be seriously stressed.

4.22 Moving on to the two roundabout junctions that book-end this section of the road, neither has been assessed correctly to date for all of the flows that are likely to be present over the next decade or so. Each is now examined in turn below.

The Granary Roundabout

4.23 The most reliable capacity assessment of The Granary Roundabout comes from the Stantec April 2019 TA Addendum which is reproduced below. LWL acknowledges Stantec's work here. It does not include the Helena Romanes School re-location though, which it pre-dates. The assessment is for 2030.

Table 4.5: Woodside Way / B1256 / Folly Farm Access / Site Access Roundabout – FB+Dev ARCADY Results (Woodside Way Dev Layout + Site Access)

| Woodside Way Dev Layout | RFC | |
|------------------------------|--|------|
| | 2030 Future Base with Proposed Development | |
| | AM | PM |
| 1 - Woodside Way (N) | 0.58 | 0.56 |
| 2 - B1256 Stortford Road (E) | 0.61 | 0.49 |
| 3 - Farm Access | 0.00 | 0.00 |
| 4 - New Access | 0.75 | 0.26 |
| 5 - B1256 Stortford Road (W) | 0.57 | 0.87 |

4.24 As can be seen from the table, the layout would work for the flows considered out to 2030, but only just based on a limiting RFC of 0.85. Even without the impact of the extra U-Turns, the School represents a 21% increase, which means the junction will most likely be over capacity with that development added by that date.

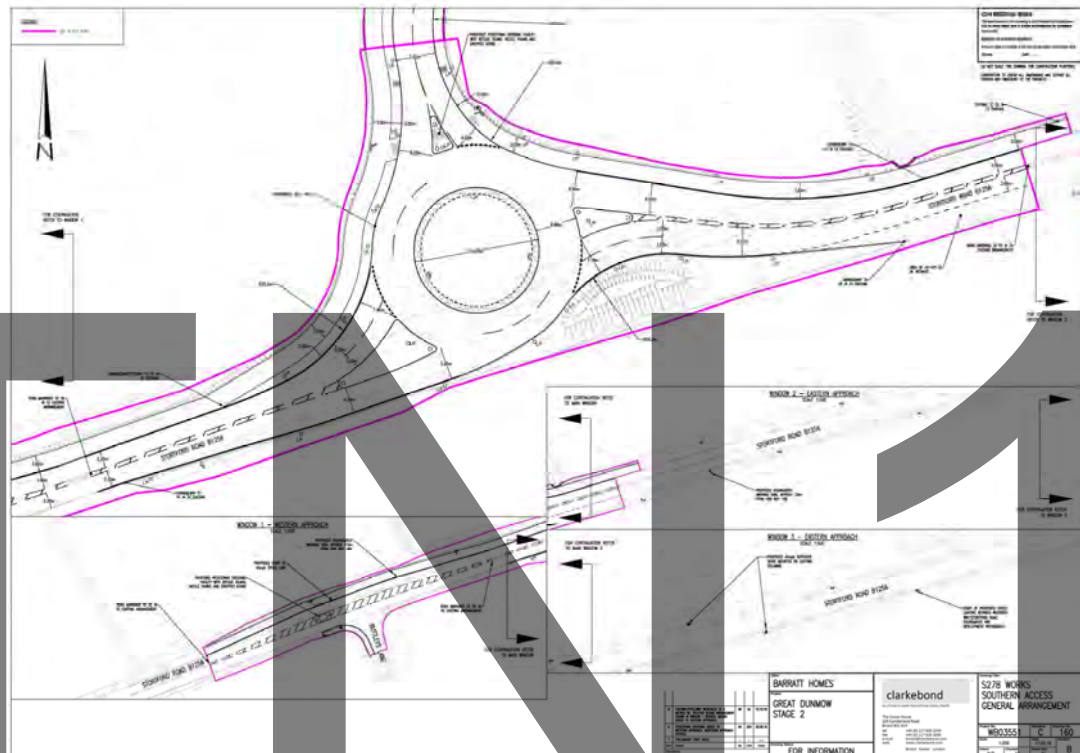
4.25 To test the actual impact, LWL has re-run the ARCADY for the Roundabout based on the same geometry. It is reproduced in **Appendix F** and summarised below.

| | AM | | | | | PM | | | | |
|--------------------------------|--------|-------------|-----------|------|-----|--------|-------------|-----------|------|-----|
| | Set ID | Queue (PCU) | Delay (s) | RFC | LOS | Set ID | Queue (PCU) | Delay (s) | RFC | LOS |
| 2030 with School - 2030 | | | | | | | | | | |
| Arm 1 | D1 | 1.9 | 5.87 | 0.64 | A | D2 | 1.5 | 5.39 | 0.57 | A |
| Arm 2 | | 2.5 | 6.76 | 0.70 | A | | 1.1 | 3.77 | 0.49 | A |
| Arm 3 | | 0.0 | 0.00 | 0.00 | A | | 0.0 | 0.00 | 0.00 | A |
| Arm 4 | | 27.7 | 361.45 | 1.24 | F | | 0.4 | 10.39 | 0.27 | B |
| Arm 5 | | 2.0 | 7.07 | 0.65 | A | | 12.0 | 30.42 | 0.93 | D |

4.26 As can be seen from the outputs, The Granary Roundabout will be over capacity by 2030 and queues will clearly develop by 2033 on most arms. This is down largely to the impact of the School, which was assessed only to 2027 and with reduced flows. The most noticeable impact however would be on the Kier Western Site Access (Arm 4) which would be rendered un-usable by the increase in flows past it during the AM Peak Hour once both sites are fully developed. This should be taken-up urgently by ECC Highways as part of the current application.

The West of Woodside Way Site Access Roundabout

4.27 Because of its long-standing planning status, this junction has never been correctly assessed for the total flows that are likely to pass through it in either 2030 or 2033. Assessments undertaken to date are technically sound, but unrepresentative of the situation that motorist will actually face on the ground some ten years hence. For this reason, LWL has undertaken an independent ARCADY assessment based on the submitted geometry and development flows from the Ardent 2020 TA, but with through-flows that include the full Kier development for a each future Design Year. The results are provided at **Appendix F** and below.

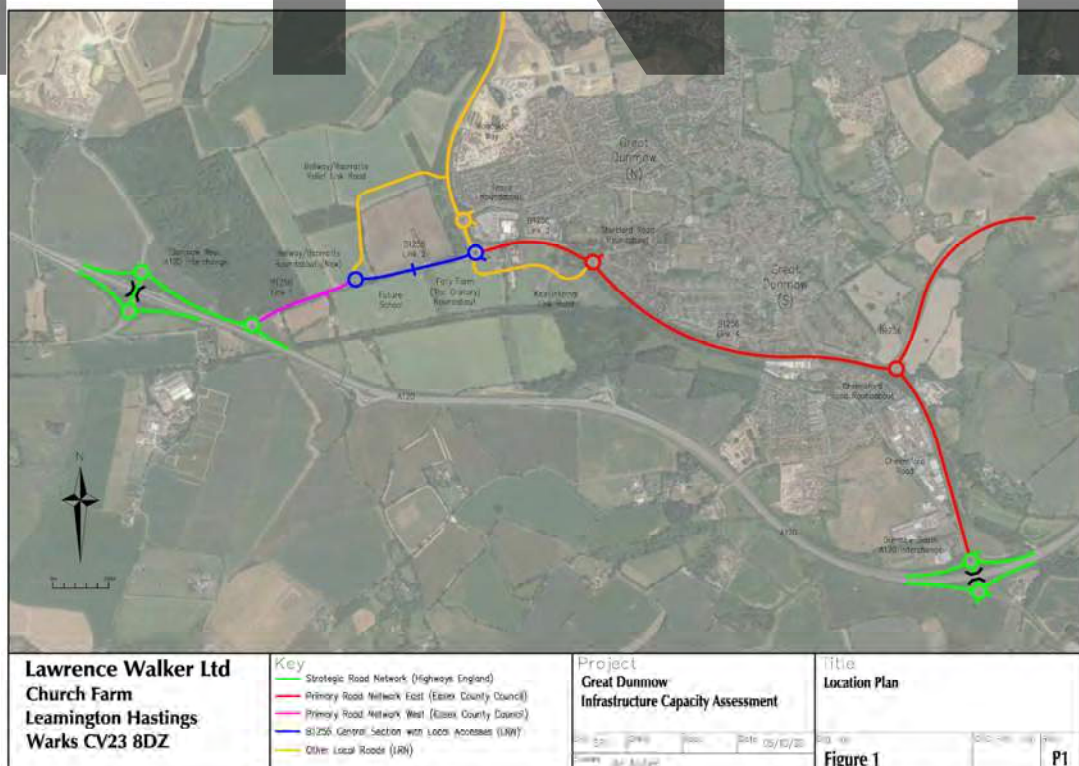


| | AM | | | | | PM | | | | |
|------------------------------------|--------|-------------|-----------|------|-----|--------|-------------|-----------|------|-----|
| | Set ID | Queue (PCU) | Delay (s) | RFC | LOS | Set ID | Queue (PCU) | Delay (s) | RFC | LOS |
| Baseline with School - 2030 | | | | | | | | | | |
| Arm 1 | D1 | 7.2 | 19.06 | 0.88 | C | D2 | 1.2 | 4.70 | 0.54 | A |
| Arm 2 | | 0.9 | 3.69 | 0.46 | A | | 6.3 | 15.09 | 0.87 | C |
| Arm 3 | | 0.6 | 6.61 | 0.36 | A | | 0.5 | 10.73 | 0.34 | B |
| Baseline with School - 2033 | | | | | | | | | | |
| Arm 1 | D3 | 12.6 | 31.83 | 0.94 | D | D4 | 1.4 | 5.04 | 0.57 | A |
| Arm 2 | | 1.0 | 3.89 | 0.48 | A | | 10.2 | 23.50 | 0.92 | C |
| Arm 3 | | 0.6 | 6.99 | 0.38 | A | | 0.6 | 12.72 | 0.38 | B |

4.28 As can be seen from the results, the junction is predicted to be over-capacity in both Peak Hours by 2030, which is only 9 years away today. The analysis is based on a simplified ARCADY model only however as per the TA's, so it *does not* deal with the associated Toucan crossings and *cannot* deal with either of the two nearby left-in-left-out accesses. If it were to be modelled fully using a micro-simulation tool and if the School and much of the Kier housing were assumed to come on-line before it does, then it is quite possible that it will be over capacity from the day it opens. This is clearly not ideal for a new junction that has yet to be built. Options for dealing with this unusual situation are presented in **Section 6**.

Summary

- 4.29 Having reviewed all of the available documentation and spoken with the various groups involved, LWL has concluded that roads and junction to the north and east of The Folly Farm Roundabout at The Granary are likely to remain adequate and fit for purpose to at least the end of the former UDC Draft Local Plan Period of 2033. Strategic infrastructure is also likely to be similarly disposed. These groups are shown in Red, Orange and Green on the schematic Location Plan below.
- 4.30 Primary infrastructure encompassing the B1256 over its central section shown in Blue and to the west as far as the A120 West Interchange shown in Magenta will be over-capacity and by some margin. Estimated levels (at an assumed 2030 Design Year unless noted otherwise) are provided below, along with suggested actions. These are discussed further in **Sections 5 & 6** of this TN1.
- i. The Magenta western section of the B1256 will be operating at around 130% of capacity and will need to be widened, or preferable dualled;
 - ii. The Blue central section will be under severe stress and could be faced with levels of operation in excess of 170% by 2033. A micro-simulation is urgently needed to properly assess this section, coupled with possible moves to eliminate the proposed Helena Romanes School left-in-left-out access if at all feasible;
 - iii. At The Granary Roundabout by Folly Farm, the proposed improvements will be inadequate if the above left-in-left-out access is implemented, leaving the Kier housing site with no usable access onto the B1256 from this point in the AM Peak Hour, and;
 - iv. The West of Woodside Way Site Access Roundabout could easily be over-capacity from the day it is built, and particular so if forced to operate with the School left-in-left-out access already in place. Options should be considered that would allow the School to be provided with an alternative and less disruptive form of access.

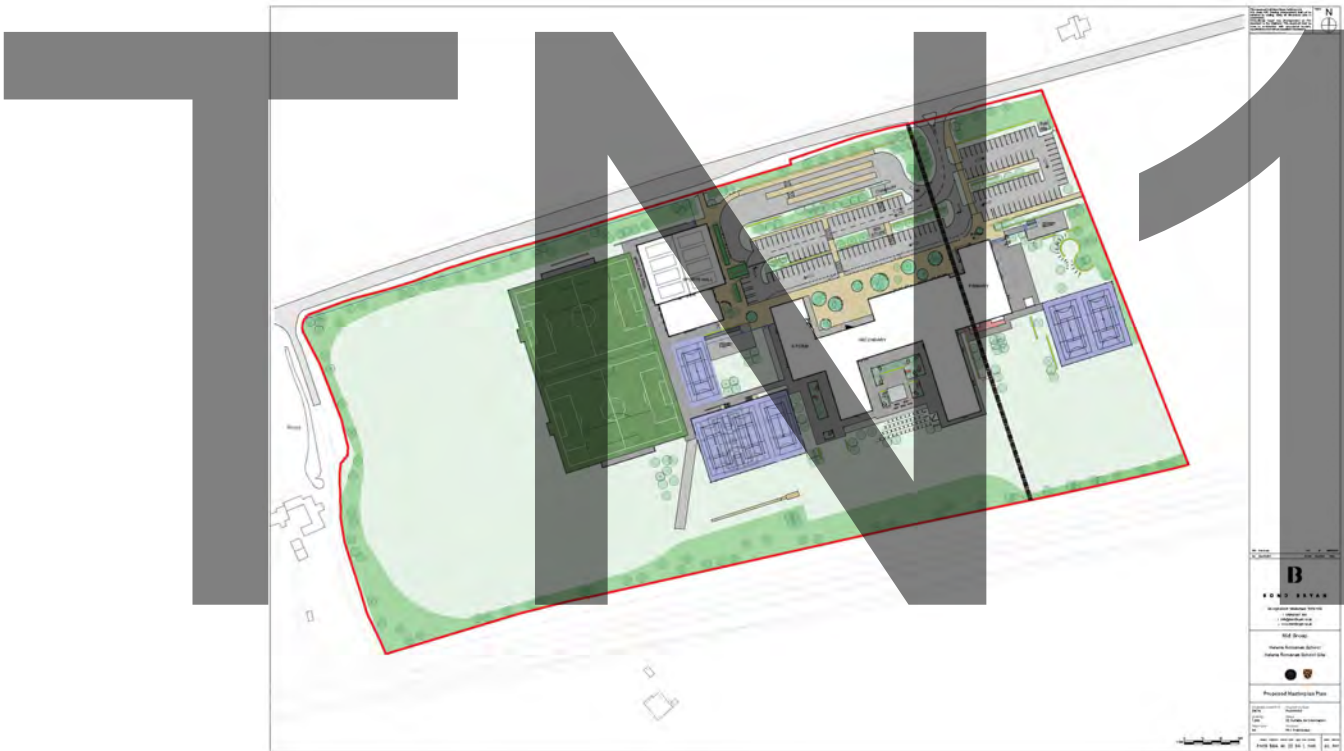


5.0 [The Helena Romanes School](#)

The Current Application

5.01 Essex County Council (ECC) is the Education Authority for the Great Dunmow area. In speaking with them and Ardent as their Consultants, it is understood that there is an immediate shortage of Primary School places in the town and that this will be compounded by the proposed imminent large increase in housing.

5.02 The two combined has led ECC to conclude that increased capacity will be needed by September 2021. Their solution is the whole-life provision indicted below, with the Primary School component to the east of the Black Dashed Line being delivered first as a self-contained phase. Access to it, and ultimately the remaining parts of the School and adjacent Sports Hall, will be provided solely from a dedicated left-in-left-out access onto the B1256. It sits directly opposite a similar consented provision serving the first phase of the WoWW housing development. Uniquely, ECC is the Planning Authority for the scheme (being an Educational facility) as well as the Highways and Education Authority.



5.03 In discussions with ECC with both its Education and Highways Authority hats on, the urgency of the scheme has been stressed in so far as without it, Year 1 pupils will otherwise need to be housed in temporary accommodation from September 2021. Whilst LWL doubts the ability of ECC and its partners to deliver the above scheme by then, this is a genuine concern and far from ideal. As such, it seems most unlikely that alternative access provisions will be entertained now; at least as far as the first phase is concerned. It is however understood that the Secondary School is not urgently needed and nor is the Sport Hall, since compliant outside areas within the initial phase would meet this latter need in the short term. Helpfully, the School building itself is extendable and self-contained, meaning that it can (and will) be built in sections. The two combined suggest that things will not be set in stone once the first phase has been completed and comes into service, provided always of course that school life is not disrupted. This feature has been confirmed by Ardent.

- 5.04 Looking at the access, land-ownership has been a key driver, as has timescales. The requirement to deliver the Primary School by September 2021 dictates that ECC cannot wait until other helpful road schemes in the area come on-line, and must instead progress a stand-alone solution. Understandable, but the chosen solution is poor; opportunistic and more importantly creates a legacy that has substantial issues over the longer term.
- 5.05 In general terms, U-Turning traffic is particularly corrosive on capacity as it affects every arm of a roundabout, and there are always two. Here though there is a more profound impact on link capacity along what is the most important stretch of road in the town. LWL cannot help but think that the long-term future of Great Dunmow's road system is being sacrificed to overcome what is a short-term, but clearly legitimate, educational need. A smarter joined-up approach is needed.

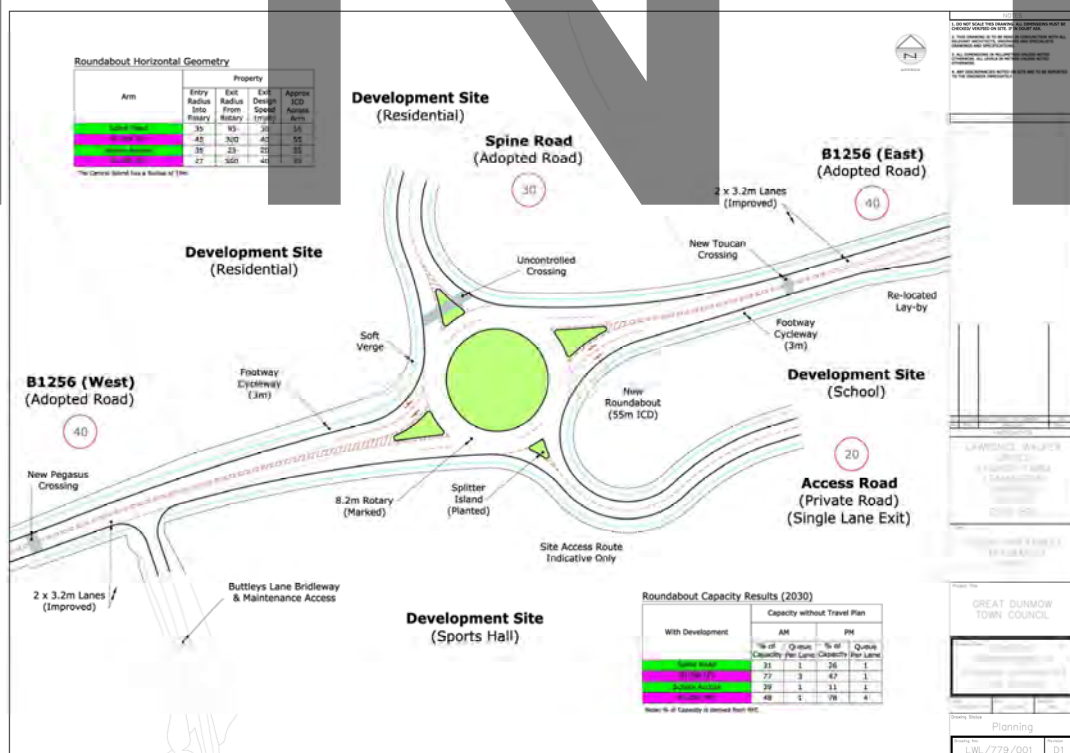
Access Proposals & Options

- 5.06 Currently, the access arrangements comprise a simple left-in-left-out access as noted above, and this is shown below. It is located towards the eastern side of the site and would provide stand-alone access to the Primary School as a first phase, before a later extension of the internal road system to other parts of the development. LWL accepts that today this is the only option that would currently stand any chance of being available by September 2021; simply because today it is the only option that has actually been progressed. Alternatives, no matter how desirable, are now too far behind to allow them to meet the required deadline.



- 5.07 With this in mind, LWL has been exploring a second phase solution that would allow ECC to open the first phase as planned, but would then see it replaced with an alternative means of access as part of the Secondary School and Sports Hall development. It would comprise a new four-arm roundabout at the site of the proposed WoWW Site Access, and would ideally see the left-in-left-out removed completely at the same time so as to free-up key capacity along the B1256. Such a scheme would clearly require the re-design of the WoWW Roundabout and its re-location to the south, but this junction is not needed imminently by Bellway/Barratts. Land ownership would need to be agreed; a suitable design progressed and the internal layout of the School revised, but none would be insurmountable in a world not pressured by the Primary School. It would simply be served initially from the north and then the west, leaving everything else intact.

- 5.08 In promoting such a solution, LWL accepts that much work has been done by both Bellway/Barratts and ECC at the School and the former is already consented. However, the final solution is poor and an amalgamation of disjointed bits put together in such a way as to act against the long-term interests of all concerned.
- 5.09 From the School's perspective, left-in-left-out accesses perform badly when the road onto which they face is busy. When it's actually over-capacity (as will be the case with the Stortford Road) they have no effective capacity at all outbound and rely instead on good-will on the part of oncoming drivers to allow traffic to get out. This creates problems with delays and causes frustration outside a site that should ideally see none.
- 5.10 From the WoWW's angle, their new Site Access Roundabout may well struggle from day-one, jeopardising potential house sales. Who wants to buy a house on a site that you can't get in or out of at peak times and then get stuck outside of the School once you have? This sort of question tends to concentrate minds and LWL works with major housebuilders on numerous sites throughout the UK so understands its implications well. It is also worth noting that a centrally placed roundabout - as opposed to an off-line solution as currently envisaged - is inevitably cheaper. Less Stats and less complicated tarmac to build under Traffic Management. It could be designed to provide more capacity too of course, eliminating potential issues with the current layout. There are advantages therefore that might well warrant further consideration.
- 5.11 At the present time, it has not been possible to establish an agreement to progress an alternative roundabout solution, but the door has not been shut either. Questions of who designs what; land ownership and timescales remain. However, the solution provided below and at **Appendix G** would be a viable and cost-effective alternative to the WoWW access in LWL's view and it is put forward for discussion on that basis.



6.0 Issues & Opportunities

Current Issues

6.01 Four issues have been identified as part of TN1 and by reference to **Section 4.31** above, these are as follows:-

- i. The far western section of the B1256, which will be over-capacity by 2030;
- ii. The central section of B1256 Stortford Road serving the re-located Helena Romanes School, which will be under severe stress once it opens;
- iii. The proposed improvements at The Granary Roundabout by Folly Farm, which will again be inadequate once the School opens, and;
- iv. The West of Woodside Way Site Access Roundabout, which could easily be over-capacity from the day it is built.

6.02 Each is now examined in more detail to see what opportunities might be explored by the Town Council to alleviate the status quo going forward and help to prevent long-term congestion from taking hold.

The B1256 Western Section

6.03 Destined to be well over-capacity as a result of historic inaction, opportunities are limited. Many of the housing schemes that affect the route are already consented, making a retrospective CIL unlikely. The road however will still need to be widened within the timeframe of the former Local Plan and GDTC should therefore seek to encourage UDC to take a responsible approach to all future applications, supported by ECC as Highways Authority. This should take the form of S106 contributions in the absence of an Adopted Local Plan, which would ultimately be used along with possible CIF funding to widen the road. The most important action here though is to shift minds to the extent that they accept the B1256 has a finite life and as it stands today cannot continue to serve Great Dunmow indefinitely without intervention.

The B1256 Central Section (Stortford Road)

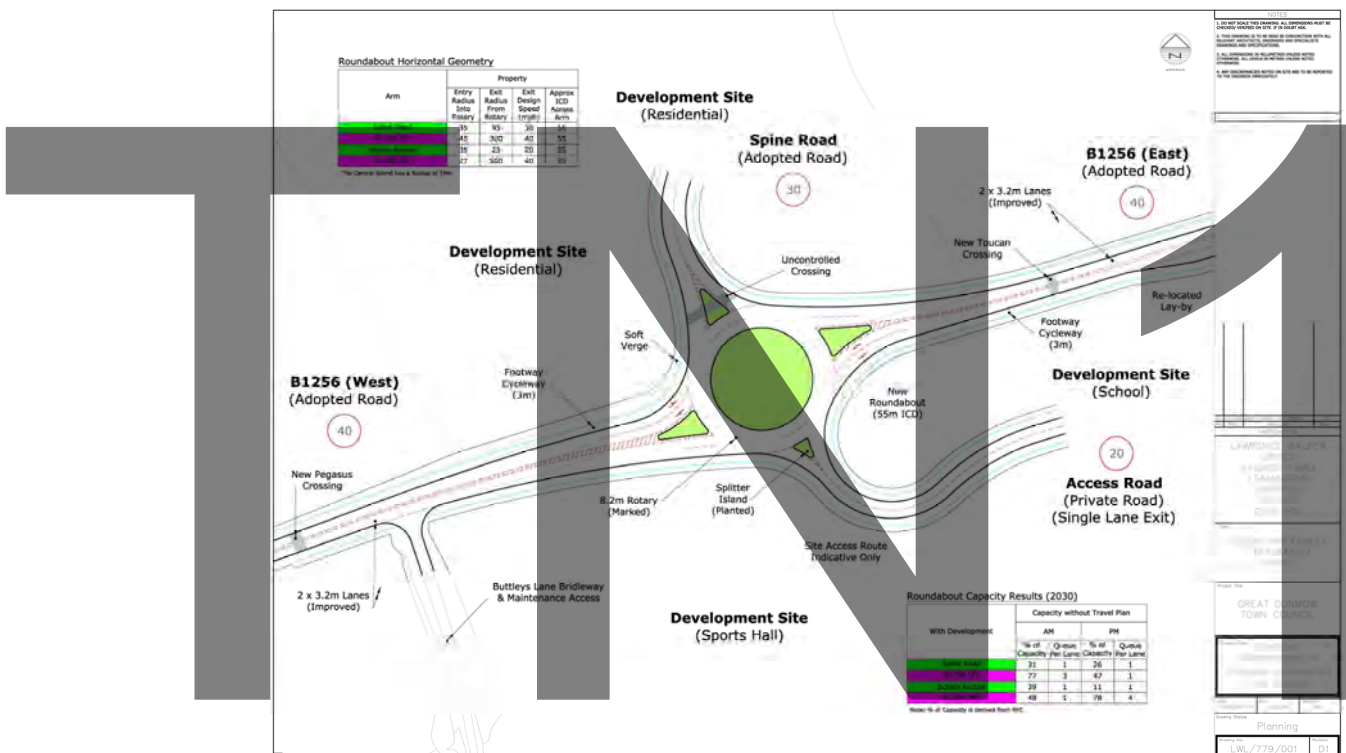
6.04 If all extant Planning Consents are enacted and the Helena Romanes School re-located as currently proposed, this key section of the *Local Road Network* (LRN) will be hopelessly overloaded. An urgent micro-simulation is needed to determine the exact extent, but it will be significant. Opportunities are limited given the number of Consents that have already been granted, but removal of the proposed left-in-left-out access serving the School is a priority and this would buy some time. Out-with that, longer term solutions are likely to involve a re-signing strategy that would seek to direct more traffic from the town out to the A120 South Interchange, rather than to the west. This would require discussions with, and the agreement of, both ECC and HE. It may well end-up being a self-fulfilling prophecy however, as if left as-is, the route past the School will be too slow at peak times to make anyone want to use it.

The Granary Roundabout Improvements

6.05 Improvements currently consented to Kier will be inadequate to serve their development should the School progress as proposed. It is suggested that Kier be informed, with a view to both raising an objection with UDC/ECC and also possibly amending the design of their Site Access Arm before it is built.

The West of Woodside Way Site Access Roundabout

- 6.06 The amalgamation of piece-meal development and access solutions will lead to the needless erosion of capacity along the B1256 and the delivery of disparate infrastructure if not addressed. The opportunity exists however to promote a more coherent scheme that would be no more expensive to build and could be delivered through agreement without the need to delay the Primary School. It would see the latter being served initially by the left-in-left-out access that forms part of the current scheme, but ultimately by a four-arm centrally placed roundabout that would replace the consented WoWW design. It could only be achieved by negotiation, but would have significant advantages to all.
- 6.07 It is recommended that the **Appendix G** preliminary design be championed by GDTC, with a view to establishing a consensus that the option has benefits and should therefore be pursued as an alternative to the current layout.



7.0 Summary & Conclusions

Summary

7.01 This Technical Note (TN1) has been prepared by *Lawrence Walker Limited (LWL)* in response to a request by *Great Dunmow Town Council (GDTC)* to examine road infrastructure serving the town in the light of planned large-scale housing growth. A combination of proposed Local Plan allocations, historic planning consents and a number of windfall sites would see over 3,000 units constructed across the town, with only a limited number of localised road improvement schemes being offered in support. Today, there are 4,000. This degree of expansion, coupled with a fast-tracked approach to new educational facilities in the centre of the town, has led GDTC to be concerned.

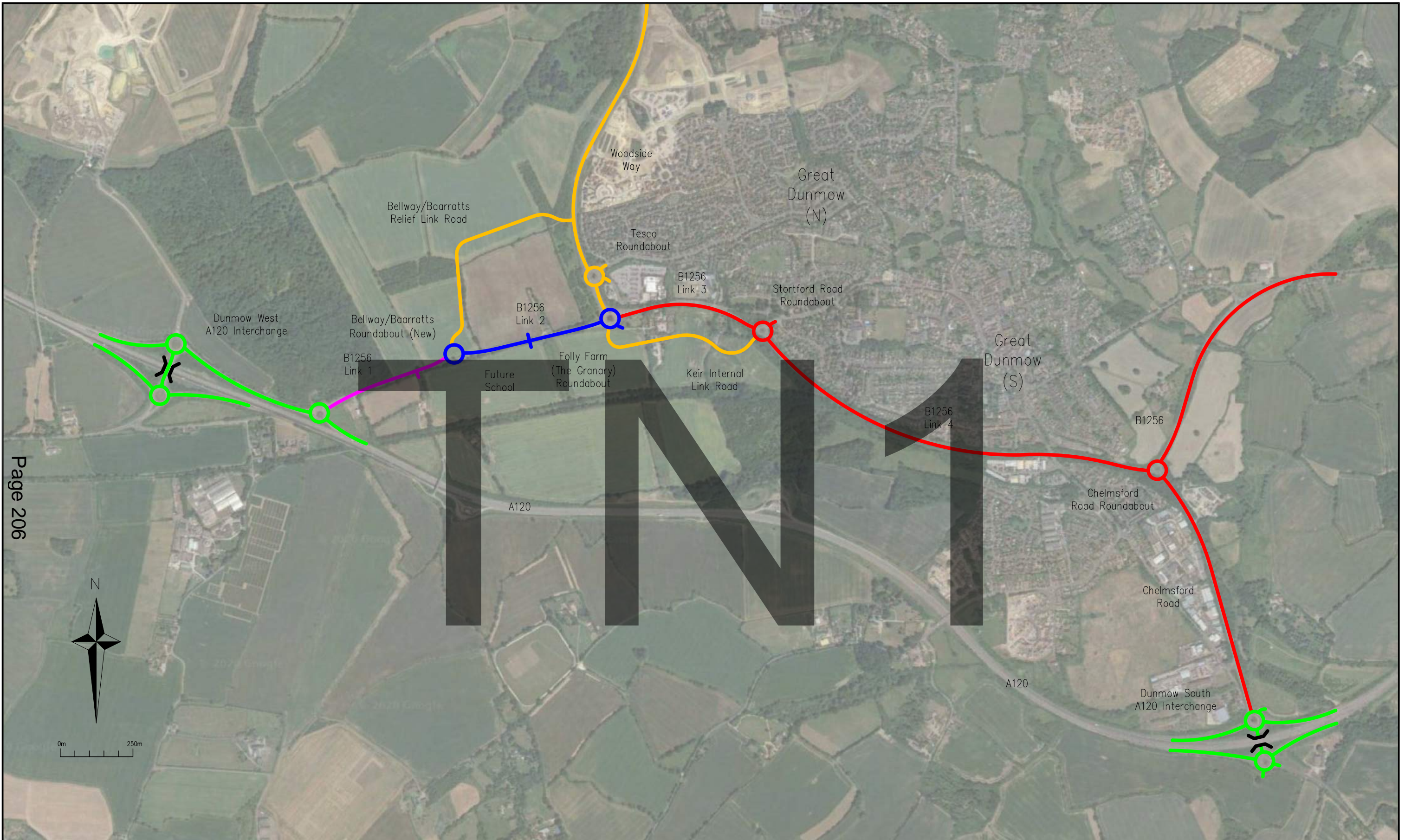
7.02 TN1 provides a critique of the available documentation in a written format in response to that request. In so doing, it also incorporates the results of discussions held between LWL and the main interested parties.

Conclusions

7.03 With reference to **Figure 1**, the main findings of the TN1 Report are as follows:-

- i) Roads and junction to the north, east and south-east of The Granary are likely to remain adequate and fit for purpose to at least 2033. These groups are shown in Red, Orange and Green on **Figure 1**;
- ii) The Magenta western section of the B1256 will be operating at around 130% of capacity by 2030 and will need to be either widened or dualled;
- iii) The Blue central section of the B1256 Stortford Road will be under severe stress and could be faced with levels of operation in excess of 170% by 2033. A micro-simulation is urgently needed to properly assess this section, coupled with moves to eliminate the proposed Helena Romanes School left-in-left-out access if at all feasible. A longer-term re-signing strategy to direct strategic traffic away from this area may also be needed;
- iv) At The Granary Roundabout, the proposed improvements consented to Kier will be inadequate if the proposed Helena Romanes School left-in-left-out access is implemented. It is suggested that Kier be informed, with a view to both raising an objection with UDC/ECC and also possibly amending the design of their Site Access Arm before it is built, and;
- v) The West of Woodside Way Site Access Roundabout could quite possibly be over-capacity from the day it is built. It is recommended that the **Appendix G** preliminary design be championed by GDTC, with a view to establishing a consensus that the option has benefits and should therefore be pursued as an alternative to the current layout.

TN1



Lawrence Walker Ltd
Church Farm
Leamington Hastings
Warks CV23 8DZ

| Key | |
|--|--|
| — | Strategic Road Network (Highways England) |
| — | Primary Road Network East (Essex County Council) |
| — | Primary Road Network West (Essex County Council) |
| — | B1256 Central Section with Local Accesses (LRN) |
| — | Other Local Roads (LRN) |

| Project | | | |
|--|-------|------|---------------|
| Great Dunmow Infrastructure Capacity Assessment | | | |
| Drn. SPJ | Chkd. | App. | Date 05/10/20 |
| Scales As Noted | | | |

| Title | | |
|----------------------|---------|-----------|
| Location Plan | | |
| Drng. No. | CAD Ref | Plot Rev |
| Figure 1 | | P1 |

Appendix A
Site Location Plan

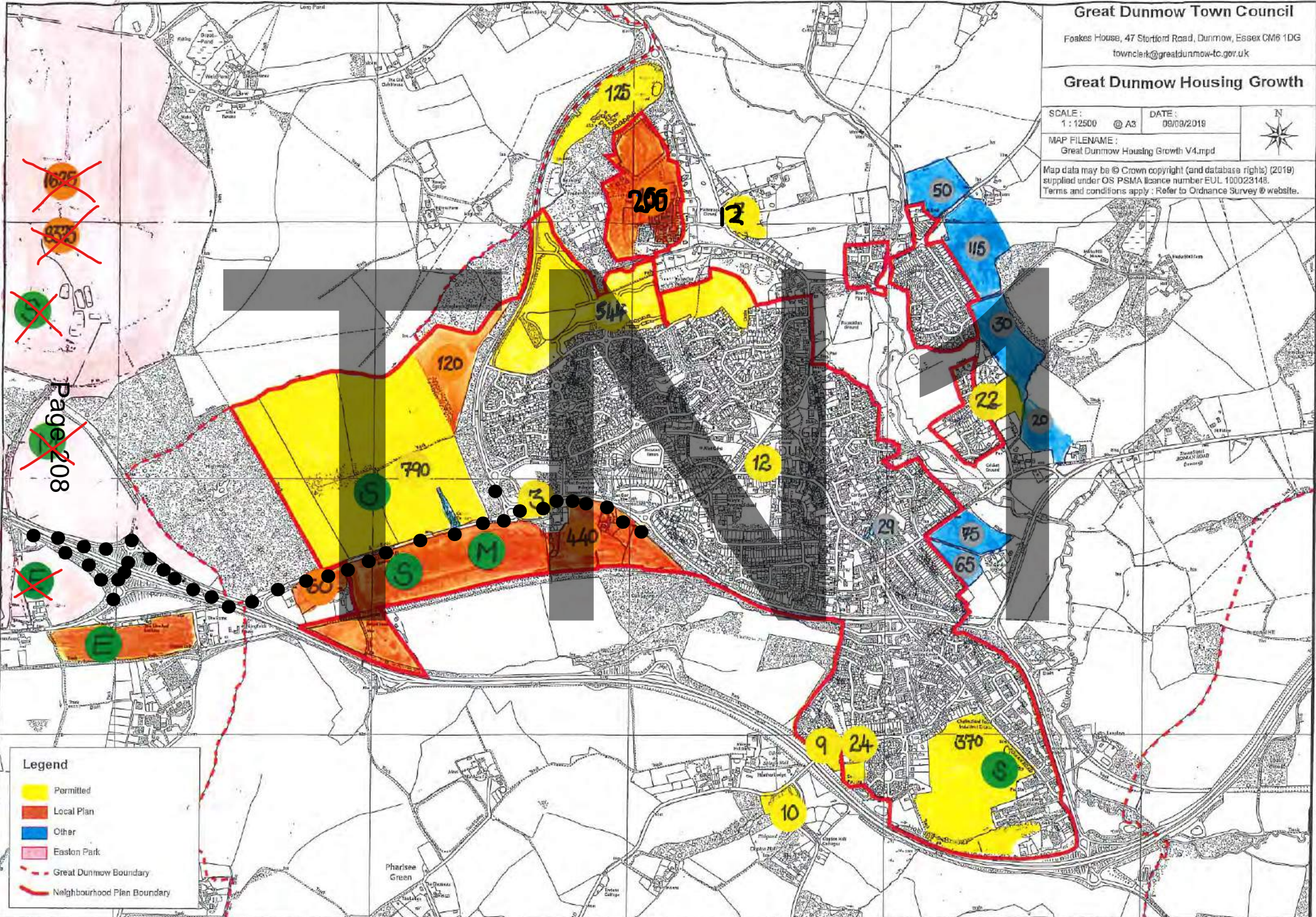
TN1

Great Dunmow Town Council

Foakes House, 47 Stortford Road, Dunmow, Essex CM6 1DG
townclerk@greatdunmow-tc.gov.uk

Great Dunmow Housing Growth

SCALE: 1 : 12500 DATE: 09/09/2019
MAP FILENAME: Great Dunmow Housing Growth V4.mpd
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Legend

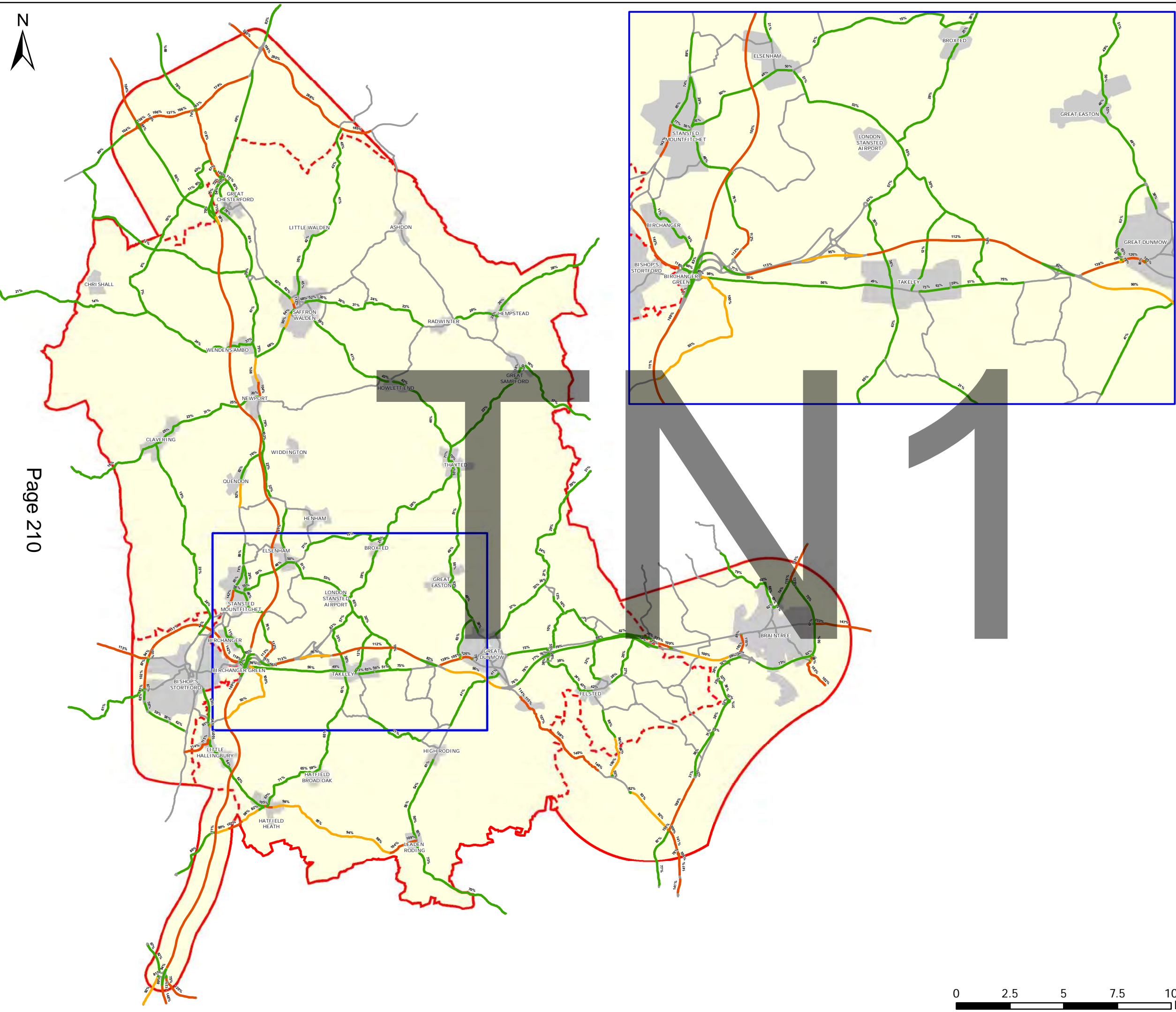
- Permitted
- Local Plan
- Other
- Easton Park
- Great Dunmow Boundary
- Neighbourhood Plan Boundary

Page 208

TN1

Legend

-  Uttlesford District
-  Study Area
-  Main Urban Areas
- Network Stress**
-  Under 90%
-  90% - 100%
-  Greater than 100%



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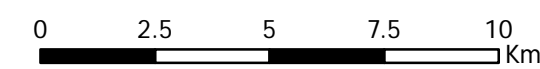
EXECUTIVE PARK
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 LEICESTER
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 TEL: +44 (0)116 234 8000
 FAX: +44 (0)116 234 8001
 e-mail: leicester@wyg.com



Project:
 District-Wide Transport Study

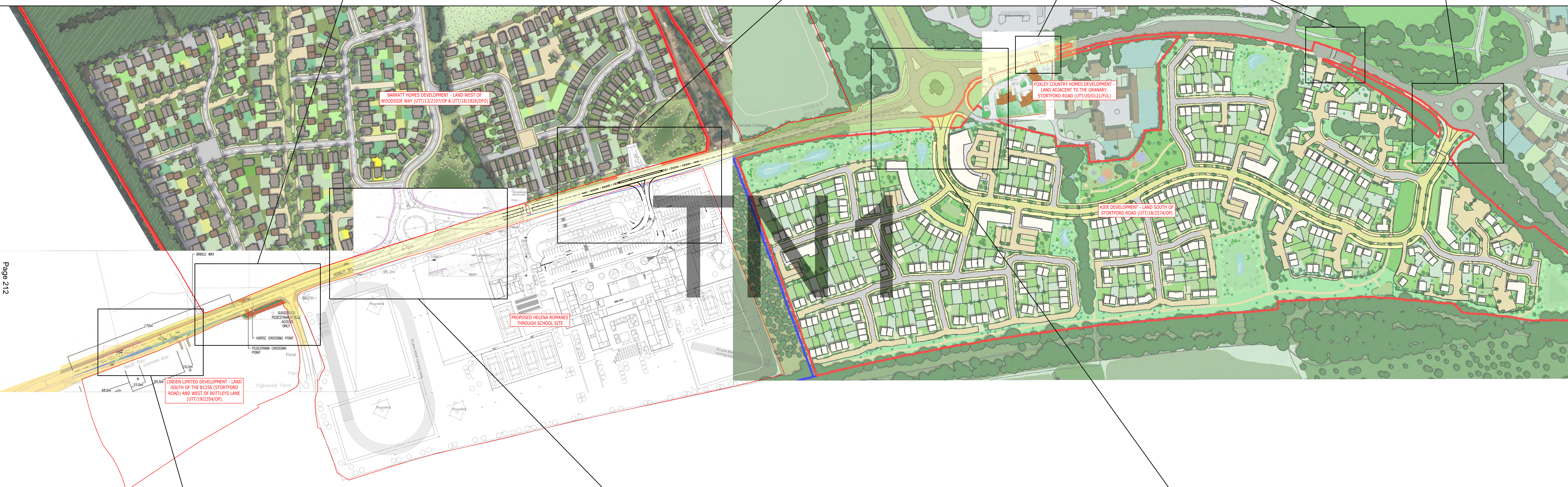
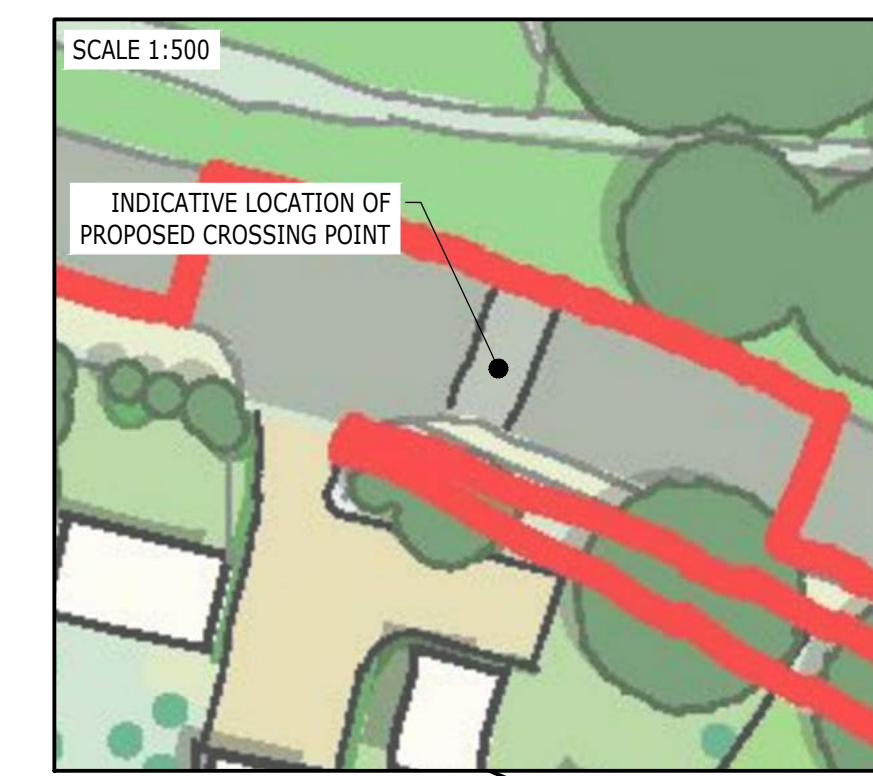
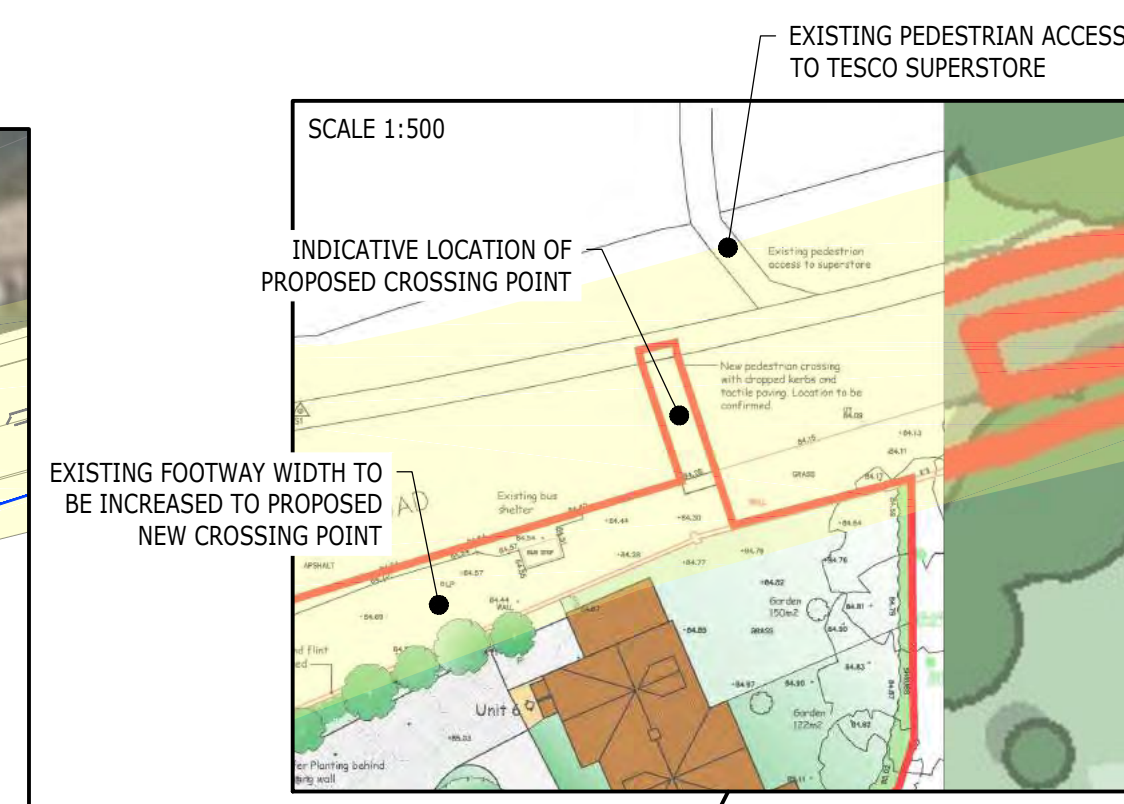
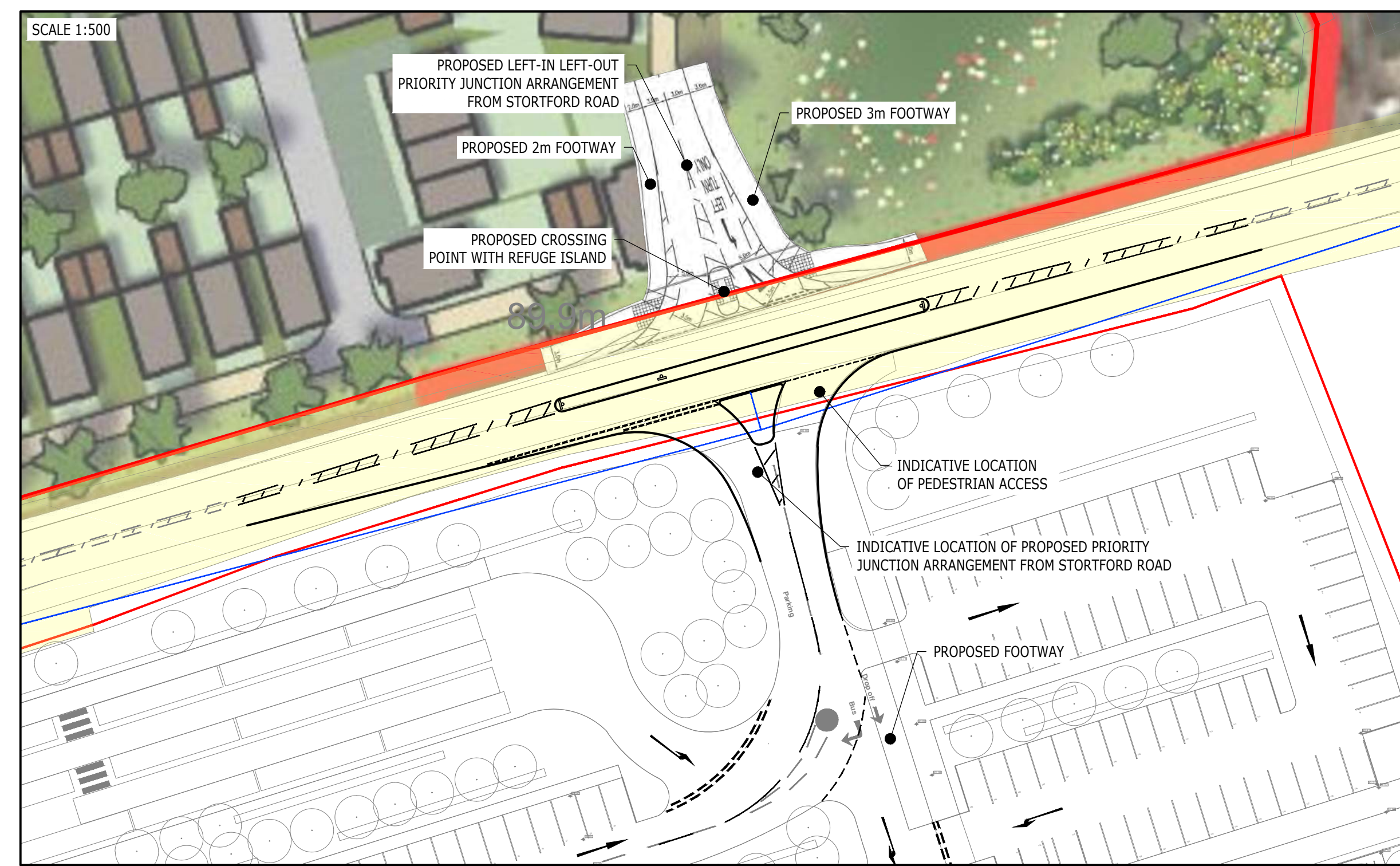
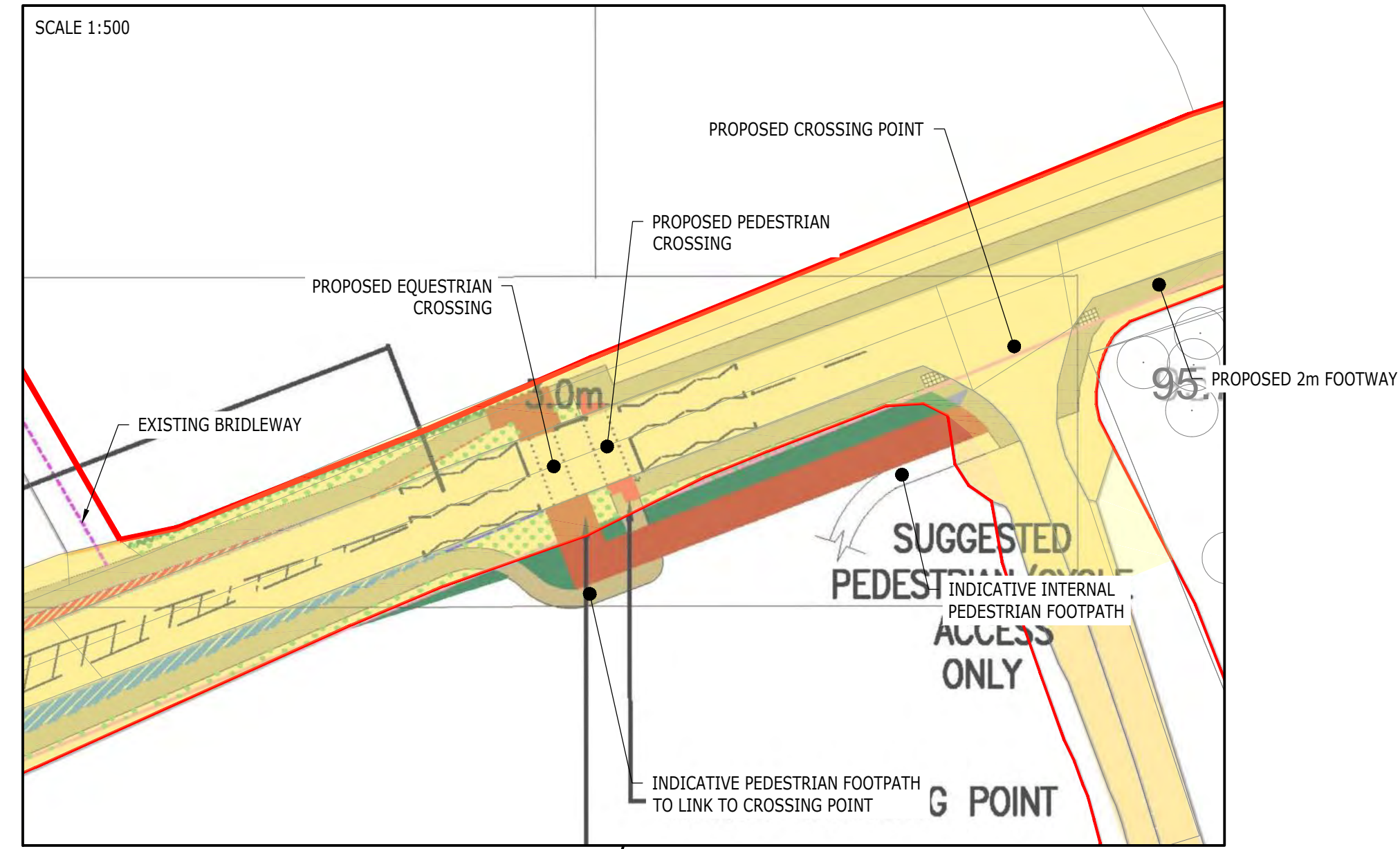
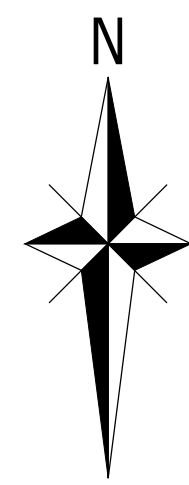
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 Reference 7 - Network Stress

| Scale @ A3 | Drawn | Date | Checked | Date | Approved | Date |
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| A081175-47 | 35 | 18 | 089 | - | | |

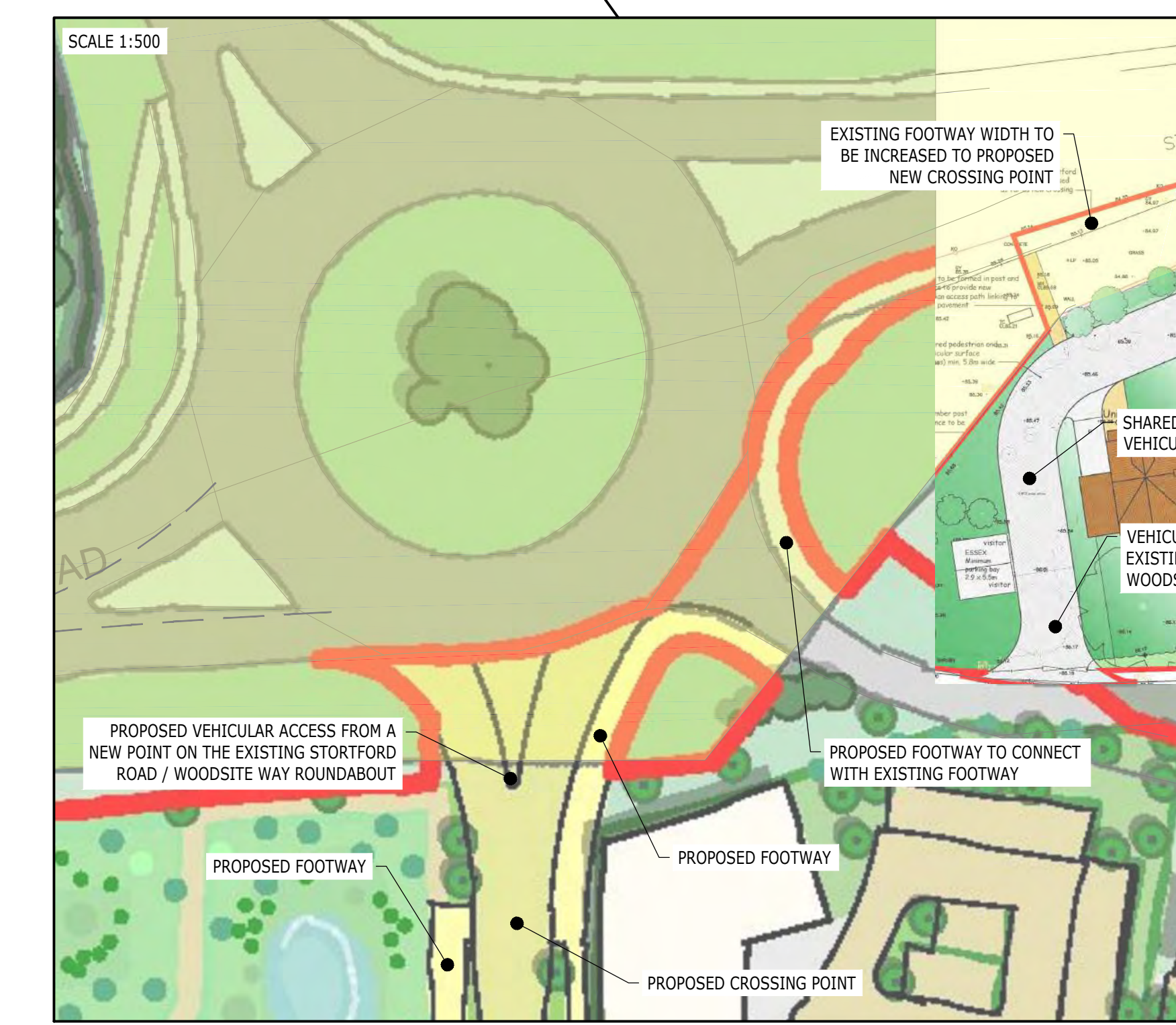
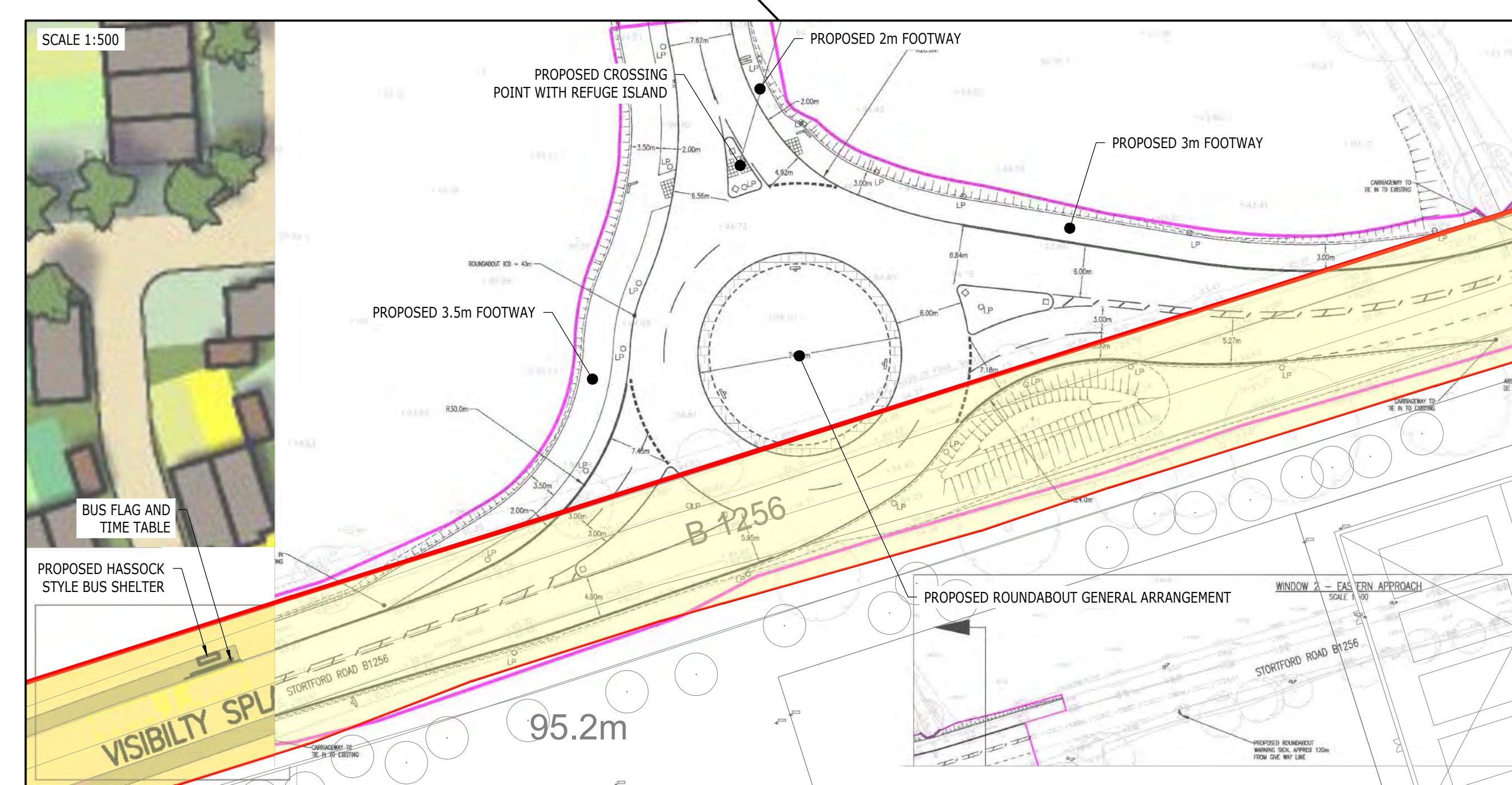
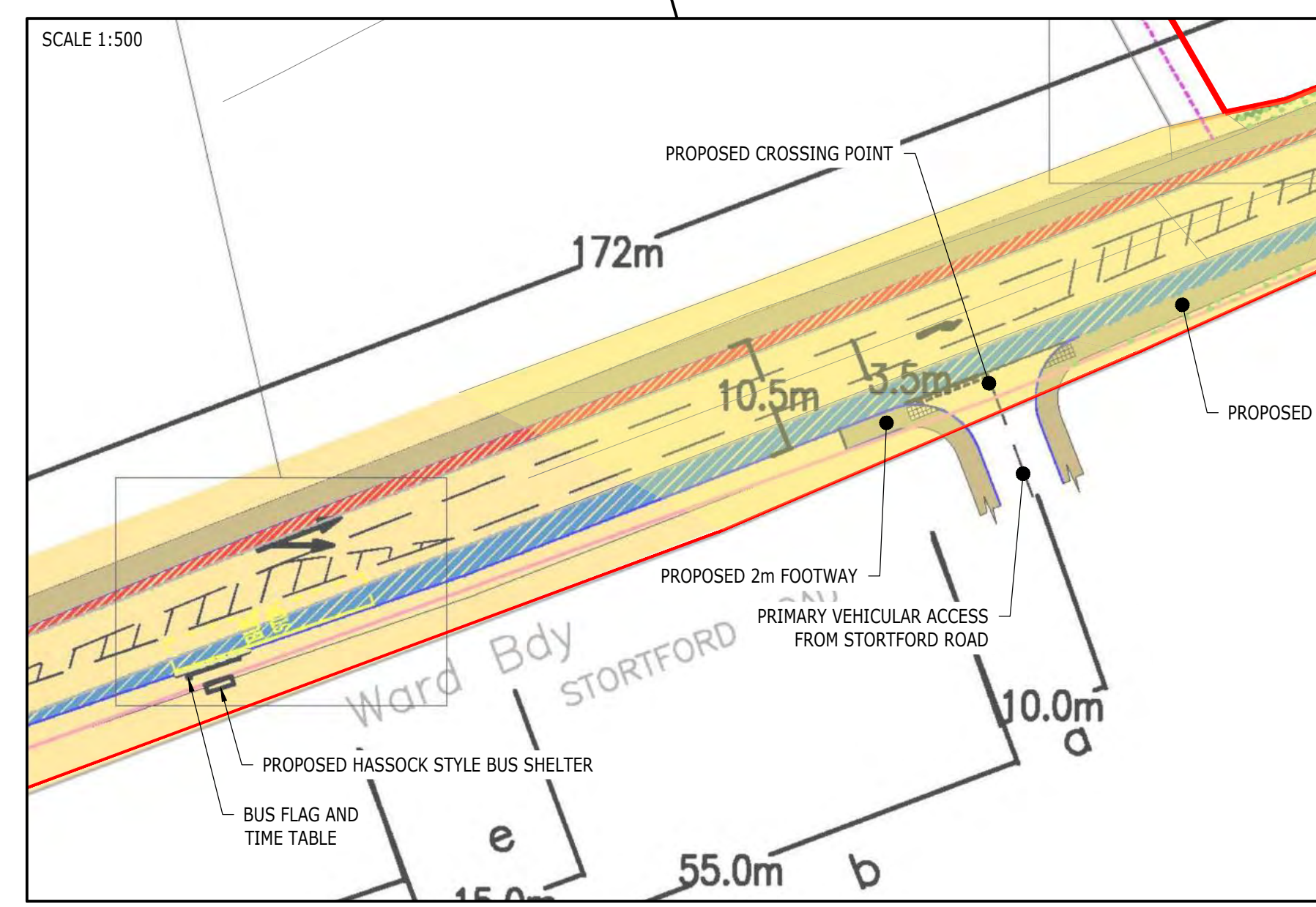


Appendix C
Helena Romanes School
Proposals

TN1



Page 212



| Rev | Description | AA | AA | AA | AA | 01/07/20 |
|-----|----------------|----|-----|-----|------|----------|
| Rev | Description | Dm | Cnk | App | Date | |
| A | LAYOUT UPDATED | AA | AA | AA | AA | 01/07/20 |

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 Web: www.ardent-ce.co.uk
 E-mail: enquiries@ardent-ce.co.uk

Client: **REAL8 GROUP**

Project Title: **HELENA ROMANES SCHOOL, GREAT DUNMOW (RELOCATION)**

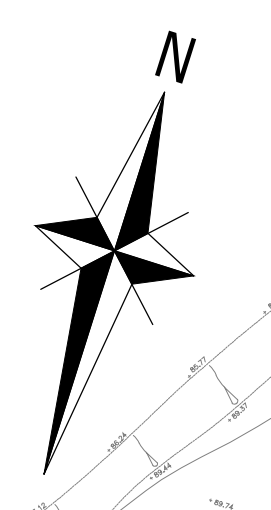
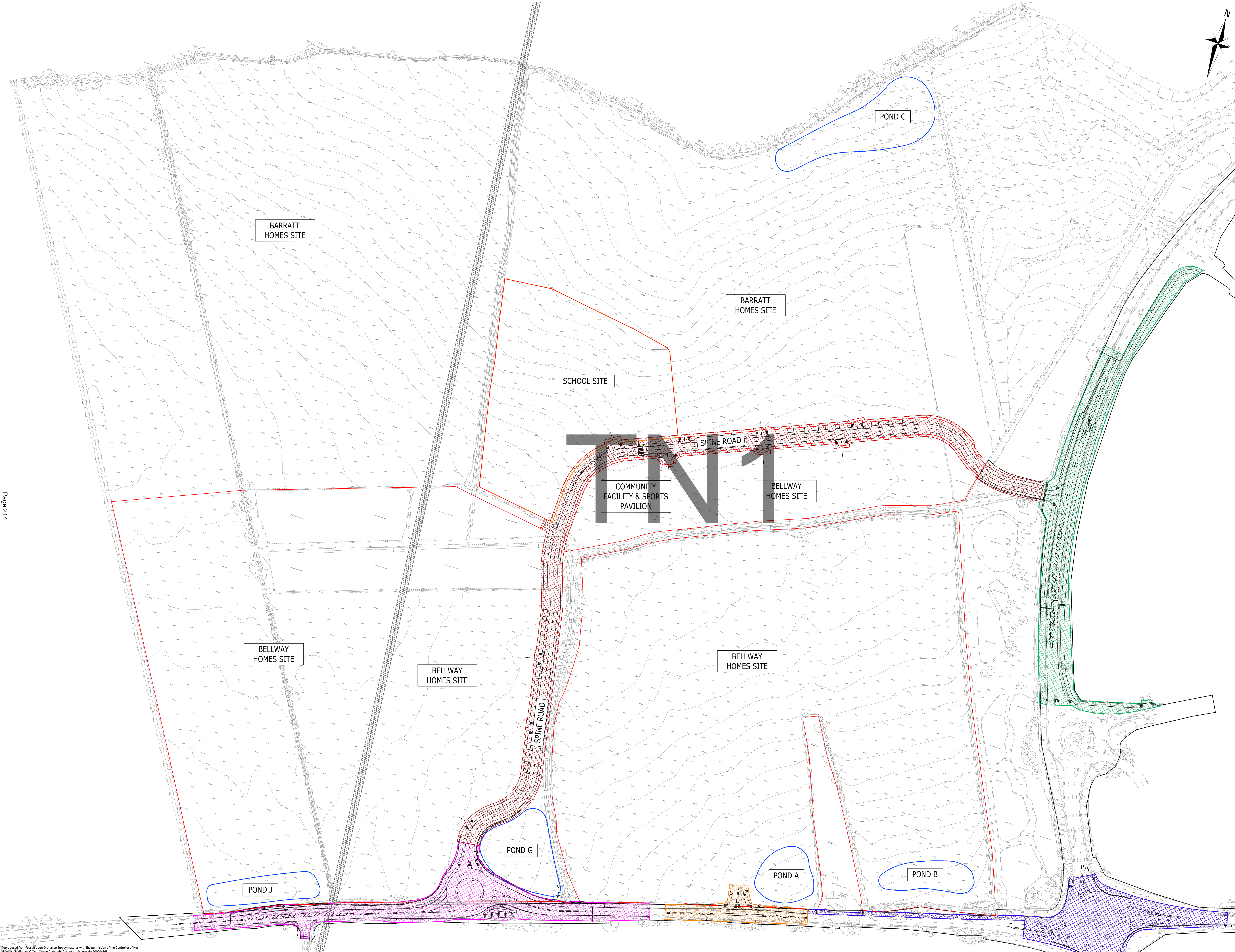
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| AO Scale | Date | Designed by |
| AS SHOWN | 04.03.2020 | AA |
| Drawn by | Checked by | Approved by |
| AA | AA | IW |

Drawing Number: **198131-001** Rev **A**

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TN1



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 3. ALL DIMENSIONS SHOWN ON THIS DRAWING ARE IN METRES UNLESS OTHERWISE STATED.

KEY

- BELLWAY SITE BOUNDARY
- EXISTING CLH-PS OIL PIPELINE (WITH 6.0m EASEMENT)
- PROPOSED SURFACE WATER ATTENUATION BASIN
- SECTION 278: STORTFORD ROAD SITE ACCESS ROUNDABOUT AND PEDESTRIAN REFUGE
- SECTION 278: WOODSIDE WAY SITE ACCESS, TOLLGATE CROSSING AND PEDESTRIAN REFUGE
- SECTION 278: WOODSIDE WAY/STORTFORD ROAD ROUNDABOUT IMPROVEMENTS AND STORTFORD ROAD SHARED PEDESTRIAN/CYCLE PATH
- SECTION 278: LEFT IN / LEFT OUT ACCESS ONTO STORTFORD ROAD
- SECTION 38: SPINE ROAD

Page 214

PRELIMINARY

| Rev | Description | Drn | Chk | App | Date |
|-----|-------------|-----|-----|-----|------|
| | | | | | |

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E-mail: enquiries@ardent-ce.co.uk

worksafe consultants
SSIP

Client: **BELLWAY ESSEX**


Project Title: **WOODSIDE WAY, GREAT DUNMOW**

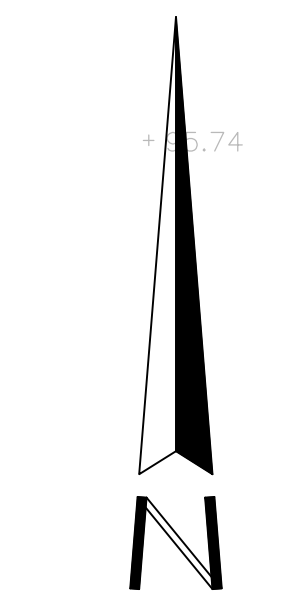
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AO Scale: 1:1000 Date: 25.03.2020 Designed by: ML
 Drawn by: ML Checked by: ML Approved by: JEC
 Drawing Number: **194533-004**

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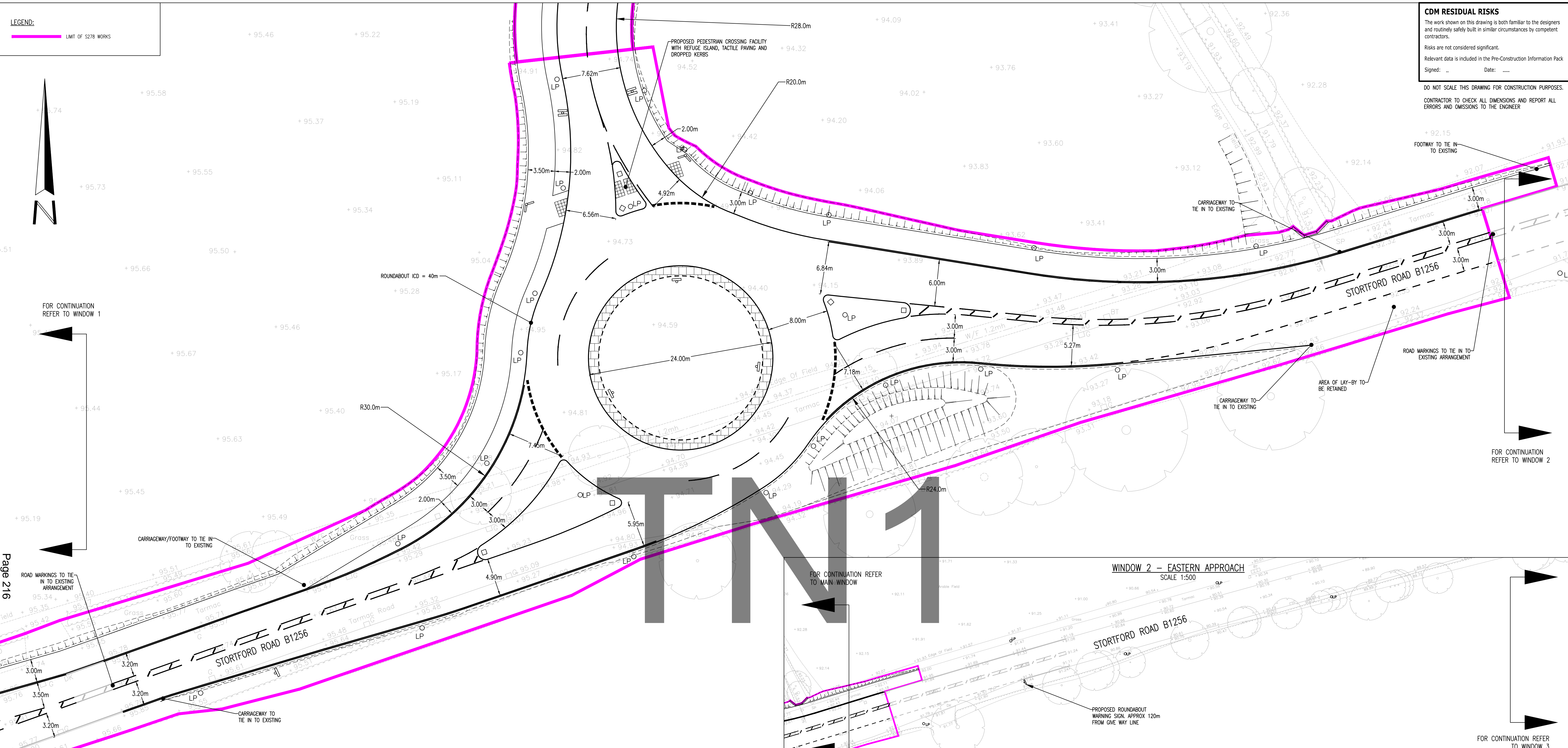
TN1

LEGEND:
 LIMIT OF S278 WORKS



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FOR CONTINUATION REFER TO WINDOW 1

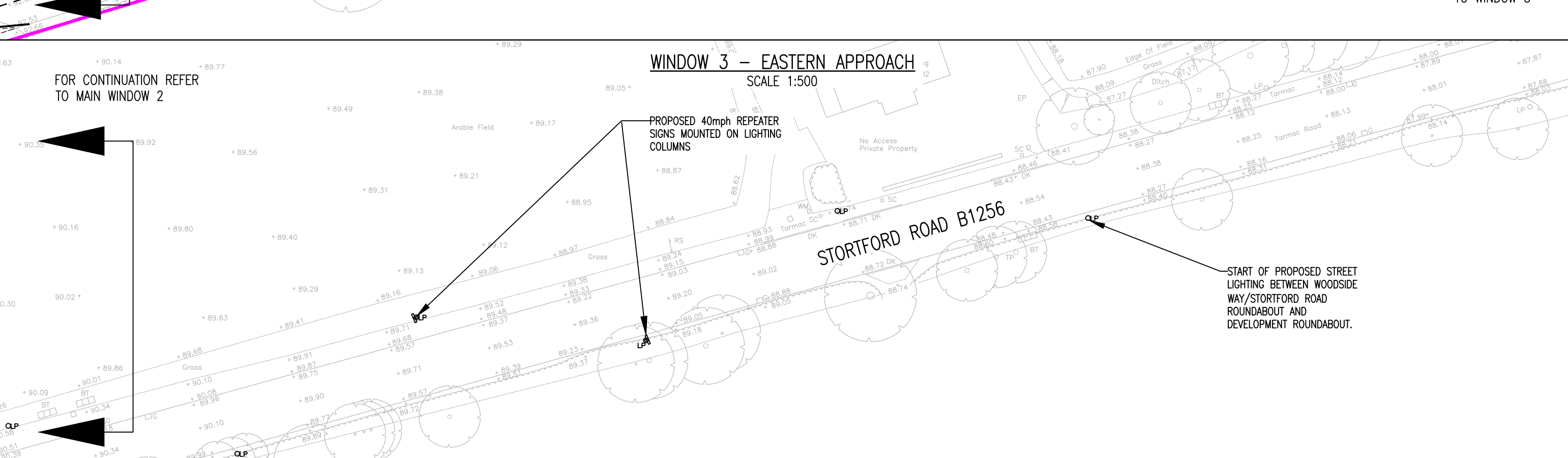
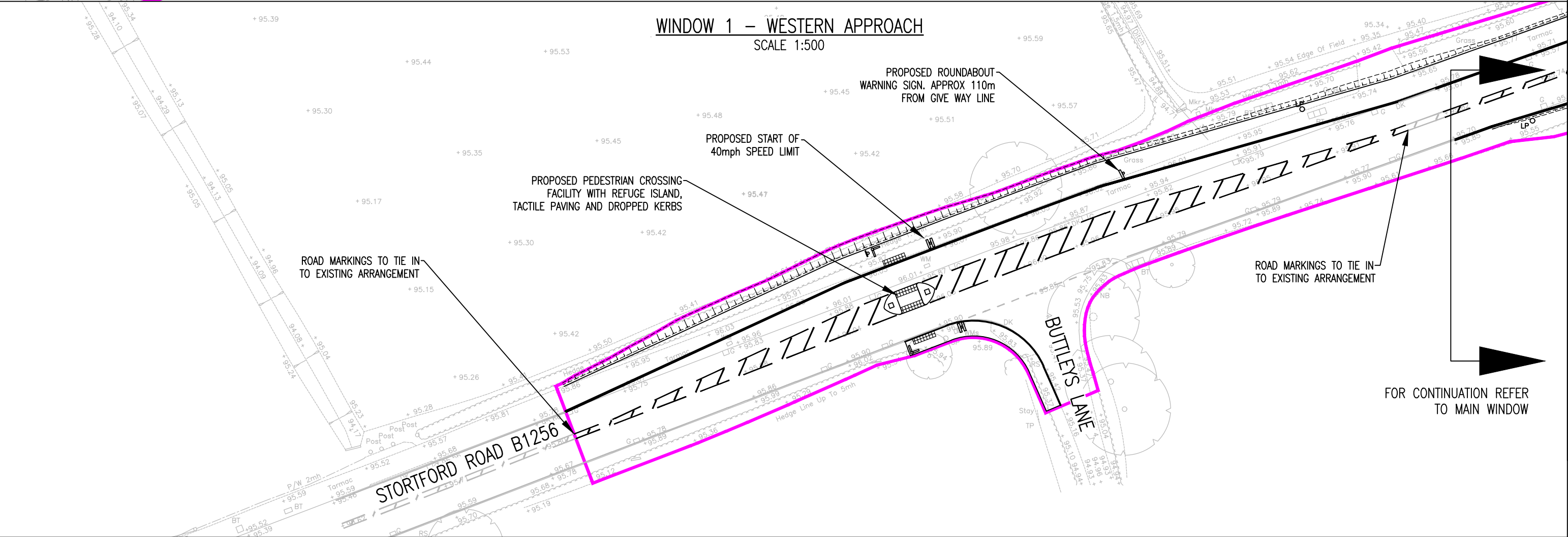
FOR CONTINUATION REFER TO WINDOW 2

Page 216

WINDOW 1 – WESTERN APPROACH
 SCALE 1:500

WINDOW 2 – EASTERN APPROACH
 SCALE 1:500

WINDOW 3 – EASTERN APPROACH
 SCALE 1:500



| Rev | Detail | By | Chk | Date |
|-----|---|----|-----|----------|
| B | FOOTWAY/CYCLEWAY INCREASED TO 3 METRES W/ SPLITTER ISLAND ARRANGEMENT SHOWN IN WINDOW 1 REVISED. MOUND ADDED TO EASTERN APPROACH. | AH | AJ | 12.10.16 |
| A | PEDESTRIAN CROSSING ADDED TO WESTERN APPROACH. NORTHERN APPROACH REVISED. | AH | JDH | 20.09.16 |
| * | PRELIMINARY FIRST ISSUE. | - | - | - |

Client
BARRATT HOMES

Project
GREAT DUNMOW STAGE 2

Drawing Status
FOR INFORMATION

clarkebond
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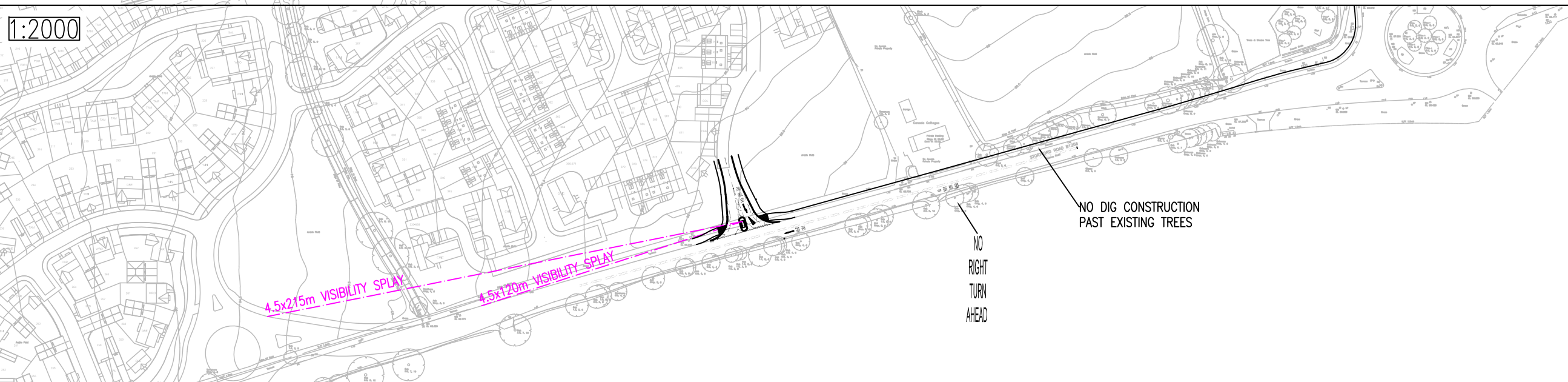
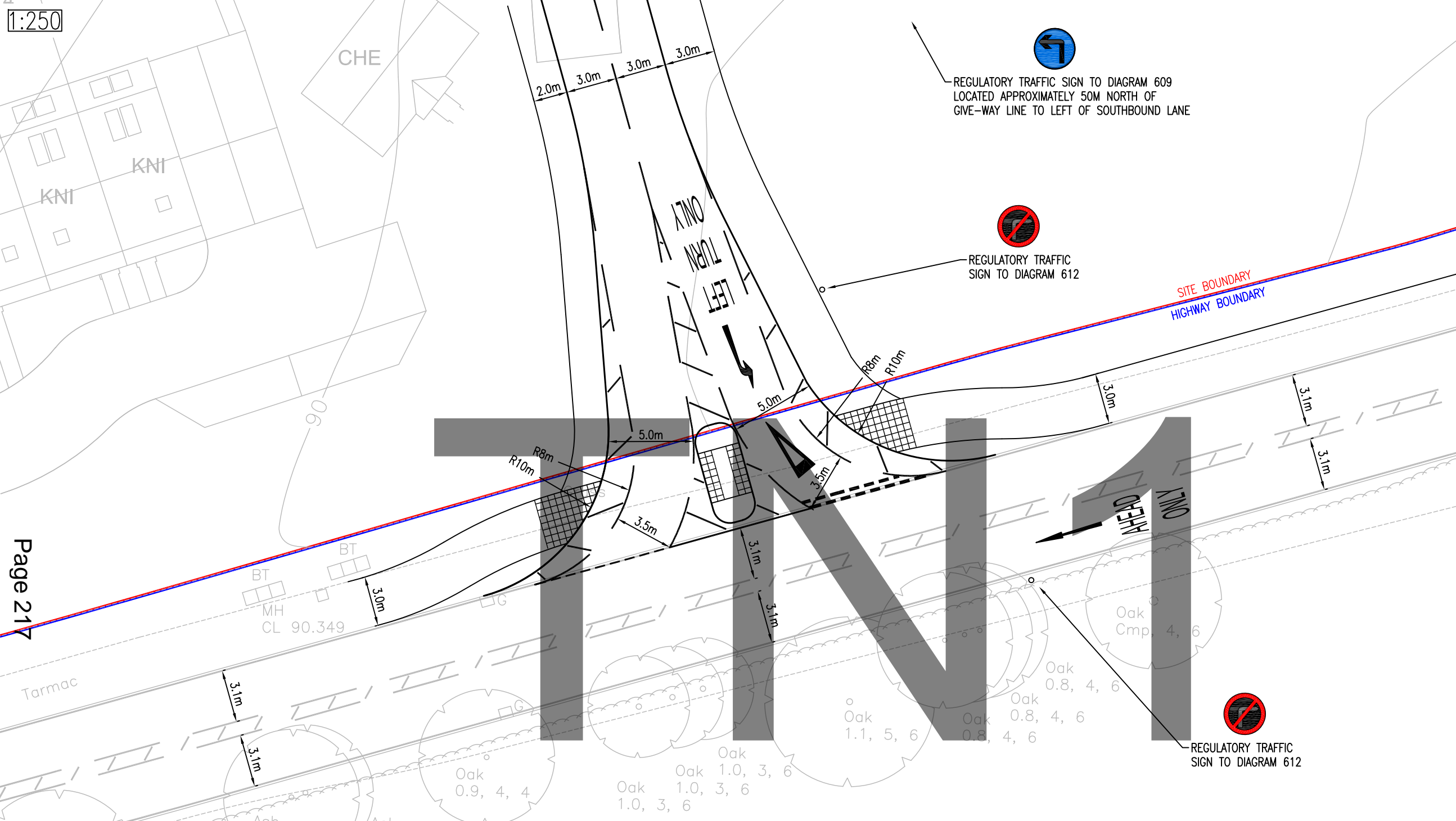
The Cocoa House
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 e-mail bristol@clarkebond.com
 web www.clarkebond.com
 Bristol Exeter London

Drawing Title
S278 WORKS SOUTHERN ACCESS GENERAL ARRANGEMENT

| | | |
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| Project No. WBO3551 | Discipline C | Drawing No. 160 |
| Scale 1:250 | Date 17.03.16 | Revision B |
| Drawn MJD | Checked AJ | Sheet Size A1 |

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| B | PED/CYCLE ISLAND ADDED. PED/CYCLE ROUTES ADDED. VIS SPLAY TO JUNCTION ADDED. SCALE AMENDED | AJS | AJ | 07.06.18 |
| A | SCALES ADDED | AJS | AJS | 27.11.17 |
| - | PRELIMINARY FIRST ISSUE. | - | - | |
| Rev | Detail | By | Chk | Date |

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Bristol Exeter London

Client
Barratt Homes

Project
GREAT DUNMOW STAGE 2

Drawing Title
PROPOSED LEFT-IN LEFT-OUT PRIORITY JUNCTION ACCESS FROM STORTFORD ROAD

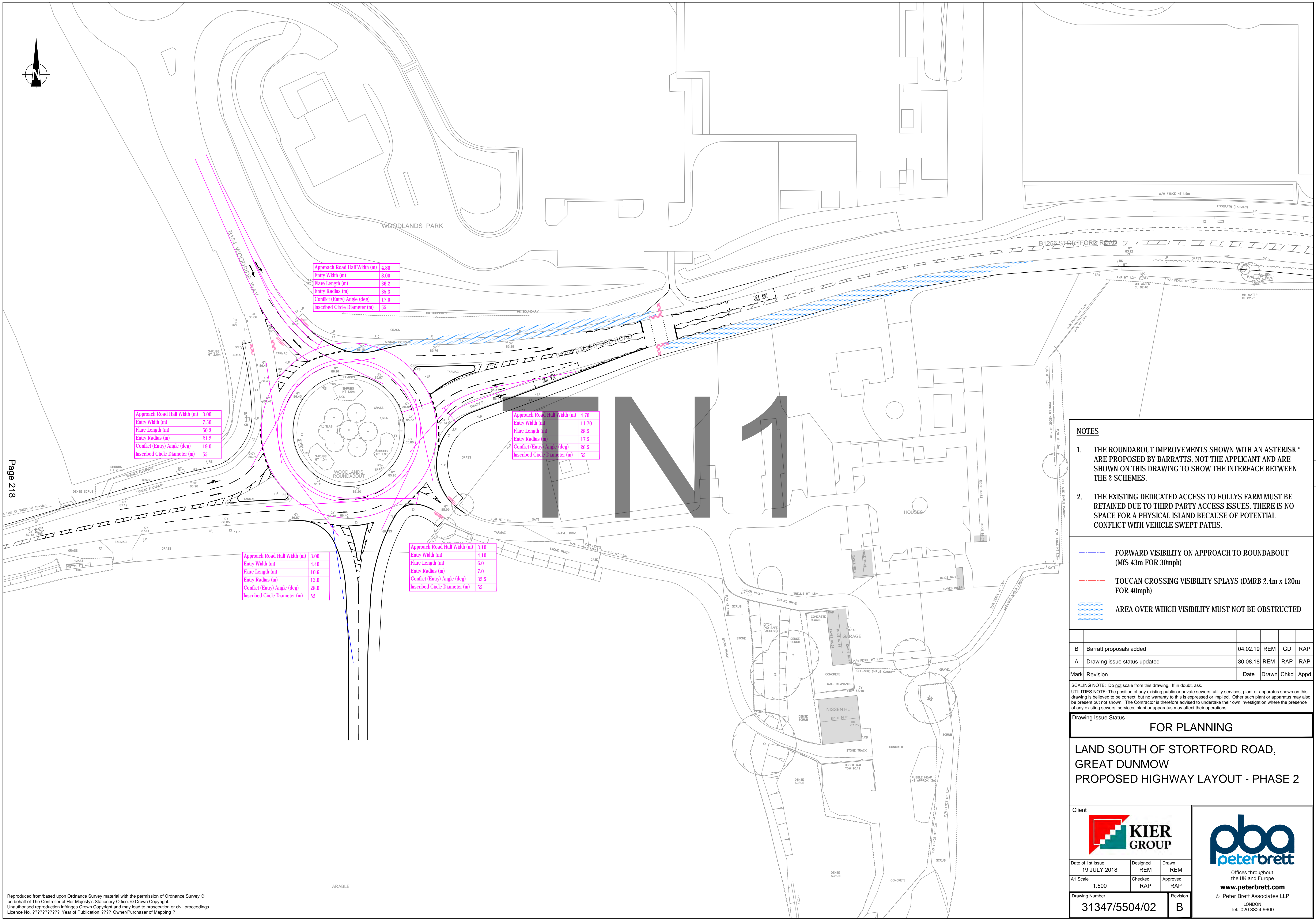
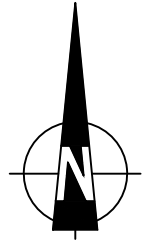
Drawing Status
DRAFT

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| Project No. | Discipline | Drawing No. |
| WB03551 | C | SK700 |
| Scale | Date | Revision |
| AS SHOWN | 24.11.17 | |
| Drawn | Checked | Sheet Size |
| AJS | MT | A3 |

B

DWG INFO: M:\CLARKEBOND UK LIMITED\BRISTOL PROJECTS\WB03551 - GREAT DUNMOW STAGE 2\DRAWINGS\CURRENT\WB03551-SK700B, SK701-STORTFORD ROAD ACCESS JUNCTION

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| | |
|-------------------------------|------|
| Approach Road Half Width (m) | 4.80 |
| Entry Width (m) | 8.00 |
| Flare Length (m) | 36.2 |
| Entry Radius (m) | 35.3 |
| Conflict (Entry) Angle (deg) | 17.0 |
| Inscribed Circle Diameter (m) | 55 |

| | |
|-------------------------------|------|
| Approach Road Half Width (m) | 3.00 |
| Entry Width (m) | 7.50 |
| Flare Length (m) | 50.3 |
| Entry Radius (m) | 21.2 |
| Conflict (Entry) Angle (deg) | 19.0 |
| Inscribed Circle Diameter (m) | 55 |

| | |
|-------------------------------|-------|
| Approach Road Half Width (m) | 4.70 |
| Entry Width (m) | 11.70 |
| Flare Length (m) | 28.5 |
| Entry Radius (m) | 17.5 |
| Conflict (Entry) Angle (deg) | 26.5 |
| Inscribed Circle Diameter (m) | 55 |

| | |
|-------------------------------|------|
| Approach Road Half Width (m) | 3.00 |
| Entry Width (m) | 4.40 |
| Flare Length (m) | 10.6 |
| Entry Radius (m) | 12.0 |
| Conflict (Entry) Angle (deg) | 28.0 |
| Inscribed Circle Diameter (m) | 55 |

| | |
|-------------------------------|------|
| Approach Road Half Width (m) | 3.10 |
| Entry Width (m) | 4.10 |
| Flare Length (m) | 6.0 |
| Entry Radius (m) | 7.0 |
| Conflict (Entry) Angle (deg) | 32.5 |
| Inscribed Circle Diameter (m) | 55 |

NOTES

1. THE ROUNDABOUT IMPROVEMENTS SHOWN WITH AN ASTERISK * ARE PROPOSED BY BARRATTS, NOT THE APPLICANT AND ARE SHOWN ON THIS DRAWING TO SHOW THE INTERFACE BETWEEN THE 2 SCHEMES.
2. THE EXISTING DEDICATED ACCESS TO FOLLYS FARM MUST BE RETAINED DUE TO THIRD PARTY ACCESS ISSUES. THERE IS NO SPACE FOR A PHYSICAL ISLAND BECAUSE OF POTENTIAL CONFLICT WITH VEHICLE SWEEP PATHS.

- FORWARD VISIBILITY ON APPROACH TO ROUNDABOUT (MIS 43m FOR 30mph)
- - - TOUCAN CROSSING VISIBILITY SPLAYS (DMRB 2.4m x 120m FOR 40mph)
- [Blue Hatched Area] AREA OVER WHICH VISIBILITY MUST NOT BE OBSTRUCTED

| | | | | | |
|------|------------------------------|----------|-------|------|------|
| B | Barratt proposals added | 04.02.19 | REM | GD | RAP |
| A | Drawing issue status updated | 30.08.18 | REM | RAP | RAP |
| Mark | Revision | Date | Drawn | Chkd | Appd |

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 UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty to this is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake their own investigation where the presence of any existing sewers, services, plant or apparatus may affect their operations.

Drawing Issue Status
FOR PLANNING

LAND SOUTH OF STORTFORD ROAD,
 GREAT DUNMOW
 PROPOSED HIGHWAY LAYOUT - PHASE 2

| | | | |
|-------------------|----------|----------|--|
| Client | | | |
| Date of 1st Issue | Designed | | |
| 19 JULY 2018 | REM | REM | |
| A1 Scale | Checked | Approved | |
| 1:500 | RAP | RAP | |
| Drawing Number | Revision | | |
| 31347/5504/02 | B | | |

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TN1

| |
|--|
| Junctions 9 |
| ARCADY 9 - Roundabout Module |
| Version: 9.5.1.7462 © Copyright TRL Limited, 2019 |
| For sales and distribution information, program advice and maintenance, contact TRL: +44 (0)1344 379777 software@trl.co.uk www.trlsoftware.co.uk |
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Filename: The Granary Roundabout (2030).j9
Path: C:\GEMSTONE RECORDS LIMITED\Master
Report generation date: 19/10/2020 10:55:35

«2030 with School - 2030, PM

- »Junction Network
- »Arms
- »Traffic Demand
- »Origin-Destination Data
- »Vehicle Mix
- »Results

Summary of junction performance

| | | AM | | | | PM | | | | |
|-------------------------|--------|-------------|-----------|------|-----|--------|-------------|-----------|------|-----|
| | Set ID | Queue (PCU) | Delay (s) | RFC | LOS | Set ID | Queue (PCU) | Delay (s) | RFC | LOS |
| 2030 with School - 2030 | | | | | | | | | | |
| Arm 1 | D1 | 1.9 | 5.87 | 0.64 | A | D2 | 1.5 | 5.39 | 0.57 | A |
| Arm 2 | | 2.5 | 6.76 | 0.70 | A | | 1.1 | 3.77 | 0.49 | A |
| Arm 3 | | 0.0 | 0.00 | 0.00 | A | | 0.0 | 0.00 | 0.00 | A |
| Arm 4 | | 27.7 | 361.45 | 1.24 | F | | 0.4 | 10.39 | 0.27 | B |
| Arm 5 | | 2.0 | 7.07 | 0.65 | A | | 12.0 | 30.42 | 0.93 | D |

There are warnings associated with one or more model runs - see the 'Data Errors and Warnings' tables for each Analysis or Demand Set.

Values shown are the highest values encountered over all time segments. Delay is the maximum value of average delay per arriving vehicle.

File summary

File Description

| | |
|--------------------|---------------------------|
| Title | The Granary Roundabout |
| Location | Folly Farm (B1256) |
| Site number | |
| Date | 19/10/2020 |
| Version | |
| Status | LWL Check |
| Identifier | Lawrence Walker Limited |
| Client | Great Dunmow Town Council |
| Jobnumber | |
| Enumerator | S. P. Johnstone |
| Description | |

Units

| Distance units | Speed units | Traffic units input | Traffic units results | Flow units | Average delay units | Total delay units | Rate of delay units |
|----------------|-------------|---------------------|-----------------------|------------|---------------------|-------------------|---------------------|
| m | kph | PCU | PCU | perHour | s | -Min | perMin |

Analysis Options

| Calculate Queue Percentiles | Calculate residual capacity | RFC Threshold | Average Delay threshold (s) | Queue threshold (PCU) |
|-----------------------------|-----------------------------|---------------|-----------------------------|-----------------------|
| | | 0.85 | 36.00 | 20.00 |

Analysis Set Details

| ID | Name | Network flow scaling factor (%) |
|----|------------------|---------------------------------|
| A1 | 2030 with School | 100.000 |

Demand Set Details

| ID | Scenario name | Time Period name | Traffic profile type | Start time (HH:mm) | Finish time (HH:mm) | Time segment length (min) |
|----|---------------|------------------|----------------------|--------------------|---------------------|---------------------------|
| D2 | 2030 | PM | ONE HOUR | 16:45 | 18:15 | 15 |

T N 1

2030 with School - 2030, PM

Data Errors and Warnings

| Severity | Area | Item | Description |
|----------|----------|-----------------------------|--|
| Warning | Geometry | Arm 1 - Roundabout Geometry | Effective flare length is over 30m, which is outside the normal range. Treat capacities with increasing caution. |
| Warning | Geometry | Arm 5 - Roundabout Geometry | Effective flare length is over 30m, which is outside the normal range. Treat capacities with increasing caution. |

Junction Network

Junctions

| Junction | Name | Junction type | Use circulating lanes | Arm order | Junction Delay (s) | Junction LOS |
|----------|-----------------------|---------------------|-----------------------|---------------|--------------------|--------------|
| 1 | Folly Farm Roundabout | Standard Roundabout | | 1, 2, 3, 4, 5 | 15.46 | C |

Junction Network Options

| Driving side | Lighting |
|--------------|----------------|
| Left | Normal/unknown |

Arms

Arms

| Arm | Name | Description |
|-----|--------------------------|-------------|
| 1 | Woodside Way (N) | |
| 2 | B1256 Stortford Road (E) | |
| 3 | Farm Access | |
| 4 | New Access | |
| 5 | B1256 Stortford Rad (W) | |

Roundabout Geometry

| Arm | V - Approach road half-width (m) | E - Entry width (m) | I' - Effective flare length (m) | R - Entry radius (m) | D - Inscribed circle diameter (m) | PHI - Conflict (entry) angle (deg) | Exit only |
|-----|----------------------------------|---------------------|---------------------------------|----------------------|-----------------------------------|------------------------------------|-----------|
| 1 | 4.80 | 8.00 | 36.2 | 35.3 | 55.0 | 17.0 | |
| 2 | 4.70 | 11.70 | 28.5 | 17.5 | 55.0 | 26.5 | |
| 3 | 3.10 | 4.10 | 6.0 | 7.0 | 55.0 | 32.5 | |
| 4 | 3.00 | 4.40 | 10.6 | 12.0 | 55.0 | 28.0 | |
| 5 | 3.00 | 7.50 | 50.3 | 21.2 | 55.0 | 19.0 | |

Pelican/Puffin Crossings

| Arm | Space between crossing and junc. entry (Signalised) (PCU) | Amber time preceding red (s) | Amber time regarded as green (s) | Time from traffic red start to green man start (s) | Time period green man shown (s) | Clearance Period (s) | Traffic minimum green (s) |
|-----|---|------------------------------|----------------------------------|--|---------------------------------|----------------------|---------------------------|
| 2 | 12.00 | 3.00 | 2.90 | 1.00 | 6.00 | 6.00 | 7.00 |

Slope / Intercept / Capacity

Roundabout Slope and Intercept used in model

| Arm | Final slope | Final intercept (PCU/hr) |
|-----|-------------|--------------------------|
| 1 | 0.722 | 2357 |
| 2 | 0.754 | 2625 |
| 3 | 0.434 | 1024 |
| 4 | 0.482 | 1176 |
| 5 | 0.659 | 2050 |

The slope and intercept shown above include any corrections and adjustments.

Traffic Demand

| Vehicle mix source | PCU Factor for a HV (PCU) |
|--------------------|---------------------------|
| HV Percentages | 2.00 |

Demand overview (Traffic)

| Arm | Linked arm | Use O-D data | Average Demand (PCU/hr) | Scaling Factor (%) |
|-----|------------|--------------|-------------------------|--------------------|
| 1 | | ✓ | 900 | 100.000 |
| 2 | | ✓ | 924 | 100.000 |
| 3 | | ✓ | 1 | 100.000 |
| 4 | | ✓ | 127 | 100.000 |
| 5 | | ✓ | 1372 | 100.000 |

Demand overview (Pedestrians)

| Arm | Average pedestrian flow (Ped/hr) |
|-----|----------------------------------|
| 1 | |
| 2 | 45.00 |
| 3 | |
| 4 | |
| 5 | |

Origin-Destination Data

Demand (PCU/hr)

| | | To | | | | |
|------|---|-----|-----|---|----|-----|
| | | 1 | 2 | 3 | 4 | 5 |
| From | 1 | 0 | 530 | 1 | 20 | 349 |
| | 2 | 506 | 0 | 0 | 75 | 343 |
| | 3 | 0 | 0 | 0 | 0 | 1 |
| | 4 | 26 | 55 | 0 | 0 | 46 |
| | 5 | 630 | 624 | 0 | 81 | 37 |

Vehicle Mix

Heavy Vehicle Percentages

| | | To | | | | |
|------|---|----|----|----|----|----|
| | | 1 | 2 | 3 | 4 | 5 |
| From | 1 | 10 | 10 | 10 | 10 | 10 |
| | 2 | 10 | 10 | 10 | 10 | 10 |
| | 3 | 10 | 10 | 10 | 10 | 0 |
| | 4 | 10 | 10 | 10 | 10 | 10 |
| | 5 | 10 | 10 | 10 | 10 | 10 |

Results

Results Summary for whole modelled period

| Arm | Max RFC | Max Delay (s) | Max Queue (PCU) | Max LOS |
|-----|---------|---------------|-----------------|---------|
| 1 | 0.57 | 5.39 | 1.5 | A |
| 2 | 0.49 | 3.77 | 1.1 | A |
| 3 | 0.00 | 0.00 | 0.0 | A |
| 4 | 0.27 | 10.39 | 0.4 | B |
| 5 | 0.93 | 30.42 | 12.0 | D |

Main Results for each time segment

16:45 - 17:00

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Pedestrian demand (Ped/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|----------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 678 | 596 | | 1926 | 0.352 | 675 | 0.6 | 3.160 | A |
| 2 | 696 | 366 | 33.88 | 2204 | 0.316 | 694 | 0.5 | 2.618 | A |
| 3 | 0 | 1059 | | 564 | 0.000 | 0 | 0.0 | 0.000 | A |
| 4 | 96 | 927 | | 729 | 0.131 | 95 | 0.2 | 6.235 | A |
| 5 | 1033 | 440 | | 1759 | 0.587 | 1027 | 1.5 | 5.361 | A |

17:00 - 17:15

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Pedestrian demand (Ped/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|----------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 809 | 714 | | 1842 | 0.439 | 808 | 0.9 | 3.828 | A |
| 2 | 831 | 438 | 40.45 | 2149 | 0.387 | 830 | 0.7 | 3.000 | A |
| 3 | 0 | 1267 | | 474 | 0.000 | 0 | 0.0 | 0.000 | A |
| 4 | 114 | 1109 | | 642 | 0.178 | 114 | 0.2 | 7.501 | A |
| 5 | 1233 | 527 | | 1702 | 0.725 | 1228 | 2.8 | 8.268 | A |

17:15 - 17:30

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Pedestrian demand (Ped/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|----------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 991 | 861 | | 1735 | 0.571 | 989 | 1.4 | 5.285 | A |
| 2 | 1017 | 534 | 49.55 | 2066 | 0.493 | 1016 | 1.1 | 3.768 | A |
| 3 | 0 | 1548 | | 352 | 0.000 | 0 | 0.0 | 0.000 | A |
| 4 | 140 | 1357 | | 522 | 0.268 | 139 | 0.4 | 10.321 | B |
| 5 | 1511 | 645 | | 1624 | 0.930 | 1480 | 10.5 | 23.601 | C |

17:30 - 17:45

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Pedestrian demand (Ped/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|----------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 991 | 874 | | 1726 | 0.574 | 991 | 1.5 | 5.387 | A |
| 2 | 1017 | 537 | 49.55 | 2071 | 0.491 | 1017 | 1.1 | 3.755 | A |
| 3 | 0 | 1553 | | 350 | 0.000 | 0 | 0.0 | 0.000 | A |
| 4 | 140 | 1360 | | 521 | 0.268 | 140 | 0.4 | 10.394 | B |
| 5 | 1511 | 646 | | 1624 | 0.930 | 1505 | 12.0 | 30.416 | D |

17:45 - 18:00

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Pedestrian demand (Ped/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|----------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 809 | 736 | | 1825 | 0.443 | 811 | 0.9 | 3.914 | A |
| 2 | 831 | 443 | 40.45 | 2156 | 0.385 | 832 | 0.7 | 2.997 | A |
| 3 | 0 | 1274 | | 471 | 0.000 | 0 | 0.0 | 0.000 | A |
| 4 | 114 | 1113 | | 639 | 0.179 | 115 | 0.2 | 7.559 | A |
| 5 | 1233 | 529 | | 1701 | 0.725 | 1269 | 3.0 | 9.886 | A |

18:00 - 18:15

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Pedestrian demand (Ped/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|----------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 678 | 603 | | 1921 | 0.353 | 679 | 0.6 | 3.191 | A |
| 2 | 696 | 368 | 33.88 | 2204 | 0.316 | 696 | 0.5 | 2.627 | A |
| 3 | 0 | 1064 | | 562 | 0.000 | 0 | 0.0 | 0.000 | A |
| 4 | 96 | 931 | | 727 | 0.131 | 96 | 0.2 | 6.275 | A |
| 5 | 1033 | 443 | | 1758 | 0.588 | 1039 | 1.6 | 5.548 | A |

T N 1

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| <h1>Junctions 9</h1> |
| <h2>ARCADY 9 - Roundabout Module</h2> |
| Version: 9.5.1.7462 © Copyright TRL Limited, 2019 |
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Filename: Site Access Roundabout (2030).j9
Path: \\pc1\LAWRENCE WALKER LIMITED\LWL Projects\Miscellaneous\Great Dunmow (7)\ARCADY
Report generation date: 20/10/2020 14:18:03

«Baseline with School - 2033, PM

- »Junction Network
- »Arms
- »Traffic Demand
- »Origin-Destination Data
- »Vehicle Mix
- »Results

Summary of junction performance

| | | AM | | | | PM | | | | |
|------------------------------------|--------|-------------|-----------|------|-----|--------|-------------|-----------|------|-----|
| | Set ID | Queue (PCU) | Delay (s) | RFC | LOS | Set ID | Queue (PCU) | Delay (s) | RFC | LOS |
| Baseline with School - 2030 | | | | | | | | | | |
| Arm 1 | D1 | 7.2 | 19.06 | 0.88 | C | D2 | 1.2 | 4.70 | 0.54 | A |
| Arm 2 | | 0.9 | 3.69 | 0.46 | A | | 6.3 | 15.09 | 0.87 | C |
| Arm 3 | | 0.6 | 6.61 | 0.36 | A | | 0.5 | 10.73 | 0.34 | B |
| Baseline with School - 2033 | | | | | | | | | | |
| Arm 1 | D3 | 12.6 | 31.83 | 0.94 | D | D4 | 1.4 | 5.04 | 0.57 | A |
| Arm 2 | | 1.0 | 3.89 | 0.48 | A | | 10.2 | 23.50 | 0.92 | C |
| Arm 3 | | 0.6 | 6.99 | 0.38 | A | | 0.6 | 12.72 | 0.38 | B |

Values shown are the highest values encountered over all time segments. Delay is the maximum value of average delay per arriving vehicle.

File summary

File Description

| | |
|--------------------|---|
| Title | The Woodside Way Site Access Roundabout |
| Location | B1256 |
| Site number | |
| Date | 19/10/2020 |
| Version | |
| Status | LWL Check |
| Identifier | Lawrence Walker Limited |
| Client | Great Dunmow Town Council |
| Jobnumber | |
| Enumerator | S. P. Johnstone |
| Description | |

Units

| Distance units | Speed units | Traffic units input | Traffic units results | Flow units | Average delay units | Total delay units | Rate of delay units |
|----------------|-------------|---------------------|-----------------------|------------|---------------------|-------------------|---------------------|
| m | kph | PCU | PCU | perHour | s | -Min | perMin |

Analysis Options

| Calculate Queue Percentiles | Calculate residual capacity | RFC Threshold | Average Delay threshold (s) | Queue threshold (PCU) |
|-----------------------------|-----------------------------|---------------|-----------------------------|-----------------------|
| | | 0.85 | 36.00 | 20.00 |

Analysis Set Details

| ID | Name | Network flow scaling factor (%) |
|----|----------------------|---------------------------------|
| A1 | Baseline with School | 100.000 |

Demand Set Details

| ID | Scenario name | Time Period name | Traffic profile type | Start time (HH:mm) | Finish time (HH:mm) | Time segment length (min) |
|----|---------------|------------------|----------------------|--------------------|---------------------|---------------------------|
| D4 | 2033 | PM | ONE HOUR | 16:45 | 18:15 | 15 |

T N 1

Baseline with School - 2033, PM

Data Errors and Warnings

No errors or warnings

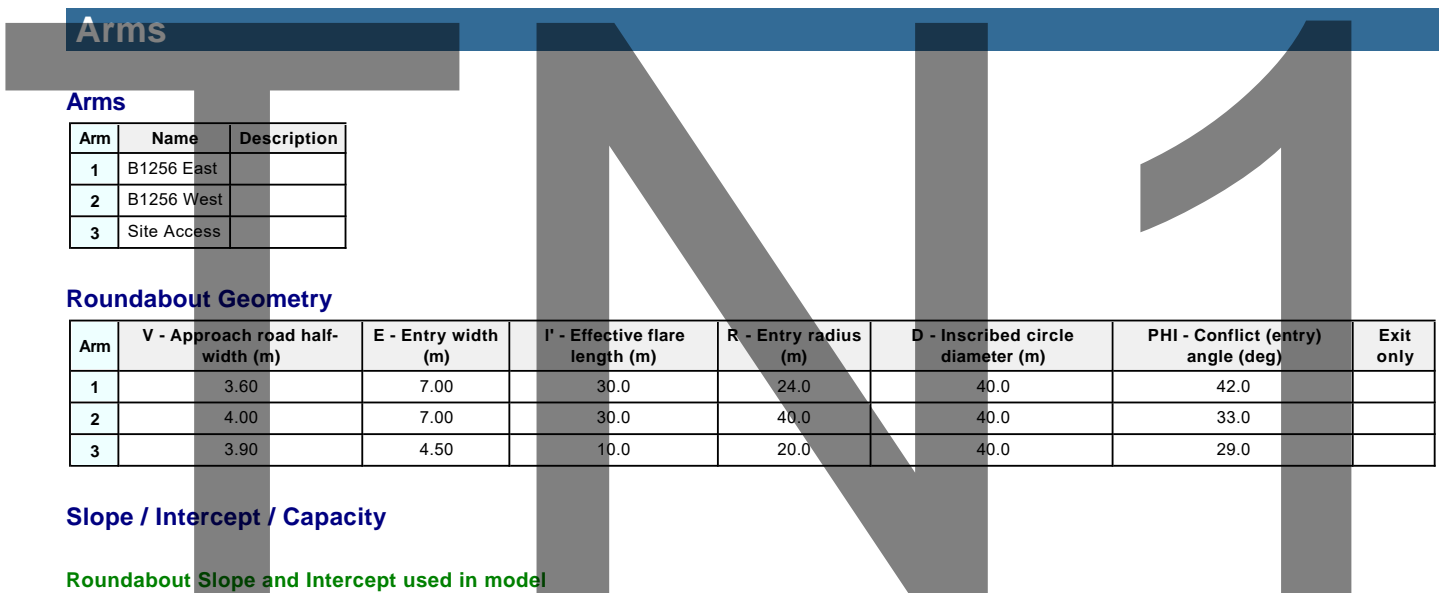
Junction Network

Junctions

| Junction | Name | Junction type | Use circulating lanes | Arm order | Junction Delay (s) | Junction LOS |
|----------|------------------|---------------------|-----------------------|-----------|--------------------|--------------|
| 1 | 2030 with School | Standard Roundabout | | 1, 2, 3 | 16.44 | C |

Junction Network Options

| Driving side | Lighting |
|--------------|----------------|
| Left | Normal/unknown |



Arms

Arms

| Arm | Name | Description |
|-----|-------------|-------------|
| 1 | B1256 East | |
| 2 | B1256 West | |
| 3 | Site Access | |

Roundabout Geometry

| Arm | V - Approach road half-width (m) | E - Entry width (m) | I' - Effective flare length (m) | R - Entry radius (m) | D - Inscribed circle diameter (m) | PHI - Conflict (entry) angle (deg) | Exit only |
|-----|----------------------------------|---------------------|---------------------------------|----------------------|-----------------------------------|------------------------------------|-----------|
| 1 | 3.60 | 7.00 | 30.0 | 24.0 | 40.0 | 42.0 | |
| 2 | 4.00 | 7.00 | 30.0 | 40.0 | 40.0 | 33.0 | |
| 3 | 3.90 | 4.50 | 10.0 | 20.0 | 40.0 | 29.0 | |

Slope / Intercept / Capacity

Roundabout Slope and Intercept used in model

| Arm | Final slope | Final intercept (PCU/hr) |
|-----|-------------|--------------------------|
| 1 | 0.649 | 1785 |
| 2 | 0.692 | 1927 |
| 3 | 0.571 | 1339 |

The slope and intercept shown above include any corrections and adjustments.

Traffic Demand

| Vehicle mix source | PCU Factor for a HV (PCU) |
|--------------------|---------------------------|
| HV Percentages | 2.00 |

Demand overview (Traffic)

| Arm | Linked arm | Use O-D data | Average Demand (PCU/hr) | Scaling Factor (%) |
|-----|------------|--------------|-------------------------|--------------------|
| 1 | | ✓ | 885 | 100.000 |
| 2 | | ✓ | 1513 | 100.000 |
| 3 | | ✓ | 159 | 100.000 |

Origin-Destination Data

Demand (PCU/hr)

| From | To | | |
|------|------|-----|-----|
| | 1 | 2 | 3 |
| 1 | 89 | 730 | 66 |
| 2 | 1316 | 0 | 197 |
| 3 | 40 | 119 | 0 |

Vehicle Mix

Heavy Vehicle Percentages

| From | To | | |
|------|----|---|---|
| | 1 | 2 | 3 |
| 1 | 0 | 2 | 0 |
| 2 | 2 | 0 | 0 |
| 3 | 0 | 0 | 0 |

Results

Results Summary for whole modelled period

| Arm | Max RFC | Max Delay (s) | Max Queue (PCU) | Max LOS |
|-----|---------|---------------|-----------------|---------|
| 1 | 0.57 | 5.04 | 1.4 | A |
| 2 | 0.92 | 23.50 | 10.2 | C |
| 3 | 0.38 | 12.72 | 0.6 | B |

Main Results for each time segment

16:45 - 17:00

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 666 | 89 | 1727 | 0.386 | 664 | 0.6 | 3.431 | A |
| 2 | 1139 | 116 | 1847 | 0.617 | 1133 | 1.6 | 5.082 | A |
| 3 | 120 | 1052 | 738 | 0.162 | 119 | 0.2 | 5.804 | A |

17:00 - 17:15

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 796 | 107 | 1716 | 0.464 | 795 | 0.9 | 3.968 | A |
| 2 | 1360 | 139 | 1831 | 0.743 | 1355 | 2.8 | 7.617 | A |
| 3 | 143 | 1259 | 620 | 0.230 | 143 | 0.3 | 7.528 | A |

17:15 - 17:30

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 974 | 130 | 1701 | 0.573 | 973 | 1.3 | 5.013 | A |
| 2 | 1666 | 170 | 1810 | 0.921 | 1640 | 9.2 | 19.255 | C |
| 3 | 175 | 1524 | 469 | 0.374 | 174 | 0.6 | 12.170 | B |

17:30 - 17:45

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 974 | 131 | 1700 | 0.573 | 974 | 1.4 | 5.042 | A |
| 2 | 1666 | 171 | 1809 | 0.921 | 1662 | 10.2 | 23.498 | C |
| 3 | 175 | 1543 | 458 | 0.382 | 175 | 0.6 | 12.724 | B |

17:45 - 18:00

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 796 | 108 | 1715 | 0.464 | 797 | 0.9 | 3.996 | A |
| 2 | 1360 | 140 | 1831 | 0.743 | 1389 | 3.0 | 8.797 | A |
| 3 | 143 | 1288 | 603 | 0.237 | 144 | 0.3 | 7.857 | A |

18:00 - 18:15

| Arm | Total Demand (PCU/hr) | Circulating flow (PCU/hr) | Capacity (PCU/hr) | RFC | Throughput (PCU/hr) | End queue (PCU) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 666 | 90 | 1727 | 0.386 | 667 | 0.6 | 3.456 | A |
| 2 | 1139 | 117 | 1847 | 0.617 | 1145 | 1.7 | 5.257 | A |
| 3 | 120 | 1063 | 732 | 0.163 | 120 | 0.2 | 5.885 | A |

T N 1

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| Junctions 9 |
| ARCADY 9 - Roundabout Module |
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Filename: Alternative Site Access Roundabout (2030).j9
Path: \\pc1\LAWRENCE WALKER LIMITED\LWL Projects\Miscellaneous\Great Dunmow (7)\ARCADY
Report generation date: 22/10/2020 11:06:39

«2030 with School - 2030, PM

- »Junction Network
- »Arms
- »Traffic Demand
- »Origin-Destination Data
- »Vehicle Mix
- »Results

Summary of junction performance

| | AM | | | | | PM | | | | |
|-------------------------|--------|-------------|-----------|------|-----|--------|-------------|-----------|------|-----|
| | Set ID | Queue (Veh) | Delay (s) | RFC | LOS | Set ID | Queue (Veh) | Delay (s) | RFC | LOS |
| 2030 with School - 2030 | | | | | | | | | | |
| Arm 1 | D1 | 0.5 | 5.13 | 0.31 | A | D2 | 0.3 | 6.58 | 0.25 | A |
| Arm 2 | | 3.3 | 8.72 | 0.77 | A | | 0.9 | 3.48 | 0.47 | A |
| Arm 3 | | 0.6 | 12.46 | 0.39 | B | | 0.1 | 5.62 | 0.11 | A |
| Arm 4 | | 0.9 | 3.35 | 0.48 | A | | 3.6 | 8.32 | 0.78 | A |

There are warnings associated with one or more model runs - see the 'Data Errors and Warnings' tables for each Analysis or Demand Set.

Values shown are the highest values encountered over all time segments. Delay is the maximum value of average delay per arriving vehicle.

File summary

File Description

| | |
|--------------------|---|
| Title | Alternative Site Access Roundabout (2030) |
| Location | B1256 West of School |
| Site number | |
| Date | 22/10/2020 |
| Version | |
| Status | LWL Check |
| Identifier | Lawrence Walker Limited |
| Client | Great Dunmow Town Council |
| Jobnumber | |
| Enumerator | S. P. Johnstone |
| Description | |

Units

| Distance units | Speed units | Traffic units input | Traffic units results | Flow units | Average delay units | Total delay units | Rate of delay units |
|----------------|-------------|---------------------|-----------------------|------------|---------------------|-------------------|---------------------|
| m | kph | Veh | Veh | perHour | s | -Min | perMin |

Analysis Options

| Calculate Queue Percentiles | Calculate residual capacity | RFC Threshold | Average Delay threshold (s) | Queue threshold (PCU) |
|-----------------------------|-----------------------------|---------------|-----------------------------|-----------------------|
| | | 0.85 | 36.00 | 20.00 |

Analysis Set Details

| ID | Name | Network flow scaling factor (%) |
|----|------------------|---------------------------------|
| A1 | 2030 with School | 100.000 |

Demand Set Details

| ID | Scenario name | Time Period name | Traffic profile type | Start time (HH:mm) | Finish time (HH:mm) | Time segment length (min) |
|----|---------------|------------------|----------------------|--------------------|---------------------|---------------------------|
| D2 | 2030 | PM | ONE HOUR | 16:45 | 18:15 | 15 |

T N 1

2030 with School - 2030, PM

Data Errors and Warnings

| Severity | Area | Item | Description |
|----------|----------|-----------------------------|--|
| Warning | Geometry | Arm 2 - Roundabout Geometry | Effective flare length is over 30m, which is outside the normal range. Treat capacities with increasing caution. |
| Warning | Geometry | Arm 4 - Roundabout Geometry | Effective flare length is over 30m, which is outside the normal range. Treat capacities with increasing caution. |

Junction Network

Junctions

| Junction | Name | Junction type | Use circulating lanes | Arm order | Junction Delay (s) | Junction LOS |
|----------|----------|---------------------|-----------------------|------------|--------------------|--------------|
| 1 | untitled | Standard Roundabout | | 1, 2, 3, 4 | 6.50 | A |

Junction Network Options

| Driving side | Lighting |
|--------------|----------------|
| Left | Normal/unknown |

Arms

Arms

| Arm | Name | Description |
|-----|---------------|-------------|
| 1 | Spine Road | |
| 2 | B1256 (E) | |
| 3 | School Access | |
| 4 | B1256 (W) | |

Roundabout Geometry

| Arm | V - Approach road half-width (m) | E - Entry width (m) | I' - Effective flare length (m) | R - Entry radius (m) | D - Inscribed circle diameter (m) | PHI - Conflict (entry) angle (deg) | Exit only |
|-----|----------------------------------|---------------------|---------------------------------|----------------------|-----------------------------------|------------------------------------|-----------|
| 1 | 4.50 | 5.40 | 10.1 | 35.0 | 55.0 | 30.0 | |
| 2 | 3.20 | 8.20 | 40.0 | 45.0 | 55.0 | 29.0 | |
| 3 | 3.10 | 4.40 | 9.0 | 35.0 | 55.0 | 19.0 | |
| 4 | 3.45 | 8.20 | 46.6 | 27.0 | 55.0 | 24.0 | |

Slope / Intercept / Capacity

Roundabout Slope and Intercept used in model

| Arm | Final slope | Final intercept (PCU/hr) |
|-----|-------------|--------------------------|
| 1 | 0.574 | 1609 |
| 2 | 0.668 | 2115 |
| 3 | 0.524 | 1280 |
| 4 | 0.685 | 2202 |

The slope and intercept shown above include any corrections and adjustments.

Traffic Demand

| Vehicle mix source | PCU Factor for a HV (PCU) |
|--------------------|---------------------------|
| HV Percentages | 2.00 |

Demand overview (Traffic)

| Arm | Linked arm | Use O-D data | Average Demand (Veh/hr) | Scaling Factor (%) |
|-----|------------|--------------|-------------------------|--------------------|
| 1 | | ✓ | 169 | 100.000 |
| 2 | | ✓ | 847 | 100.000 |
| 3 | | ✓ | 69 | 100.000 |
| 4 | | ✓ | 1427 | 100.000 |

Origin-Destination Data

Demand (Veh/hr)

| | | To | | | |
|------|---|-----|------|----|-----|
| | | 1 | 2 | 3 | 4 |
| From | 1 | 0 | 40 | 10 | 119 |
| | 2 | 66 | 89 | 10 | 682 |
| | 3 | 10 | 31 | 0 | 28 |
| | 4 | 197 | 1221 | 9 | 0 |

Vehicle Mix

Heavy Vehicle Percentages

| | | To | | | |
|------|---|----|---|---|---|
| | | 1 | 2 | 3 | 4 |
| From | 1 | 0 | 0 | 0 | 0 |
| | 2 | 0 | 0 | 0 | 3 |
| | 3 | 0 | 0 | 0 | 0 |
| | 4 | 0 | 3 | 0 | 0 |

Results

Results Summary for whole modelled period

| Arm | Max RFC | Max Delay (s) | Max Queue (Veh) | Max LOS |
|-----|---------|---------------|-----------------|---------|
| 1 | 0.25 | 6.58 | 0.3 | A |
| 2 | 0.47 | 3.48 | 0.9 | A |
| 3 | 0.11 | 5.62 | 0.1 | A |
| 4 | 0.78 | 8.32 | 3.6 | A |

Main Results for each time segment

16:45 - 17:00

| Arm | Total Demand (Veh/hr) | Circulating flow (Veh/hr) | Capacity (Veh/hr) | RFC | Throughput (Veh/hr) | End queue (Veh) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 127 | 1012 | 1012 | 0.126 | 127 | 0.1 | 4.061 | A |
| 2 | 638 | 103 | 1997 | 0.319 | 636 | 0.5 | 2.641 | A |
| 3 | 52 | 717 | 896 | 0.058 | 52 | 0.1 | 4.263 | A |
| 4 | 1074 | 147 | 2049 | 0.524 | 1070 | 1.1 | 3.662 | A |

17:00 - 17:15

| Arm | Total Demand (Veh/hr) | Circulating flow (Veh/hr) | Capacity (Veh/hr) | RFC | Throughput (Veh/hr) | End queue (Veh) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 152 | 1211 | 895 | 0.170 | 152 | 0.2 | 4.841 | A |
| 2 | 761 | 124 | 1984 | 0.384 | 761 | 0.6 | 2.941 | A |
| 3 | 62 | 859 | 820 | 0.076 | 62 | 0.1 | 4.747 | A |
| 4 | 1283 | 176 | 2029 | 0.632 | 1280 | 1.7 | 4.791 | A |

17:15 - 17:30

| Arm | Total Demand (Veh/hr) | Circulating flow (Veh/hr) | Capacity (Veh/hr) | RFC | Throughput (Veh/hr) | End queue (Veh) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 186 | 1480 | 737 | 0.253 | 186 | 0.3 | 6.524 | A |
| 2 | 933 | 151 | 1966 | 0.474 | 931 | 0.9 | 3.477 | A |
| 3 | 76 | 1051 | 717 | 0.106 | 76 | 0.1 | 5.611 | A |
| 4 | 1571 | 216 | 2003 | 0.784 | 1564 | 3.5 | 8.069 | A |

17:30 - 17:45

| Arm | Total Demand (Veh/hr) | Circulating flow (Veh/hr) | Capacity (Veh/hr) | RFC | Throughput (Veh/hr) | End queue (Veh) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 186 | 1486 | 733 | 0.254 | 186 | 0.3 | 6.578 | A |
| 2 | 933 | 152 | 1966 | 0.474 | 933 | 0.9 | 3.483 | A |
| 3 | 76 | 1053 | 716 | 0.106 | 76 | 0.1 | 5.619 | A |
| 4 | 1571 | 216 | 2003 | 0.784 | 1571 | 3.6 | 8.320 | A |

17:45 - 18:00

| Arm | Total Demand (Veh/hr) | Circulating flow (Veh/hr) | Capacity (Veh/hr) | RFC | Throughput (Veh/hr) | End queue (Veh) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 152 | 1220 | 890 | 0.171 | 152 | 0.2 | 4.884 | A |
| 2 | 761 | 125 | 1984 | 0.384 | 763 | 0.6 | 2.952 | A |
| 3 | 62 | 861 | 819 | 0.076 | 62 | 0.1 | 4.758 | A |
| 4 | 1283 | 176 | 2029 | 0.632 | 1290 | 1.7 | 4.918 | A |

18:00 - 18:15

| Arm | Total Demand (Veh/hr) | Circulating flow (Veh/hr) | Capacity (Veh/hr) | RFC | Throughput (Veh/hr) | End queue (Veh) | Delay (s) | Unsignalised level of service |
|-----|-----------------------|---------------------------|-------------------|-------|---------------------|-----------------|-----------|-------------------------------|
| 1 | 127 | 1019 | 1009 | 0.126 | 127 | 0.1 | 4.086 | A |
| 2 | 638 | 104 | 1997 | 0.319 | 638 | 0.5 | 2.650 | A |
| 3 | 52 | 721 | 894 | 0.058 | 52 | 0.1 | 4.275 | A |
| 4 | 1074 | 148 | 2048 | 0.525 | 1077 | 1.1 | 3.717 | A |

TN1



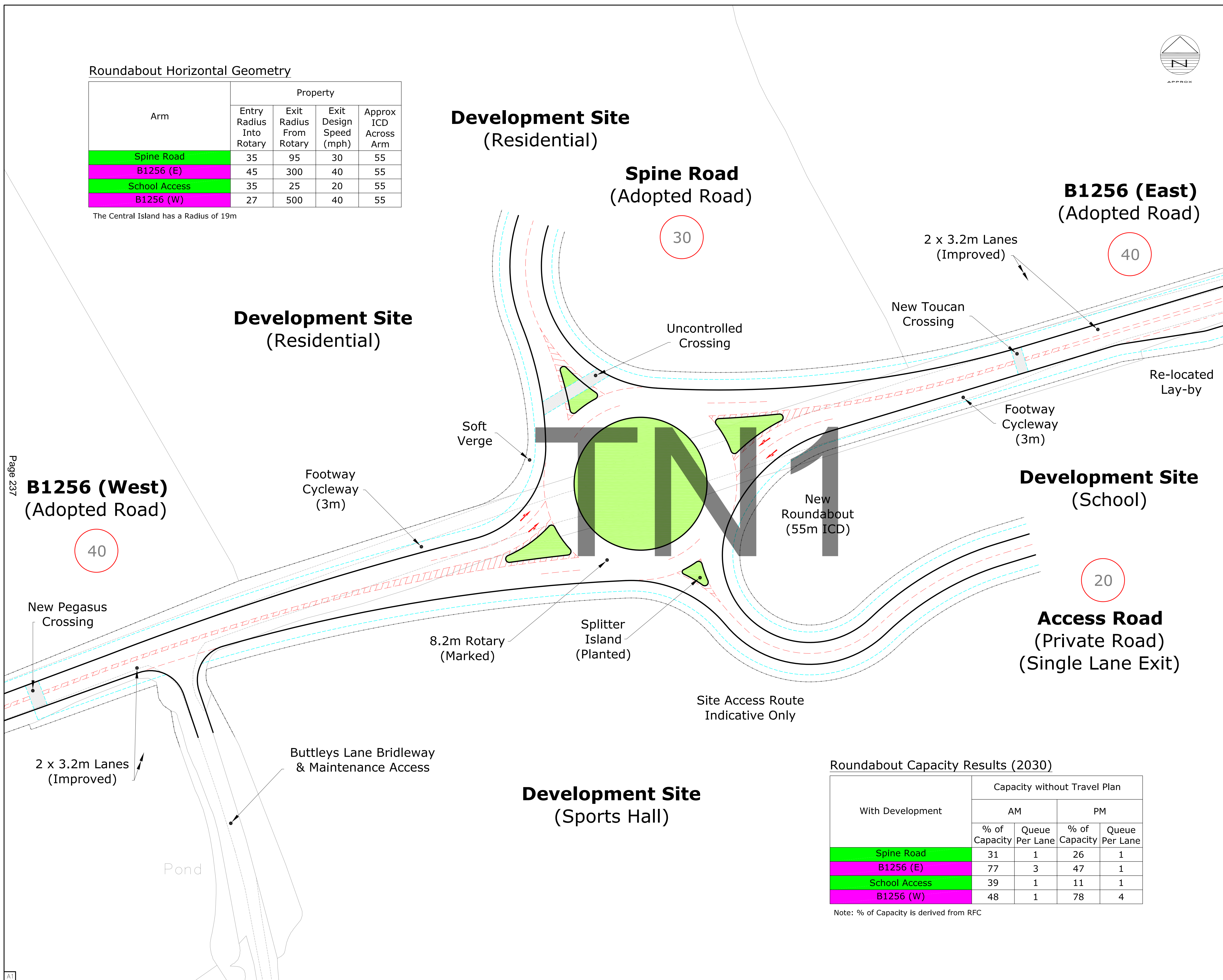
NOTES

- DO NOT SCALE THIS DRAWING. ALL DIMENSIONS MUST BE CHECKED/ VERIFIED ON SITE. IF IN DOUBT ASK.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTS, ENGINEERS AND SPECIALISTS DRAWINGS AND SPECIFICATIONS.
- ALL DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE. ALL LEVELS IN METRES UNLESS NOTED OTHERWISE.
- ANY DISCREPANCIES NOTED ON SITE ARE TO BE REPORTED TO THE ENGINEER IMMEDIATELY.

Roundabout Horizontal Geometry

| Arm | Property | | | |
|---------------|--------------------------|-------------------------|-------------------------|-----------------------|
| | Entry Radius Into Rotary | Exit Radius From Rotary | Exit Design Speed (mph) | Approx ICD Across Arm |
| Spine Road | 35 | 95 | 30 | 55 |
| B1256 (E) | 45 | 300 | 40 | 55 |
| School Access | 35 | 25 | 20 | 55 |
| B1256 (W) | 27 | 500 | 40 | 55 |

The Central Island has a Radius of 19m



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KEY

| Rev | Date | Description | Drawn |
|-----|----------|--------------------------|-------|
| D1 | 21.10.20 | DRAFT ISSUED FOR COMMENT | SPJ |

AMENDMENTS

LAWRENCE WALKER LIMITED
 CHURCH FARM
 LEAMINGTON
 HASTINGS
 WARCS
 CV23 8DZ

Client
 PIGEON INVESTMENT MANAGEMENT LIMITED

Project Title
 GREAT DUNMOW TOWN COUNCIL

Drawing Title
 GENERAL ARRANGEMENT
 (Possible Alternative)
 (Site Access)

Scale: 1:500 at A1 Date: 21.10.20 Drawn by: SPJ

Drawing Status
 Planning

Drawing No: LWL/779/001 Revision: D1

Roundabout Capacity Results (2030)

| With Development | Capacity without Travel Plan | | | |
|------------------|------------------------------|----------------|---------------|----------------|
| | AM | | PM | |
| | % of Capacity | Queue Per Lane | % of Capacity | Queue Per Lane |
| Spine Road | 31 | 1 | 26 | 1 |
| B1256 (E) | 77 | 3 | 47 | 1 |
| School Access | 39 | 1 | 11 | 1 |
| B1256 (W) | 48 | 1 | 78 | 4 |

Note: % of Capacity is derived from RFC

Landsec's emerging proposals for up to 1200 new homes on the Land East of Highwood Quarry.

Pre-application Landscape report - March 2021

Introduction

1.1 This report has been prepared by Sophie O'Hara Smith BA hons SAID Dip UD CMLI MRTPI. The purpose of the report is to comment on the potential landscape and visual effects and key landscape issues arising from the pre-application request and Landsec's emerging proposals for up to 1200 new homes and school on the Land East of Highwood Quarry. The comments and assessment in the report refer to plans provided by the Town Council from the Presentation to Dunmow Town Council and Little Easton Parish Council in January 2021 which was made available and the public consultation exercise.

The development proposal

2.1 The pre-application masterplan proposes 1200 homes and local facilities. The Deputy Clerk reported that Landsec had said at the presentation that the 1200 homes application is a stand-alone application but could be seen as phase one of a new settlement, if Uttlesford District Council (UDC) is minded to include it as a new local plan allocation. The presentation shows the 1200 home application and a further plan with it as part of a larger (Garden Community) development at Easton Park. (See Appendix 1 The Masterplan on land East of Highwood Quarry and West of Woodside Way and the Easton Park Garden Community 2021).

2.2 In response to a query on the height of the proposed development as shown for the pre-application, the development team have stated that: *"the 3 storey elements of the development will be located exclusively in the central area (surrounding the Local Centre). Everywhere else will be a mix of 2 and 2.5 storeys as a maximum. There will be a maximum of 2 storeys to the northern (sensitive) edge of the site"*.

2.3 The application site encompasses 148 hectares of agricultural land between Great Dunmow and Little Easton bounded by Park Road to the north, mineral extraction at Highwood Quarry to the west. The southern boundary is delineated by the Hoglands Wood which lies within the site, Hoglands Brook, and High Wood. To the east the site extends to include the Ravens Farm complex and some fields to the east of the farm and its driveway.

2.4 The proposed housing is shown on land adjacent to the bridleway on its west edge. The southern edge runs parallel to Hoglands Brook set back some 50m from the brook mirroring the approved Barratt development to the south. On the east edge the development is set some 80m back from Hoglands Wood and runs some 75m west of Ravens Farm to meet the Saffron Trail PROW 36-15. Woodland belt planting is proposed on the northern boundary of the housing area which is some 265m back from Park Road at the closest point and to the north of the school site. Thus leaving one open field between the new development and Little Easton.

The scoping report

3.1 A scoping report was submitted to Uttlesford District Council and comments on the contents of the landscape section were submitted by Great Dunmow Town Council as follows:

The Great Dunmow Neighbourhood Plan stresses the importance of the countryside setting of the town. The potential effect on the character and setting of Great Dunmow should be assessed.

Proposals should also have regard to the Little Easton Conservation Area and the potential effect on the setting and character of Little Easton and the Conservation Area should be assessed.

The chapter should also assess the potential effect on the strategic countryside gap between the settlements of Great Dunmow and Little Easton.

The baseline description should mention the wildlife corridor identified in the Great Dunmow Neighbourhood Plan encompassing Ancient Woodland at High Wood (SSSI), and Hoglands Wood, Broomhills Local Wildlife Site and Hoglands Brook. The potential effect on the wildlife corridor should be assessed in the light of cumulative development proposals which would see only a narrow area of open land remaining between this proposal and committed development south of Hoglands Brook.

Listed buildings in and around the site should be noted and assessed in terms of views from listed buildings and potential effects on the landscape setting of the buildings where relevant.

Taking these points into consideration, Table 3.1 should include reference the following receptors:

- The strategic Countryside Gap between Great Dunmow and Little Easton.
- The countryside setting and character of Great Dunmow.
- The countryside setting and character of Little Easton and the Conservation Area.
- The wildlife corridor to the south of the development.
- The entry on representative viewpoints should include, fixed residential receptors and views from listed buildings.

With regard to the list of representative viewpoints Dunmow Town Council would like their landscape consultant to be party to the discussion and agreement of suggested viewpoints for consideration. (See Appendix 2 the Landsec Scoping Report Chapter 3 Landscape and Views).

Planning policy and background

NPPF

4.1 Section 8 on promoting health communities para 98 states that, planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

4.2 Section 15 provides guidance on conserving and enhancing the natural environment. In para 170 it states the planning system should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services and minimising impacts on and providing net gains for biodiversity.

4.3 Section 16 Conserving and enhancing the historic environment states at paragraph 189, that for proposals affecting heritage assets; local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

The Uttlesford Local plan 2005

4.4 The emerging 2019 Local Plan was withdrawn in 2020 and a new Local Plan is being prepared currently consulting on Issues and Options and there is a Call for Sites and Strategic Land Availability Assessment. The adopted plan is the Uttlesford Local plan 2005.

Policy S7 – The Countryside

The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. 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.

Great Dunmow Neighbourhood Plan

4.5 The Town Development Area (TDA) Objective states:

'This Neighbourhood Plan will support the housing market in Great Dunmow to cater for local demand, while protecting the distinct rural identity of the parish.

The identity and character of Great Dunmow is heavily influenced by its setting, and this is to be retained as a priority. The requirements of a growing population must be met, but the price of this need not be the destruction of the local rural and historic character. Great Dunmow should be contained to prevent urban sprawl encroaching on the surrounding countryside, and to prevent amalgamation with the neighbouring settlement of Little Easton or any other settlement'.

Policy: DS1: TDA: Town Development Area states:

'This Neighbourhood Plan defines the Town Development Area as shown in Figure 16, for the purpose of:

- ***Directing future housing growth in line with allocations set out in this Plan;***
- ***Protecting the rural setting of Great Dunmow; and***
- ***Containing the spread of the town by promoting infill within existing built-up areas.***

All other areas will be treated as countryside.

Important approaches

62. North West - Key Positive Features: the importance of Hoglands Wood, Broomhills and Frederick's Spring in biodiversity and landscape terms; the views to the undulating landscapes north east; the importance of trees in the landscape; the footpath network linking the town to the Eastons.

Policy NE1: Identified Woodland Sites

The following ancient woodlands, SSSIs, and sites of high biodiversity value within the Neighbourhood Plan Designated Area have been identified. The sites identified in Figure 34, and their settings, are to be protected, and any development which impacts upon them must contribute to rather than detract from their biodiversity and setting value.

(4) Frederick's Spring (ancient woodland; private);

(5) Hoglands Wood (ancient woodland; private; Local Wildlife Site);

(6) High Wood (ancient woodland; private; SSSI);

Policy NE2: Wildlife Corridors

The documents that have been drawn up in support of this Neighbourhood Plan's biodiversity and nature agenda have identified clear wildlife corridors which are worthy of protection for their biodiversity value – as well as for their landscape, setting and character quality. This Plan promotes the enhancement of the woodland and wildlife corridors in the Great Dunmow Neighbourhood Plan Designated Area. Wildlife corridors are identified on Figure 9, (See Appendix 3 GDNP Wildlife Corridors.)

The following improvements to the corridors may be sought from development proposals which impact on these locations:

- **Additional tree corridors to help link the woodland and open space network;**
- **Additional water body (such as a balancing pond) to help link the woodland and open space network.**

The improvements will be sought, as appropriate, on site as part of the development proposal or via S106 contributions.

Planning background

Application UTT13/1043/OP

5.1 An application was submitted on the same area of land in 2013 reference UTT13/1043/OP for between 600 and 700 dwellings (Use Class C3); up to 19,300 sq m gross of additional development (including the change of use of existing buildings on site where these are retained) for Use Classes: A1, A2, A3, A4, A5 (retail); B1(a)(offices); C2 (residential institutions – care home); D1, D2 (leisure and community uses); car parking; energy centre.

5.2 The built form component of the application covered a smaller area of the land than the current 1200 homes scheme with development set back from High Wood and from the edge of Little Easton. (See Appendix 4 The Landscape Strategy masterplan for UTT13/ 1043/OP)

5.3 The application was refused and taken to appeal. The Inspector recommended that the appeal be dismissed, and outline planning permission refused. The Secretary of State agreed with his recommendation in 2016. The Secretary of State considered the Inspector's conclusions on Policy S7 at IR15.32. However, he disagreed, as he considered that the policy aim of LP Policy S7, to protect the countryside, is consistent with the fifth bullet of Paragraph 17 of the Framework, that indicates the

intrinsic character and beauty of the countryside should be recognised, while supporting thriving communities within it. He attached significant weight to this.

5.4 In assessing the effects of the proposal on Character and appearance/landscape the following was recorded:

“35. The Secretary of State has carefully considered the Inspector’s analysis of character, landscape, and visual effects at IR 15.36-15.46. For the reasons given at IR15.36-39, the Secretary of State agrees with the Inspector that the proposed scheme would accord with LP policies ENV3 and ENV8. The Secretary of State agrees with the Inspector for the reasons given (IR 15.40-44) that overall the proposal would have a harmful effect on the landscape as a result of the loss of open fields and the impact on views. He further agrees with the Inspector that the proposals are contrary to LP policy S7, for the reasons set out at IR15.44.

36. The Secretary of State agrees with the Inspector for the reasons given (IR 15.45-46) and concludes that the harm to landscape and character weighs against the scheme, and he accords this harm moderate weight, taking into account the mitigation offered by the landscaping proposals.”

UDC Local Plan 2019 and the Easton Park Garden Community Allocation

5.5 The draft UDC Local Plan 2019 proposed a new settlement at Easton Park for some 10,000 homes on a large site extending from Great Dunmow westwards over the Easton Estate. The Easton Park Garden Community showed the land east of Highwood Quarry mostly retained as open land with a large Country Park and an area of allotments and orchards. A small area of housing was shown west of the ridgeline with sports pitches south of the Little Easton Conservation Area. (See Appendix 5 Easton Park New Settlement).

5.6 On Thursday 30 April 2020. Councillors decided to withdraw the draft Uttlesford Local Plan 2019 and start a new plan at an Extraordinary Council Meeting (ECM) The decision was in response to the government-appointed Inspectors' Letter, dated 10 January 2020 and the independent Peer Review report from the East of England Local Government Association, dated 23 March 2020.

The Independent Peer Review Report states that:

Drawing together their concerns, the Inspectors [In their Letter] concluded: ‘The Garden Communities are insufficiently justified and have not been shown to have a reasonable prospect of being delivered as submitted. Consequently, as matters stand the strategy set out in the plan is unsound’.

The main components of this conclusion set out in letter paragraph 113 are:

i. The Sustainability Appraisal

As part of the assessment of reasonable alternatives, the Sustainability Appraisal did not consider a smaller number of garden communities, in combination with more housing in existing sustainable settlements, nor does it have regard to the Heritage Impact Assessment.

ii. The Garden Communities

a. The lack of clear mechanisms to ensure Garden Community Principles will be met.

- b. The costs, viability and deliverability of the Rapid Transit System are uncertain and any benefits would be realised too late to help ensure the Garden Communities (at Easton Park and West of Braintree) would be sustainable places.*
- c. Realistic infrastructure costs have not been established meaning it is uncertain whether the Garden Communities will be viable and developable.*
- d. The Garden Communities at North Uttlesford, Easton Park and West of Braintree are flawed due to a raft of landscape and heritage impacts, highway improvements and assessment issues*

To arrive at a sound strategy, the Inspectors' (at 114 - 116) consider the Council:

- i. Would need to allocate more small and medium sized sites that could deliver homes in the short to medium term and help bolster the 5 year Housing Land Supply until the Garden Communities begin to deliver housing.*
- ii. Delete one of the Garden Communities from the plan, the Inspectors suggest this should be North Uttlesford as it seems to have most barriers to its development and performs the least well against the Garden Community Principles.*

6.22 The Inspectors have concluded 'as things stand the strategy set out in the plan is unsound' We cannot be content in principle that the new proposed settlements would be true Garden Communities, or that the plan's stated vision for these new settlements would be met. This is a serious concern.

Easton Park

95. Easton Park is a greenfield site between Great Dunmow and Stansted Airport. Policy SP6 anticipates a new Garden Community of 10,000 homes. The Council accepts that the site contains a number of constraints such as landscape and heritage features, including ancient woodland, scheduled monuments, Easton Lodge Registered Park and Garden, a number of listed buildings and that it is adjacent to the Little Easton Conservation Area.

.• The Easton Park Garden Community is flawed in terms of heritage impacts, the potential for highway improvements to M11 junction 8 and the M11 between junctions 8 and 13 are uncertain pending further investigations by Highways England and the unknown implications of the gas pipeline crossing the site on its capacity for built development;

In addition, further work would be needed on:

- Mitigation measures for Hatfield Forest Site SSSI;*

116. We must stress however that in suggesting this course of action we are not endorsing the other Garden Communities in the plan. Our identified concerns in relation to the significant issues to overcome at Easton Park and West of Braintree remain and an enormous amount of further work would be required, as outlined above, to justify these ambitious allocations.

Our view is a new plan would result in a new spatial strategy in order to be found sound, this may or may not have some of the elements of the existing strategy, but consideration at least would need to be given to more small and medium sized sites and fewer Garden Communities. As reported in Members' voices section 5.1 point 5 above, a new plan would present opportunities to take account of any new Council priorities and wider imperatives [and Covid related changes to working practices and activity levels and employment opportunities at Stansted].

Landscape Planning designations

6.1 Landscape planning designations within and in the vicinity of the proposal are shown on the Context Plan within the Chris Blandford Uttlesford District Council, Land at Easton Park Landscape & Visual Appraisal report 2017 prepared for the previous application and the Opportunities and Constraints Plan for the Landsec presentation January 2021 . (See Appendix 6 Context Plans - Landsec presentation January 2021 and Land at Easton Park UDC Landscape & Visual Appraisal report Chris Blandford 2017).

- The site includes ancient woodland at Hoglands Wood on the east side and abuts High Wood (SSSI) to the south west.
- The Great Dunmow Neighbourhood Plan (GDNP) identifies a wildlife corridor encompassing Ancient Woodland at High Wood (SSSI), and Hoglands Wood, Broomhills Local Wildlife Site and Hoglands Brook. (See Appendix 3 Wildlife Corridors GDNP)
- Little Easton Conservation Area abuts the north west corner of the site. There are several listed buildings to the north of the site, including the Church of St Mary the Virgin which is a Grade I Listed Building and Church Row which is a Grade II Listed Building, both within Little Easton, and Park Road Cottage II and Portways which are both Grade II Listed Buildings.

Public Rights of Way

The Saffron Trail PROW 36-15 runs from St Mary's Little Easton past Ravens Farm to join Woodside Way at Hoglands Wood with PROW 35-16 joining Ravens Farm to Park Road further east.

Bridleway PROW 36-23 runs along the western side of the site from Little Easton Conservation Area in the north to cross Hoglands Brook in the south.

Footpath PROW 36-24 runs from the bridleway westwards on the edge of the site area included for the access road around High Wood from the A120/B1256 junction.

Baseline conditions

6.2 The site is located between Great Dunmow and Little Easton and comprises 148 hectares of undulating arable farmland with scattered blocks of woodland and mature field boundaries. The central area is very open consisting of arable fields affording long views to the surrounding countryside. There are more hedgerows and a greater degree of complexity in the vegetation with areas of scrubby woodland and rough grassland around Ravens Farm. A mature species rich native tree belt runs along the ridgeline from High Wood to Park Road. The broadleaved woodland belt along the bridleway on the western edge is wider and has a thick understorey containing views to the west.

6.3 To the south ancient woodland at High Wood (SSSI) and Hoglands Wood together with Hoglands Brook form part of a wildlife corridor identified in the GDNP. The western boundary is adjacent to farmland and High Wood Quarry, the eastern part includes Ravens Farm, to the north the site abuts the Conservation Area at Little Easton with several listed buildings further east along Park Road.

6.4 Site levels rise markedly from east to west, from some 75m AOD at Hoglands Wood near Woodside Way up to some 99m AOD on the ridgeline near High Wood. The Conservation Area around St Mary's Church Little Easton lies at 87m AOD. The open part of Park Road to the north runs from 84m AOD to 87m AOD. The proposed housing development lies on the higher ground up to the ridgeline. The local centre with 3 storey development would lie between the 90 and 95m contours and the school buildings above the 95m contour.

Landscape character

6.5 The site lies predominantly within the Essex County Landscape Character Area B1 the Central Essex Farmlands but also encompasses C5 Chelmer Valley and at a local level predominantly the Uttlesford District Landscape Character Area B10 the Broxted Farmland Plateau with land on the eastern edge in area A6 the Upper Chelmer Valley. The quality of the landscape character of the Broxted Plateau is recognised in its strategy objective to Conserve the landscape.

LCA B1: Central Essex Farmlands - key characteristics include:

- *“Irregular field pattern of mainly medium size arable fields, marked by sinuous hedgerows and ditches;*
- *Many small woods and copses provide structure and edges in the landscape.*
- *Scattered settlement pattern, with frequent small hamlets, typically with greens and ponds.*
- *A concentration of isolated moated farmsteads.*
- *Network of narrow, winding lanes.*
- *Mostly tranquil character away from major roads and Stansted Airport”*

Local landscape B10 Broxted Farmland Plateau – key characteristics include:

- *“Gently undulating farmland on glacial till plateau, dissected by River Roding.*
- *Large open landscape with tree cover appearing as blocks on the horizon or as scattered trees along field boundaries, with intermittent hedgerows.*
- *Higher ground where plateau broadens and flattens is expansive and full of big sky views.*
- *Dispersed settlements and few villages of any size.*
- *Some sunken lanes. x Moats, halls and historic farmsteads scattered over the area”.*

Proposed Landscape Strategy Objectives

Conserve - seek to protect and enhance positive features that are essential in contributing to local distinctiveness and sense of place through effective planning and positive land management measures.

Suggested Landscape Planning Guidelines

- *Conserve the rural character of the area.*
- *Ensure that any new development responds to historic settlement pattern, especially scale and density.....*

Potential Landscape effects

7.1 A site visit was carried out on 10th February weather was cold and mostly dry and clear with some light snow.

Local Landscape Character

7.2 There is potential for a significant adverse impact on the Broxted Farmland Plateau and wider Central Essex Farmland Landscape Character Areas with the scale of the development and the change of use from rural to urban covering such an extensive area.

The strategic Countryside Gap between Great Dunmow and Little Easton.

7.3 The proposed development would result in a significant adverse impact on the strategic gap between great Dunmow and Little Easton. The scale of the proposed built development at some 925m by 750m almost completely fills the strategic gap between the settlements of Gt Dunmow and Little Easton leaving a strip of only one field between the new residential area and Little Easton Conservation Area and listed buildings on Park Road as “retained open landscape character”. It would be effectively contiguous with Great Dunmow to the south, continuing on from approved (Barratts) development south of the brook and north of the B1256 and west of the town. Built development is however shown set-back just under 400m from Woodside Way leaving a green a gap with wetlands and attenuation basins and amenity grassland around Hoglands Wood with one field outside the site boundary.

7.4 It should be noted that the previous development proposals for the new settlement at Easton Park did not include development on this area and the land between Dunmow and Little Easton was left as an open countryside gap between the two settlements and designated as a country park.

7.5 The current Landsec 1200 homes proposal not only introduces housing on to a larger area of the sensitive countryside which forms the setting of Great Dunmow and Little Easton but if it were to be phase 1 of the larger garden Community then the land between the Garden Community and Great Dunmow becomes significant as an open landscape not only for its intrinsic countryside and wildlife value and as the setting for both historic communities and a recreational resource especially with questions raised by the Inspectors over the impact of the Easton Park Garden Community on mitigation measures for Hatfield Forest SSSI, but also as a strategic countryside gap between two sizable settlements.

7.6 Therefore, the review of the UDC spatial strategy for the Local Plan needs to take place before any development is approved on land east of High Wood Quarry between Great Dunmow and Little Easton.

The countryside setting and character of Great Dunmow.

7.7 The Great Dunmow Neighbourhood Plan stresses the importance of the countryside setting of Great Dunmow. The visual assessment shows that views from Woodside Way and the footpath are heavily screened by woodland and vegetation. However, the proposed development would result in the loss of the countryside setting to the west of Great Dunmow.

Impact on countryside

7.8 The development proposal would result in a loss of countryside counter to Policy S7. This issue was addressed in the refusal decision for the smaller proposal on this site, Application UTT13/1043/OP, the subsequent appeal and ruling from the Secretary of State.

“The Secretary of State agrees with the Inspector for the reasons given (IR 15.40-44) that overall the proposal would have a harmful effect on the landscape as a result of the loss of open fields and the impact on views. He further agrees with the Inspector that the proposals are contrary to LP policy S7, for the reasons set out at IR15.44.

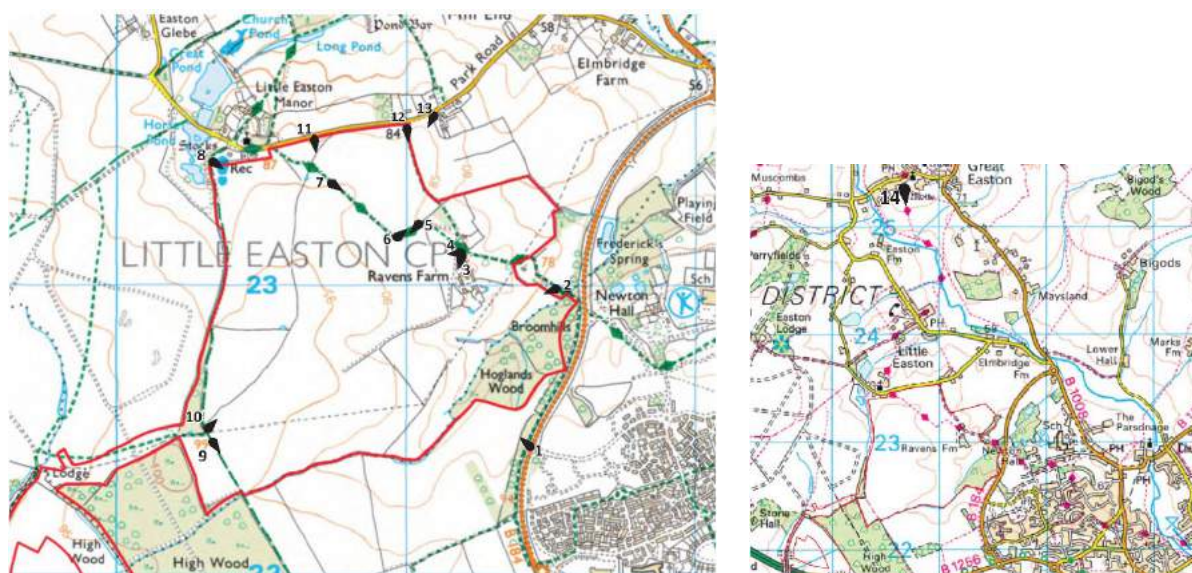
The wildlife corridor and woodland sites

7.9 There is the potential for a significant adverse impact on the Wildlife Corridor as identified within the Great Dunmow Neighbourhood Plan Policy NE2 and its potential for future enhancement. The position of the proposed development mirrors that of the approved housing scheme south of the brook. This would leave only a narrow corridor with development and potential recreational and access pressure from north and south especially with the direct desire-lines to services and facilities in Great Dunmow from the proposed development. The access road also runs adjacent to High Wood further severing the corridor. The creation of safe routes to schools and shops would bring pressure for lighting and hard surfacing. The potential effects should be determined by the ecologists.

7.10 The proposal to connect to Great Dunmow using the public right of way network for safe routes to school and cycle and walking routes to connect to the town would require upgrading and alteration to the footpath and bridleway to provide hard surfaced routes which would alter the character of the rights of way and potentially result in adverse impact on the ancient woodland and SSSI at High Wood and the ancient Woodland at Hoglands Wood. Counter to GDNP Policy NE1 Identified Woodland Sites.

Potential Visual effects

8.1 A site visit was carried out on 10th February weather was cold and mostly dry and clear with some light snow. Representative viewpoints were identified from desk studies and confirmed on site. Photographs were taken in accordance with the Landscape Institutes GLVIA 3 Guidance. These are public viewpoints and represent views from roads and footpaths, from the Conservation Area and near to the listed buildings on Park Road. The viewpoints were identified from desk study and site survey. (See Appendix 7 Photographic Record and Representative Viewpoints.)



1 Looking west from the footpath PROW 18_15 alongside the B184 Woodside Way, opposite Woodlands Park Drive. The proposed development would be approximately 425m away. The view is well screened by planting and existing woodland and hedgerows along the B184 Woodside Way.

2 Looking southwest from the Saffron Trail footpath PROW 36_15 east of Hoglands House. Medium distance view to the proposed development some 430m away through a gap in the existing vegetation over the proposed open space.

3 Looking southwest from the footpath at Ravens Farm PROW 36_15 the proposed development is at a distance of approximately 100m.

4 Looking west northwest from Ravens Farm PROW 36_15 the proposed development is at a distance of approximately 120m extending to meet the footpath as it curves westwards and then north to Little Easton.

5 Looking west southwest along the footpath PROW 36_15 the proposed development is adjacent to the footpath and directly in front of the view extending to fill almost the whole view of the plateau.

6 Looking back to the northeast from the footpath PROW 36_15 at location 5 to show the properties on Park Road at a distance of 430m from the edge of the proposed development.

7 Looking southeast to southwest from the footpath PROW 36_15 at the northern extreme of the development towards Ravens Farm and Hoglands. The proposed development would show a swath of new housing extending across the view on the right of the footpath and in front of Ravens Farm. The far edge of the proposed development extends to near the brook some 750 to the south.

8 Looking southeast from the bridleway PROW 36_23 opposite the Church at Little Easton on the edge of the Conservation Area. The proposed school buildings and playing fields are shown on the bridleway side of the trees which run along the ridgeline at a distance of some 180m from bridleway at the closest point and some 350m from the Conservation Area. A new woodland planting belt is proposed at some 200m from the viewpoint to screen views of development. Beyond the tree belt views from the bridleway across the school site would look towards the school buildings and the proposed housing visible through the trees along the ridgeline.

9 Looking south southeast from bridleway PROW 36_23 at the western corner of the proposed development into the housing area and further south over the approved "Barratt" residential development on the edge of Great Dunmow beyond the brook. The proposed development starts adjacent to the bridleway and extends for approximately 925m to the northwest to meet the footpath PROW36-15 at Ravens Farm.

10 Looking east southeast from bridleway PROW 36_23 at the western corner of the proposed development into the housing area. The proposed development runs adjacent to the bridleway. The new housing will completely cover the plateau in the foreground extending to Ravens Farm and beyond. Note that the recent housing along Woodlands Way is visible in the distance from this point.

11 Looking south from Park Road. The proposed development will be clearly visible at a distance of 265m on the skyline extending across the view from behind the copse on the right to the Ravens Farm on the left.

12 Looking south from Park Road down the drive and footpath PROW 36_16 to Ravens Farm and Hoglands. The proposed development would be on the high ground at a distance of 360m extending from the footpath at Ravens Farm to the right to meet the trees along the ridgeline. Woodland planting belts are proposed on the edge of the development these would need to mature before serving to screen new development near Park Road. Long views and the wider rural/countryside setting to Little Easton would be lost.

However, the land rises from the viewpoint at 84m AOD to the ridgeline which runs from 90m AOD up to 99m AOD at the corner of High Wood. The proposed development extends up to the ridge to sit in front of the existing trees. Even with the limited detail on building heights available at this early stage it seems unlikely that the proposed woodland planting belts would serve to screen the whole of the development area as it extends for some 900m up onto the higher ground.

13 Looking south west from Park Road near the houses and listed buildings. Ravens Farm is clearly visible. The proposed development would be visible just behind the trees at Ravens Farm extending to the right on the high ground at a distance of some 425m to meet the trees along the ridgeline.

14 Looking south from footpath PROW 19_20 near PROW 19-19 at Great Easton near the Church of St Giles and St John. These are long-distance view from some 2.2 km away over the rolling hills to the south. The proposed development would be visible on the high ground as a significant settlement.

Conclusions

9.1 There is the potential for a significant adverse impact on the Wildlife Corridor as identified within the Great Dunmow Neighbourhood Plan and its potential for future enhancement. The GDNP identifies the wildlife corridor as strategically important and valued within the landscape. The position of the proposed development mirrors that of the approved housing scheme south of the brook. This would leave only a narrow corridor with development and potential recreational and access pressure from north and south especially with the direct desire-lines to services and facilities in Great Dunmow from the proposed development. The access road also runs adjacent to High Wood further severing the corridor. The creation of safe routes to schools and shops would bring pressure for lighting and hard surfacing. The potential effects should be determined in an ecological assessment which should also take account of the potential recreational pressures of the larger settlement if allocated.

9.2 The initial visual appraisal shows that there will be significant adverse visual impact on the existing Public Rights of Way network with a loss of long views over the Broxted Plateau and wider countryside and urbanisation of rural views, loss of countryside character and loss of tranquillity. Currently the plateau offers a quiet tranquil rural setting to Little Easton with long views over the rolling countryside. Woodside Way is set at a distance on the lower ground and is well screened by woodland and plantations along its route. Only a small amount of new housing is visible at Great Dunmow thus preserving the character and tranquillity of the countryside.

- The proposed development runs immediately alongside bridleway PROW 36-23. Looking east, south-east from bridleway at the western corner, the new housing will completely cover the plateau in the foreground extending to Ravens Farm. Further north on the bridleway the school buildings will be apparent on the high ground as well as housing along the ridgeline behind and through the trees.
- There will also be a significant adverse potential visual effect on footpath PROW 36-15 north of Ravens Farm with development and play facilities adjacent to the footpath creating an urban environment.
- The new access road conflicts with footpath PROW 36-24 and it is unclear how this issue is resolved.

9.4 The proposal to connect to Great Dunmow using the public right of way network for safe routes to school and cycle and walking routes to connect to the town would require upgrading and alteration to the footpath and bridleway to provide hard surfaced routes which would alter the character of the rights of way and potentially result in adverse impact on the ancient woodland and SSSI at High Wood and the ancient Woodland at Hoglands Wood. The route along the Saffron Trail PROW 36_15 is not ideal as a walking and cycling route to schools and services. It passes through dense wet woodland at Hoglands Wood and requires crossing the B184 Woodlands Way.

9.5 The new development would increase the length of footpaths in the area but the character of these would no longer be rural but rather urban edge.

9.6 The introduction of such a largescale development on the plateau would significantly alter the character of the wider setting of the Conservation Area at Little Easton. Long views over the plateau and countryside would be lost. There would be the potential for significant adverse visual impact in the short to medium term from construction and new housing until the screening woodland was mature dependent on the phasing. The views from Park Road range from 84m AOD at the drive to Ravens Farm to 87m AOD near St Mary's Church and the Conservation Area. The proposed housing extends on to the highest ground at 99m AOD. The centre of the proposed development with taller 3

storey development would sit between the 90m and 95m contours at a distance of some 650m away. There is the potential for the housing to be visible from Park Road even with the introduction of a woodland belt some 200m from the viewpoints. The tranquillity of the setting of the Conservation Area would also be lost with increased noise and activity from the school and recreational use of the footpaths from the new residential area.

9.7 The Great Dunmow Neighbourhood Plan stresses the importance of the countryside setting of Great Dunmow. Views from the B184 Woodside Way and the parallel footpath are well screened by the existing trees and woodland at Hoglands Wood and by woodland planting along the road. Views from passing traffic along Woodlands Way B184 are further restricted by the level of the road and raised embankments on the western side. The development would have little visual impact on views from the Woodland Way and the parallel footpath. However, the taller properties at Woodlands Park Drive are visible from footpath PROW 36_15 near Ravens Farm and so would have views towards the development from upper rooms.

9.8 The development proposal would result in a loss of countryside contrary to Local Plan Policy S7. This issue was addressed in the refusal decision for the smaller proposal on this site, Application UTT13/1043/OP, the subsequent appeal and ruling from the Secretary of State.

“The Secretary of State agrees with the Inspector for the reasons given (IR 15.40-44) that overall the proposal would have a harmful effect on the landscape as a result of the loss of open fields and the impact on views. He further agrees with the Inspector that the proposals are contrary to LP policy S7, for the reasons set out at IR15.44.

9.9 There is potential for a significant adverse Impact on the Broxted Farmland Plateau and wider Central Essex Farmland Landscape Character Areas with the scale of the development and the change of use from rural to urban covering such an extensive area. The open nature of the skyline of higher areas of plateau is considered “visually sensitive, with new development potentially visible within expansive views across the plateau”. Overall, this character area is assessed as having a “moderate to high sensitivity to change”. The Local landscape B10 Broxted Farmland Plateau proposed landscape strategy objectives are to Conserve this landscape, through “seeking to protect and enhance positive features that are essential in contributing to local distinctiveness and sense of place through effective planning and positive land management measures”. The suggested landscape planning guidelines seek to “conserve the rural character of the area” and “ensure that any new development responds to historic settlement pattern, especially scale and density.” The scale and coverage of the proposed development is at odds with the assessment and guidance.

9.10 The development would result in the loss of high-grade agricultural land. Intensive arable farming by its nature does not support biodiversity. Whilst much of the site will be lost to built development and infrastructure, the inclusion of wetlands with the need for sustainable drainage and areas of meadow and new woodland planting around the development will be enable the proposal to demonstrate a net gain in biodiversity.

9.11 The proposed development would result in a significant adverse impact on the strategic gap between great Dunmow and Little Easton. The scale of the proposed built development at some 925m by 750m almost completely fills the strategic gap between the settlements of Gt Dunmow and Little Easton leaving a strip of only one field between the new residential area and Little Easton Conservation Area and listed buildings on Park Road as “retained open landscape character”. It would be effectively contiguous with Great Dunmow to the south, continuing on from approved (Barratts) development south of the brook and north of the B1256 and west of the town. Built development is however shown set-back just under 400m from Woodside Way leaving a green a gap with wetlands

and attenuation basins and amenity grassland around Hoglands Wood with one field outside the site boundary.

9.12 It should be noted that the previous development proposal for new settlement at Easton Park did not include development on this area of land between Dunmow and Little Easton and left an open countryside gap between the two settlements designating the area as a country park.

9.13 The current Landsec 1200 homes proposal not only introduces more housing than the dismissed UTT13/2043/OP application on to a larger area of the sensitive countryside which forms the setting of Great Dunmow and Little Easton but if it were to be phase 1 of the Garden Community then the land between the Garden Community and Great Dunmow also becomes significant as an open landscape not only for its intrinsic countryside and wildlife value and as the setting for both historic communities and but also as a strategic countryside gap between two sizable settlements and a recreational resource for a large community. The open land would also be important given the questions raised by the Inspectors over the impact of the Easton Park Garden Community on for Hatfield Forest SSSI and the need for mitigation measures.

9.14 It is therefore considered that, the review of the UDC spatial strategy for the Local Plan needs to take place before any development is considered on land east of High Wood Quarry between Great Dunmow and Little Easton.

9.15 The proposal for 1200 homes as a potential part of a larger Garden Community raises fundamental questions regarding good practice in urban design in terms of its location and relationship with Great Dunmow. The proposal neither sets itself up as a sustainable settlement providing a full range of facilities for residents leaving a clear strategic gap to the next settlement nor does it represent a sustainable urban extension with good connections and accessibility to integrate and contribute to the town as a whole.

9.16 The 1200 homes proposal has a poor relationship with the town centre and poor safe routes to school. These factors would affect the social sustainability of the proposal with a lack of wider facilities and poor access to the other residential areas in the town, secondary schools and town centre social activities, sports and facilities.

9.17 It is considered that the review of the UDC spatial strategy for the new Local Plan needs to take place before any development is considered on land east of High Wood Quarry between Great Dunmow and Little Easton. As shown the principle of the 1200 homes becoming part of a Garden Community at a later date is considered fundamentally flawed.

9.18 Little Easton Neighbourhood Plan has the opportunity to provide landscape policy guidance on land east of Highwood Quarry in line with national policies.

Appendices

- 1 The Masterplan and Location Plan from Landsec presentation January 2021
- 2 The Landsec Scoping Report Chapter 3 Landscape and Views
- 3 GDNP Wildlife Corridors
- 4 The Landscape Strategy Masterplan for UTT13/ 1043/OP
- 5 Easton Park New Settlement (UDC draft Local Plan 2019)
- 6 Context Plans - Landsec presentation January 2021 and Land at Easton Park UDC Landscape & Visual Appraisal report Chris Blandford 2017).
- 7 Photographic Record and Representative Viewpoints.

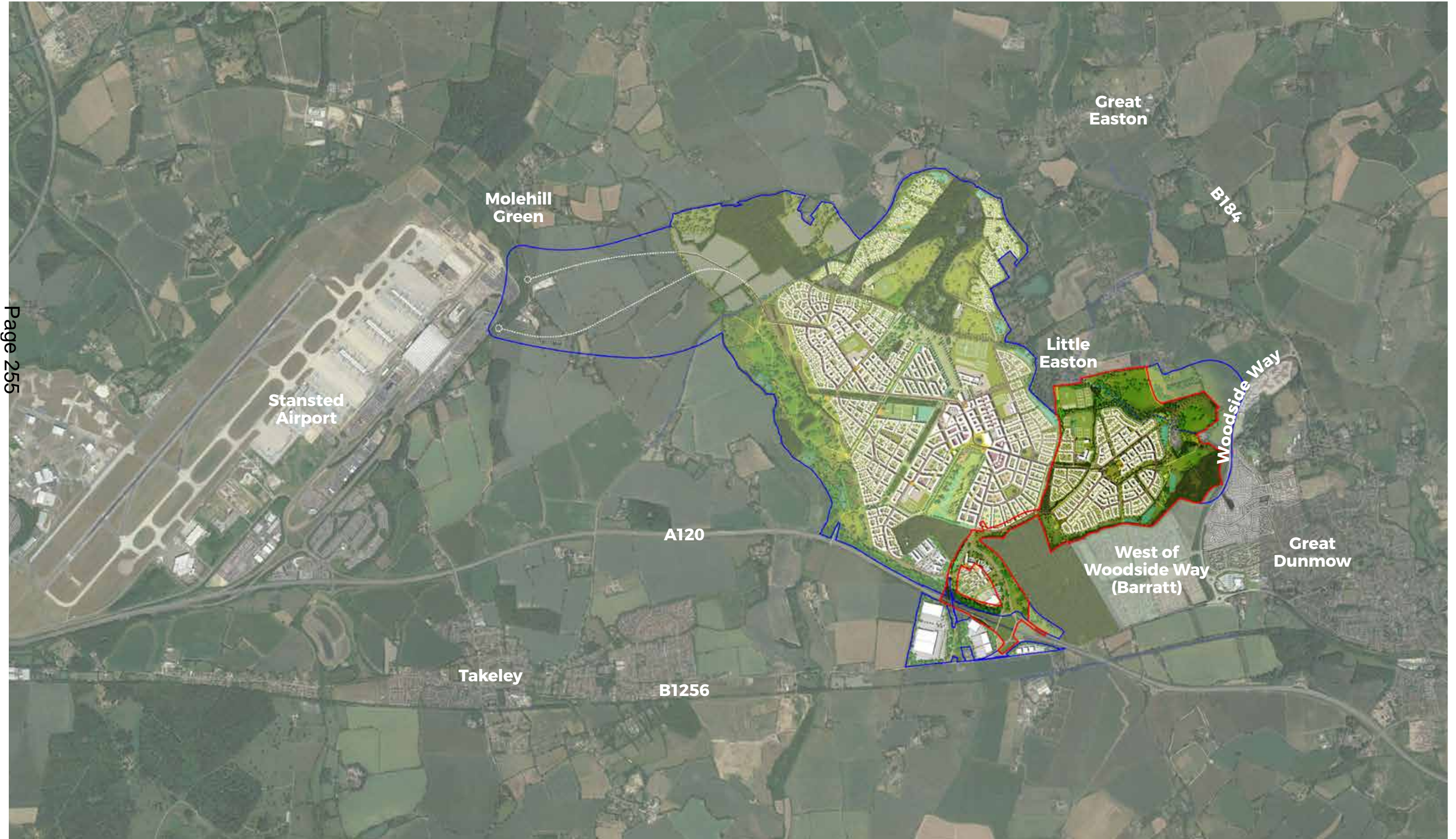
Appendix 1 The Landsec 1200 homes masterplan 2021



- 1. Central Park
- 2. Country Park
- 3. Protected Landscape
- 4. The Farm
- 5. Wetlands and Attenuation Basins
- 6. Wildflower Meadows
- 7. Park Loop
- 8. Saffron Trail
- 9. The Avenue
- 10. New Woodland Planting
- 11. Potential Connections Out
- 12. Green Links
- 13. Play Facilities
- 14. Bike Trail
- 15. Skate Park/Teen Play
- 16. Pitches
- 17. Primary School
- 18. Local Centre
- 19. Band Stand
- 20. Central Lawn – A space for outdoor events
- 21. Allotments/Community Food Growing

Indicative Landscape Masterplan

Site Location from The Landsec Presentation 2021



Appendix 2 The Landsec Scoping Report 2021 Chapter 3 Landscape and Views

3 LANDSCAPE AND VIEWS

3.1 An assessment will be undertaken of the likely significant effects of the proposed development on the environment with respect to landscape and visual effects.

Baseline

3.2 The site encompasses a broad area of agricultural land between the settlements of Great Dunmow and Little Easton, bounded by Park Road to the north, Woodside Way to the east and a mineral extraction facility to the west. The southern boundary is delineated by hedgerow, with a further parcel of agricultural land separating the site from the B1256, approximately 70m further south. The site comprises several irregular shaped agricultural fields of different sizes,

3.3 The existing settlements of Great Dunmow and Little Easton are located within the local landscape to the south-east and to the north-west of the site respectively, with Little Canfield situated on the B1256 approximately 1.5km west of the site. There are numerous small areas of existing settlement interspersed within the wider landscape, including Great Easton, Little Canfield and Canfield End. There is also a cluster of warehouses and industrial buildings located at Hale Farm, approximately 1.2km south of the site.

3.4 The site occupies undulating elevated land on the western side of the valley of the River Chelmer, which runs on a course approximately 400m north-east of the site. Site levels rise markedly from east to west. A series of smaller watercourses drain into the River Chelmer, including one which flows through the site in a north-easterly direction, its valley contributing to the undulating character of the land.

3.5 The overriding vegetation pattern is primarily characterised by scattered blocks of woodland, often ancient, and occasional tree belts following watercourses. These include, most notably, Hoglands Wood within the eastern boundary, and High Wood, adjacent to the south-western boundary. Field boundaries are typically partially denuded, or in some cases extinguished through the consolidation of historic field patterns. However, mature hedgerows remain on a number of field boundaries within the site and in the wider landscape.

3.6 The landscape surrounding the site is well served by network of Public Rights of Way (PRoW), most notably including the Saffron Trail National Trail, which extends on a north-west to south-east alignment through the site itself.

3.7 The site is bounded to the north-west by the Little Easton Conservation Area, and the Gardens of Easton Lodge Registered Park and Garden is located approximately 950m north-west of the site.

3.8 At a national level, the site is located within National Character Area 86: South Suffolk and North Essex Clayland. In the Essex County Landscape Character Assessment, the site is encompassed by Landscape Character Areas B1: Central Essex Farmland and C5: Chelmer Valley, while at a local level, the site is within Landscape Character Area B10: Broxted Farmland Plateau and A6 Upper Chelmer Valley. The characteristics and guidance set out at in published landscape character assessments at all levels will be taken into account as part of the LVIA.

Approach

3.9 The assessment will be undertaken in accordance with Landscape Institute and Institute of Environmental Management and Assessment, 'Guidelines for Landscape and Visual Impact Assessment' (Third Edition, 2013) and will provide a review of the existing landscape planning policy context, published sources of landscape character and visual appraisal of the study area and an assessment of the potential landscape and visual effects of the proposed development, both at the construction and operational phases.

3.10 Baseline information for the study area will be collated, which will include topography, landscape planning policy designations, published sources of landscape character, heritage considerations (e.g. Conservation Areas), representative views from selected photograph viewpoints and any other relevant information.

3.11 The baseline appraisal will be based on the year 2020, with the assessment of effects considered during construction; on completion and 15 years thereafter. The assessment will take account of the seasonal variation in visual characteristics.

3.12 In accordance with current good practice, this assessment will address landscape and visual effects as separate issues. Landscape effects relate to both the effect on the physical features of the site, and on the landscape character of the site and surrounding area. Visual effects relate to typical views of the proposed development from the surrounding area.

3.13 A list of representative viewpoints for assessment would be agreed with the landscape officer but is likely to be representative of the following visual receptors:

Appendix 3 GDNP Wildlife Corridors

- People using PRow in the local landscape;
- People working at local businesses and farms who are likely to have views of the proposed development;
- People travelling along local roads; and
- Fixed residential receptors who are likely to have views of the proposed development.

3.14 In summary, the assessment will:

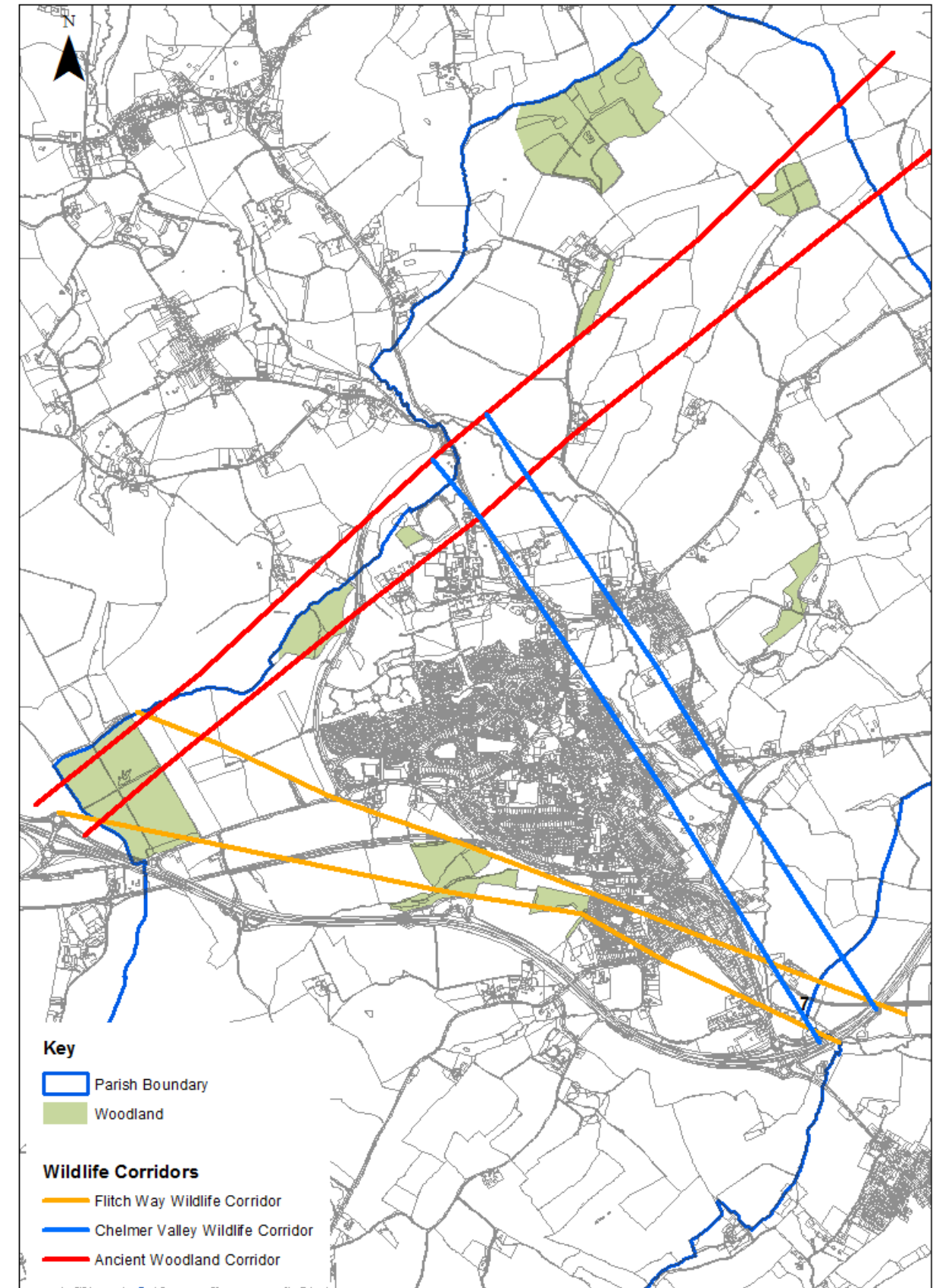
- Define the study area for the site, identifying key landscape receptors and separately, key visual receptors and their typical/representative views to be used for the visual impact assessment;
- Assess the value, susceptibility to change and overall sensitivity of the landscape and visual receptors (the receiving environment);
- Assess the magnitude of landscape and visual effects;
- Assess the significance of landscape and visual effects;
- Identify ways in which adverse effects on landscape and/or visual amenity could be avoided or reduced and consider requirements for any mitigation measures;
- Summarise any residual effects following mitigation; and
- Identify the likely cumulative effects of any known developments.

Summary

3.15 Table 3.1 summarises the landscape and visual receptors identified for inclusion in the assessment.

Table 3.1: Landscape and Views

| Receptor | Effects | Scoped In |
|---|---|-----------|
| Typical views from publicly accessible locations, including roads, footpaths and public open spaces | Visual effects on users | ✓ |
| Landscape features, including existing vegetation | Landscape effects on the landscape resource | ✓ |
| Landscape Character | Effects on landscape character areas | ✓ |
| Night time landscape character and views | Effects on night time landscape character and views | ✓ |



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Appendix 4 The Landscape Strategy masterplan for UTT13/1043/OP



Landscape Zones

- 1. Town Park**
A mosaic of informal and formal open space within a linear town park. Informal areas of open space, with a naturalistic character, will be associated with the interface with woodland, boundary vegetation and the transition with the rural, open countryside. A more formal parkland character including areas of amenity grassland and play areas will be located closer to development edge. Provision for sports pitches will be provided. Retained existing tree and hedgerow planting is enhanced and reinforced with new planting to create and define a variety of open spaces.
- 2. Community Gardens**
Areas of orchards, allotments and food production, will be set within a strong landscape framework and provide an important space for bringing the community together and developing a sustainable neighbourhood.
- 3. Arable Farmland Matrix**
An open buffer of arable farmland will be interspersed with a mix of grassland, scrub, ponds, hedgerows and trees, to maintain a sense of visual separation between new development, existing development and open countryside, ensuring a rural character is maintained along this northern section.
- 4. 'Natural' wildflower meadow**
An area of wildflower meadow will provide a strong naturalistic buffer and serve as an attractive and restful open space in contrast to the adjacent built development. This will provide an open space comprising colourful swathes of wildflower meadow planting, with interspersed hedgerows and scattered trees. Public access will be restricted in parts, in order to promote establishment and protection of woodland and buffer planting. Away from these areas, mown pathways will provide informal access.
- 5. Mixed use / community hub**
The new community hub will be centred around the converted farm buildings at Ravens Farm which will be used for mixed use development, and set within an attractive setting. This will be created into a legible open space which interconnects surrounding open space and the wider landscape with the development, through streets, footpaths, and local greens. A picnic area will provide a sociable space for people to meet and enjoy the surroundings. Existing public rights of way which link Little Easton with Great Dunmow will be enhanced.
- 6. Residential**
Residential areas will be interspersed with green open space, with existing and proposed trees and hedgerows used to soften new development. Residential density allows for the provision of private open space for residents, as well as the use of high quality landscaping with semi-private and public spaces, including, street trees, linear open spaces, local greens, play areas and SuDS infrastructure.
- 7. Education**
A semi-informal green open space surrounding educational facilities and infrastructure, with a mix of play areas including both hard and soft landscape features, and providing an attractive gathering area for parents and setting for the school.
- 8. Green Finger**
This zone will be marked by enhanced retained hedgerows and tree corridor, which runs through the centre of the development and connects to the town park in the south-east, forming a widened green corridor through the development, and encompassing local green spaces, substantial SuDS green infrastructure, including swales. This greenway space will define an area characterised by pedestrian and cycle priority.
- 9. Visual Buffer**
Retention of existing tree belts and hedgerows and enhancement of woodland structural planting will provide a strong visual buffer along the northern and western part of the Site, which will provide containment and screening to sensitive receptors along these edges. Planting along this buffer will create a strong landscape feature on the Site, and will include semi-mature tree planting, shrub and understory planting.
- 10. Primary access - Main Tree lined Route**
A tree lined avenue will form the main route through development, featuring a structural planting schemes of locally appropriate semi-mature street tree species, within wide grass/planted verges, creating a setback from primary access, and guiding views through the development. The route widens in places for more generous footpath and pedestrian access.

- 11. Tree-lined secondary routes**
Secondary routes will separate parcels of proposed development, maintain links with surrounding open space and connecting the main tree lined route. These routes will feature avenues of locally appropriate semi-mature trees.
 - 12. Green link corridor**
A strong green link will be provided between Broomhills/Hoglands Wood, through the town park and community hub and to the northern part of the site, to promote connectivity within the development and a green link across this part of the Site.
- Additional Existing and Proposed Landscape Features**
- Existing and enhanced woodland
 - Proposed structural woodland planting
 - Existing and enhanced hedgerows and tree belts
 - Proposed tree-lined Gateway routes (naturalistic planting)
 - Proposed limited access
 - Proposed SuDS corridors
 - Proposed Swale routes

Ecological Target Notes

- 1** Retained and enhanced species rich and 'important' hedgerows under ecological criteria of the Hedgerow Regulations 1997, providing green corridors and habitats for a range of biodiversity including foraging and nesting habitat for birds and foraging and commuting habitat for bats.
- 2** Retained and enhanced arable farmland matrix, providing a range of important habitats for a range of biodiversity, predominantly summer and winter bird species and brown hares.
- 3** Provision of natural wildflower meadow and park, providing a green corridor and habitats for a range of biodiversity including great crested newts, badgers, bats, birds, brown hares, invertebrates and reptiles.
- 4** Enhanced hedgerow between High Wood SSSI and Hoglands Wood LWS, providing a green corridor and habitat for a range of biodiversity.
- 5** Provision of SuDS with design of small areas (deepening/s) of more permanent water features. Providing a natural access deterrent to Hoglands wood LWS and creation of a matrix of aquatic habitats and tussocky long grass terrestrial habitats for great crested newts.
- 6** Restricted access area of natural wildflower meadow providing an access deterrent to High Wood SSSI.
- 7** Proposed woodland with restricted access, providing an access deterrent to High Wood SSSI, and habitat for a range of biodiversity, predominantly brown hares, badgers and birds.

The scaling of this drawing cannot be assured

| Revision | Date | Drm | Ckd |
|----------|------|-----|-----|
| | | | |

LEGEND



Application Site Boundary

Figure 1A

Project
West of Great Dunmow

Drawing Title
Landscape Strategy Plan

| | | | |
|------------|--------------|----------|----------|
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| Project No | Drawing No | Revision | |
| 15576 | L110 | - | |



Planning • Master Planning & Urban Design
Architecture • Landscape Planning & Design • Project Services
Environmental & Sustainability Assessment • Graphic Design

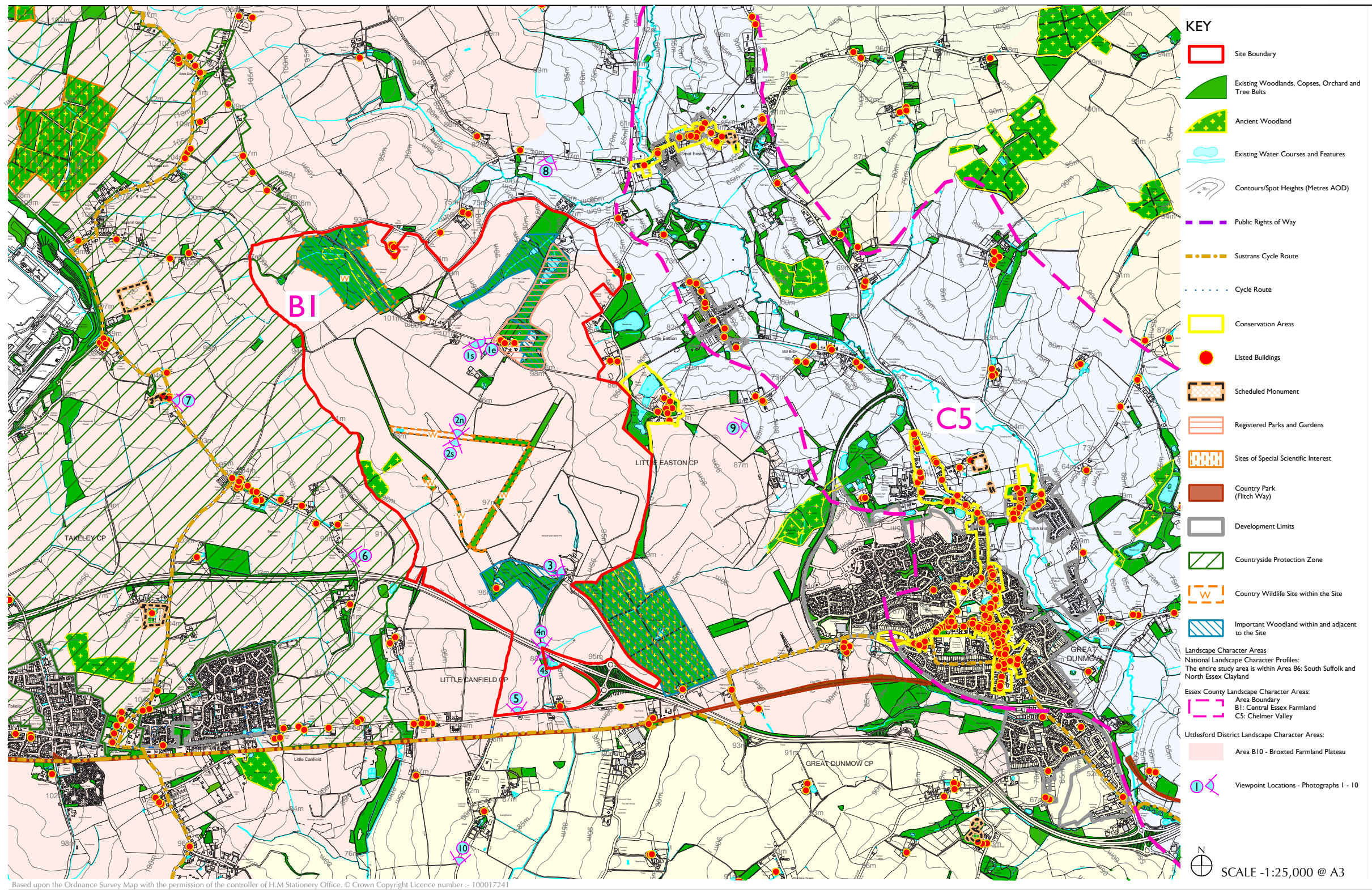
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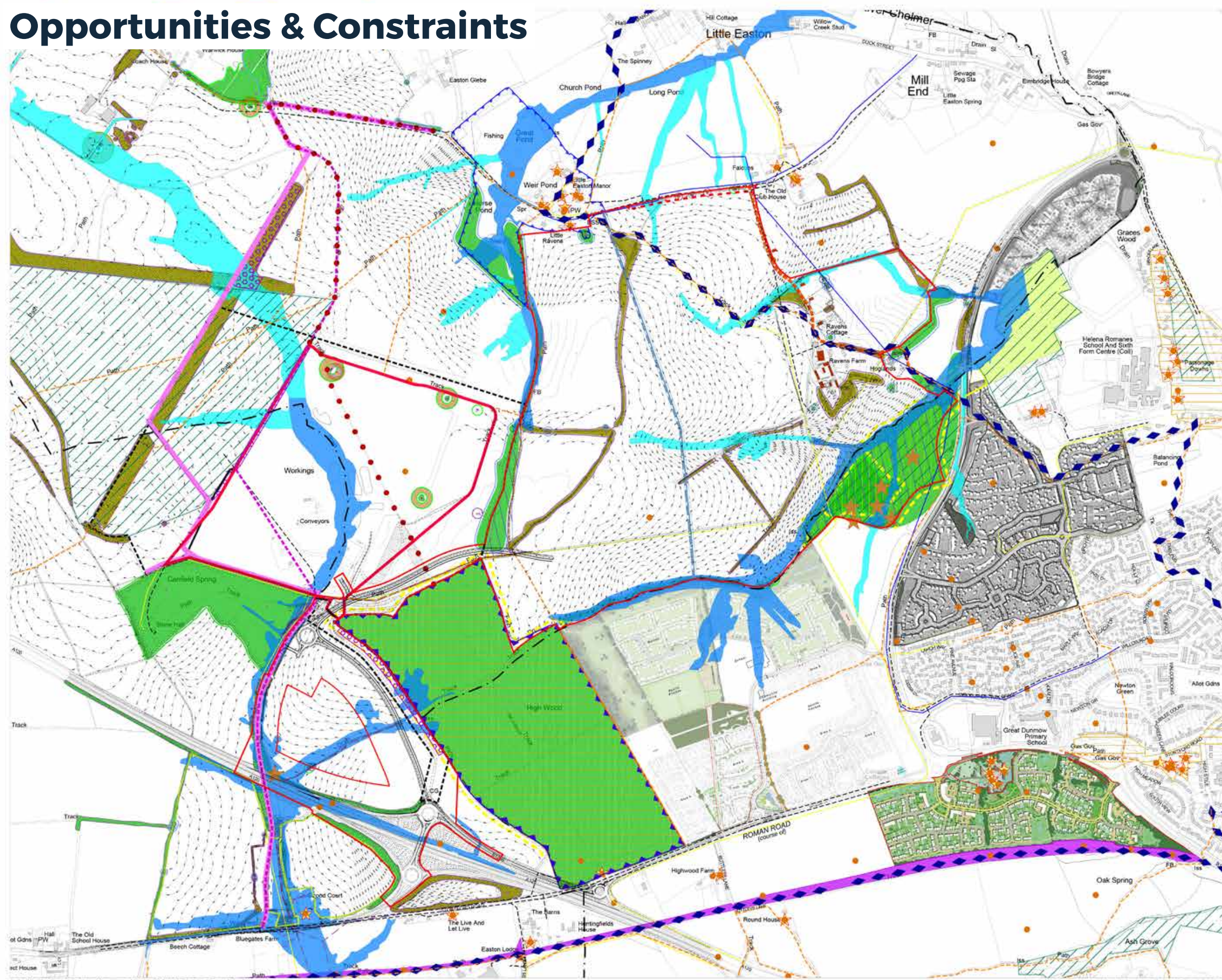
Appendix 5 Easton Park New Settlement masterplan



Appendix 6 Context Plan from Land at Easton Park UDC Landscape & Visual Appraisal report Chris Blandford 2017



Opportunities & Constraints



The scaling of this drawing cannot be assured
Revision: C
Date: 09.12.20
Site Boundary Updated & Ancient Woodland Graphics Changed
Dm: S.M. N.T.

- Site boundary
 - Parish boundary
 - Potential Flood Floodlines (based on LA risk of Flooding from Surface Water)
 - Blue Corridor (based on EA risk of Flooding from Surface Water)
 - Local Buildings
 - ESB
 - County Path
 - Public Rights of Way
 - Long Distance Trail
 - Consented Miner of Extraction Site
 - Potential Mineral Extraction Expansion Area
 - Conservation Area
 - Centre of the Legal Asset
 - Retained Buildings
 - County Wildlife Site
 - Local Wildlife Site
 - Mineral Planning Parcels
 - 300m Noise Buffer to Mineral Planning
 - BT Lines
 - LEP
 - LEP Energy - Power Electricity
 - Approximate Abandoned Oil Pipeline Route
 - Water Main with the Equipment
 - Little Easton Conservation Area
 - Ridge Top
 - Rest Area Recorded in Grassland Compartment
 - Local Wildlife Site
 - Notable Groundland (over 100sqm)
 - Ancient Woodland
 - 15m Ancient Woodland Buffer
- *The existing application has a site boundary other than the one shown on this map. The site boundary shown on this map is for information only and should not be used for any other purpose. The site boundary shown on this map is for information only and should not be used for any other purpose.
- When all water courses are within drainage
 - Use of surface water for irrigation
 - Number of water courses within a certain length shown from the position of 1.5 m high water level
 - Inclusion of the water courses (1.5 m high water level)
- ### LAND OWNERSHIP CONSTRAINTS
- Right of Access Conveyance (dated 04.01.2003) between 1st & 2nd plots, site access to B Lodge
 - Deed of Release (dated 28.08.13) between LE Easton Park Development Ltd and High Wood for a New Right of access to B Lodge
 - Right of Access Conveyance (dated 14.01.2003) for the extraction of timber from Highwood
 - Deed of Transition to the Original 1938 Agreement (dated 07.11.01) between Uffington District Council and New and Caroline Spence, identifying the area for the extraction of Minerals, Land and Green
 - Right of Access Conveyance (dated 07.05.05, 12.12.72 & 21.05.14) between Felton Spence & Trembath Family for Right of Access to Highwood

Project: LAND EAST OF HIGHWOOD QUARRY
Drawing Title: CONSTRAINTS PLAN
Date: 12.06.20
Scale: 1:2000 (D1) 1:10,000 (D3)
Drawing No: 15576
Project No: RG-M-LEHQ-02
Drawn by: H.D.
Checked by: N.T.
Revision: C

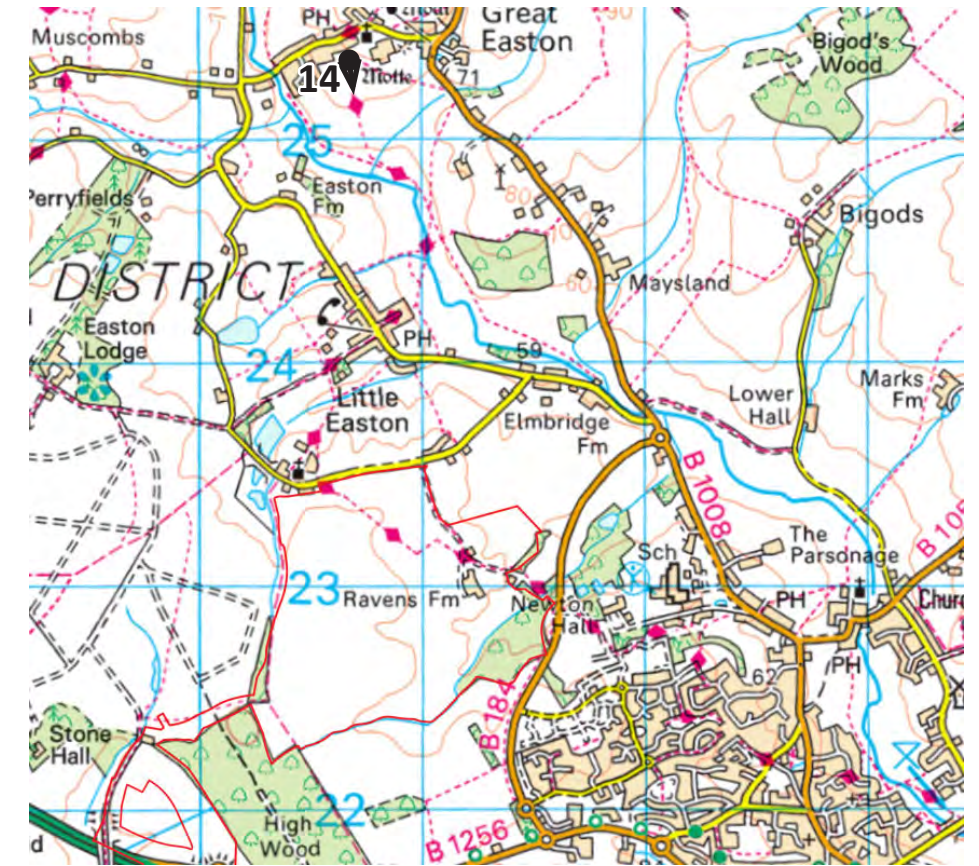
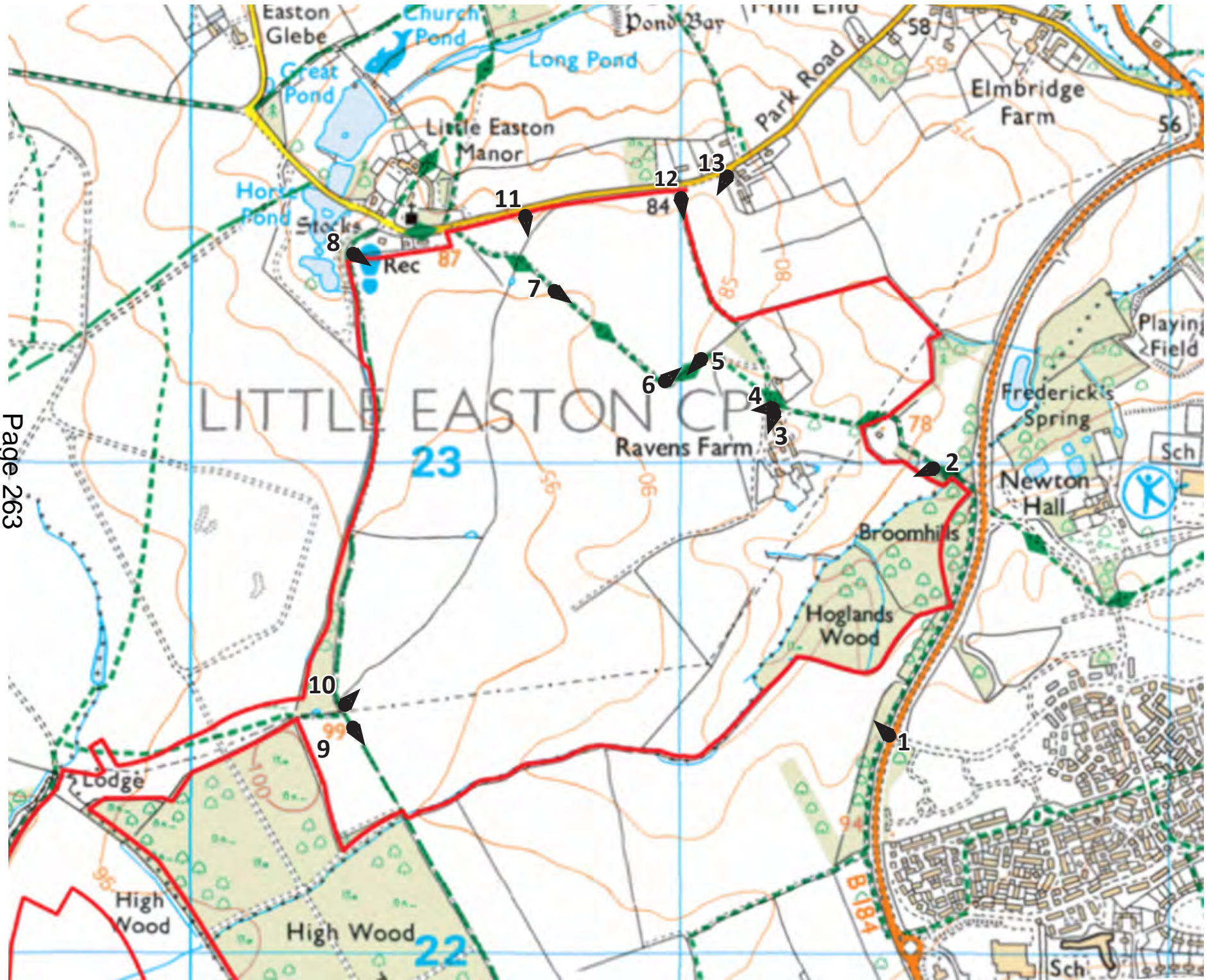
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Appendix 7 Representative viewpoints and Photographic record



Key

- 1 Viewpoint location
- Site Boundary



Key

- 1 Viewpoint Location
- Site Location



1 Looking west from the footpath PROW 18_15 alongside the B184 Woodside Way, opposite Woodlands Park Drive. Medium distance views towards the proposed development some 425m away. The view is well screened by planting and existing woodland and hedgerows along the B184 Woodside Way. Only very limited views through the trees may be possible from this point.

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Proposed development on the high ground



2 Looking southwest from the Saffron Trail footpath PROW 36_15 east of Hoglands House. Medium distance view to the proposed development some 430m away through a gap in the existing vegetation over the proposed open space.

Proposed development in adjacent fields



Looking southwest from the footpath at Ravens Farm PROW 36_15 the proposed development is at a distance of approximately 100m.

Proposed development in adjacent fields



Looking west northwest from Ravens Farm PROW 36_15 the proposed development is at a distance of approximately 120m extending to meet the footpath as it curves westwards and then north to Little Easton.

Proposed development adjacent to footpath PROW 36_15 and extending to the treeline on the ridge

Treeline on the ridge



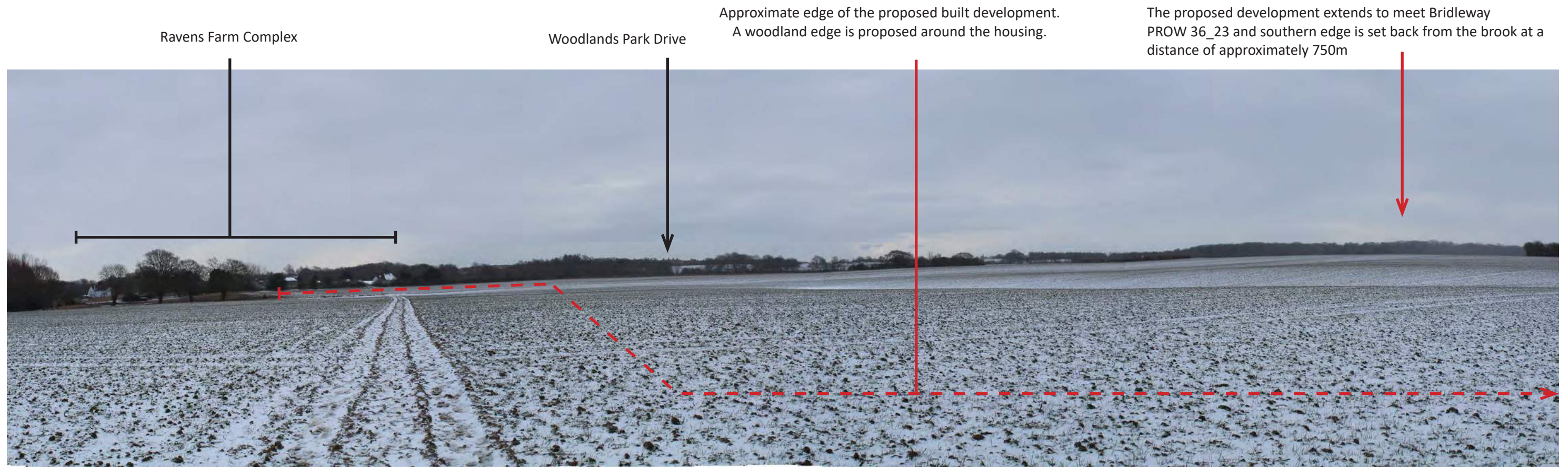
Looking west southwest along the footpath PROW 36_15 the proposed development is adjacent to the footpath and extends to fill almost the whole view of the plateau.

Cottages on Park Road

Northeast corner of proposed development

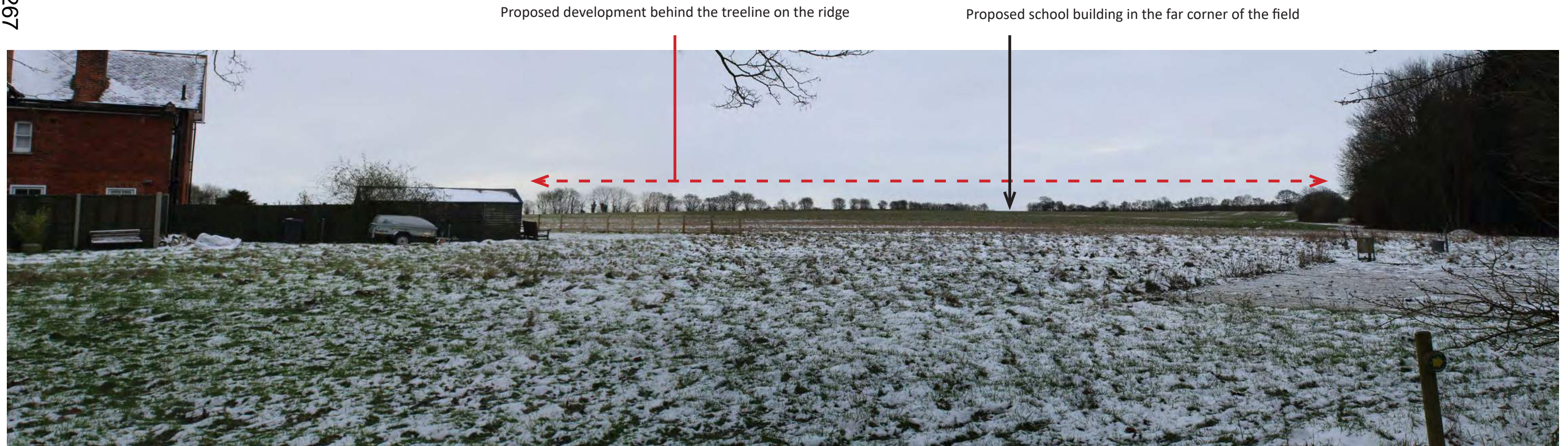


Looking back to the northeast from the footpath PROW 36_15 to show the properties on Park Road at a distance of 430m from the edge of the proposed development.

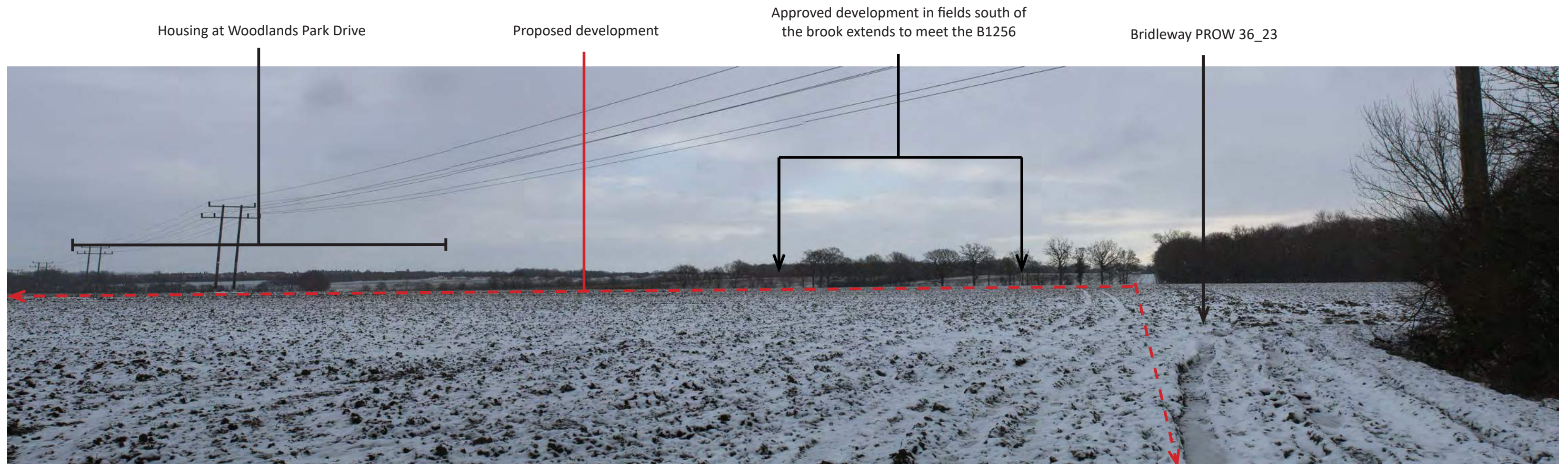


7 Looking southeast to southwest from the footpath PROW 36_15 at the northern extreme of the development towards Ravens Farm and Hoglands. The proposed development would show a swath of new housing extending across the view on the right of the footpath and in front of Ravens Farm. Properties at Woodlands Park Drive are visible in the distance on the high ground.

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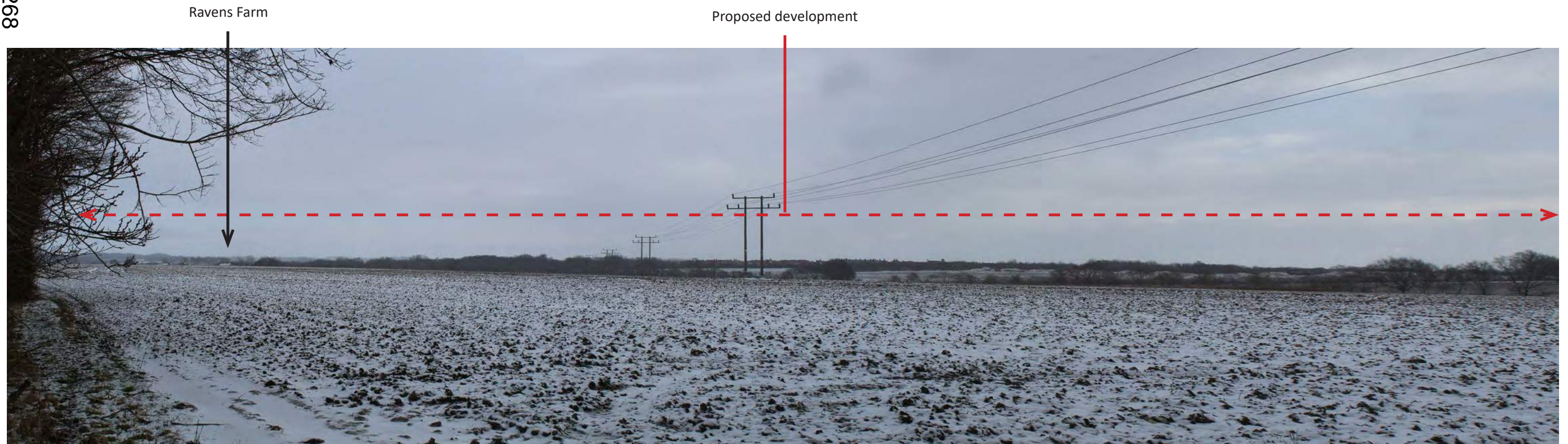


8 Looking southeast from the bridleway PROW 36-23 opposite the Church at Little Easton on the edge of the Conservation Area. The proposed school buildings and playing fields are shown on the bridleway side of the trees which run along the ridgeline at a distance of some 180m from bridleway PROW 36_23 at the closest point and some 350m from the Conservation Area. A new woodland belt is proposed some 200m from the viewpoint to screen views of the development. Beyond the treebelt views from the bridleway across the school site would look towards the school buildings and the proposed housing visible through the trees along the ridgeline.



Looking south southeast from bridleway PROW 36_23 at the western corner of the proposed development into the housing area and further south over committed housing development on the edge of Great Dunmow beyond the brook. The proposed development runs adjacent to the bridleway and extends for approximately 925m to meet the footpath PROW 36_15 at Ravens Farm.

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10 Looking east southeast from bridleway PROW 36_23 at the western corner of the proposed development into the housing area. The proposed development runs adjacent to the bridleway. The new housing will completely cover the plateau in the foreground extending to Ravens Farm and beyond.

Proposed development approximately 265m back from viewpoint on Park Road

Park Road



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11 Looking south from Park Road. The proposed development will be clearly visible at a distance of 265m on the skyline extending across the view from behind the copse on the right to the Ravens Farm on the left.

Footpath PROW 36_16 leading to Ravens Farm complex

Proposed development extends from behind the trees at Ravens Farm and beyond footpath PROW 36_15 to the trees on the ridgeline



12 Looking south from Park Road down the drive and footpath PROW 36_16 to Ravens Farm and Hoglands. The proposed development would be at a distance of 360m extending from the footpath PROW 36_15 at Ravens Farm to the right to meet the trees along the ridgeline.

Ravens Farm complex

Proposed development behind trees at Ravens Farm and extending to trees on ridgeline beyond footpath PROW 35_15 Park Road



13 Looking southwest from Park Road near the houses and listed buildings. Ravens Farm is clearly visible. The proposed development would be visible just behind the trees at Ravens Farm extending to the right across the plateau at a distance of some 425m to meet the trees along the ridgeline.

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Proposed development on high ground would be visible in distant views

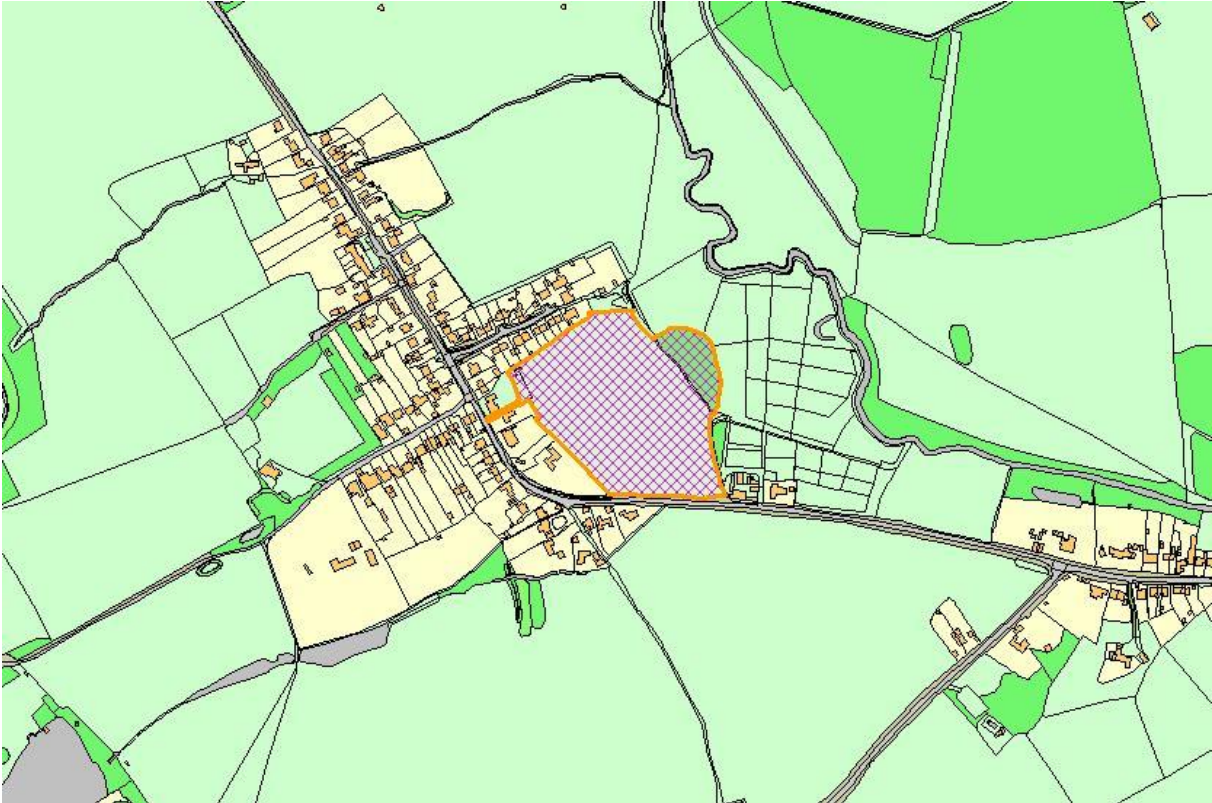


14 Looking south from footpath PROW 19_20 at Great Easton near the church of St Giles and St John at a distance of some 2.2km.

REFERENCE NUMBER: UTT/21/1495/FUL

**LOCATION: Land East Of The Stag Inn
Duck Street
Little Easton
Essex**

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 14.10.2021

PROPOSAL: Erection of 44 residential units and 3 commercial units (flexible space); inclusion of 3 additional plots for self-build homes; together with associated access, carparking and landscaping

APPLICANT: Montare LLP

AGENT: Mr N Bennett

EXPIRY DATE: Extension of time agreed to 29.10.2021

CASE OFFICER: Rachel Beale

NOTATION: Outside Development Limits. PROW, TPOs and Flood Zone 2 on the boundary but not within the site. In the setting of a Grade II listed building.

1 RECOMMENDATION: APPROVAL WITH CONDITIONS WITH S106

S106 HEADS OF TERMS

1.1 The applicant be informed that the committee be minded to refuse planning permission for the reasons set out in paragraph (3) below unless by 27th April 2022, the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:

- (i) Provision of 18 affordable housing units (to be delivered by Habinteg Housing Association). The proposed tenure split discussed and agreed with UDC's Housing Officer will be based on the following: - 60% Affordable Rented; 40% Shared Ownership. This is to include a 3-bedroom M4(3) wheelchair user bungalow for a family identified by UDC's Housing Officer.
- (ii) Provision and management of public open space
- (iii) Maintenance of SuDS
- (iv) Prioritisation of those in need locally (ie. on the Council's waiting list) for the affordable rented element, whilst the first homes/shared ownership units will also be made available to existing residents/local people within the Parish boundary during the construction stage.
- (v) Provision of 3 affordable commercial units, capable of sub-division, and comprising flexible spaces that will be made available to genuinely 'local' community-based businesses and start-up

incubators to be let at a pre-determined affordable tenancy rate to be agreed with UDC in liaison with the Council's EDO.

- (vi) The proposed split between attracting local community businesses and start-up incubator businesses is to be determined in liaison with the EDO, with Montare's overall community-based approach to employment issues proportionately favouring the former (as set out at Appendix 2 of our Planning Statement).
- (vii) In order to secure this affordable employment, offer as being genuinely 'local', as agreed with the Council's Economic Development Officer (EDO), the applicant will define a radius of 15 miles (measured from a central point within Little Easton) as the appropriate catchment area for eligibility.
- (viii) A screening process to include a set of business performance criteria that will need to be satisfied, with such qualification measures to be discussed and agreed in advance with the EDO.
- (ix) Payment of sustainable transport commuted sum contribution of £114,000 (index linked to April 2021) towards a public transport strategy for Little Easton
- (x) Delivery and Implementation of a Landscape Management Plan
 - (i) Payment of early years, primary and secondary education contributions
 - (ii) Pay the Council's reasonable legal costs
 - (iii) Pay the monitoring fee

1.2 In the event of such an agreement being made, the Director Public Services shall be authorised to grant permission subject to the conditions set out below.

1.3 If the freehold owner shall fail to enter into such an agreement, the Director of Public Services shall be authorised to refuse permission at his discretion at any time thereafter for the following reasons:

- (i) Non-provision of 18 affordable housing units (to be delivered by Habinteg Housing Association). The proposed tenure split discussed and agreed with UDC's Housing Officer will be based on the following: - 60% Affordable Rented; 40% Shared Ownership. This is to include a 3-bedroom M4(3) wheelchair user bungalow for a family identified by UDC's Housing Officer.
- (ii) Non-provision and management of public open space
- (iii) Non-maintenance of SuDS
- (iv) Non-prioritisation of those in need locally (ie. on the Council's waiting list) for the affordable rented element, whilst the first homes/shared

ownership units will also be made available to existing residents/local people within the Parish boundary during the construction stage.

- (v) Non-provision of 3 affordable commercial units, capable of sub-division, and comprising flexible spaces that will be made available to genuinely 'local' community-based businesses and start-up incubators to be let at a pre-determined affordable tenancy rate to be agreed with UDC in liaison with the Council's EDO.
- (vi) Non delivery of the proposed split between attracting local community businesses and start-up incubator businesses is to be determined in liaison with the EDO, with Montare's overall community-based approach to employment issues proportionately favouring the former (as set out at Appendix 2 of our Planning Statement).
- (vii) Non delivery for the securing of the affordable employment offers as being genuinely 'local', as agreed with the Council's EDO, the applicant will define a radius of 15 miles (measured from a central point within Little Easton) as the appropriate catchment area for eligibility.
- (viii) Non delivery of a screening process to include a set of business performance criteria that will need to be satisfied, with such qualification measures to be discussed and agreed in advance with the EDO.
- (ix) Non-payment of sustainable transport commuted sum contribution towards a public transport strategy for Little Easton
- (x) Non-delivery and Implementation of a Landscape Management Plan
- (xi) Non-payment of early years, primary and secondary education contributions
- (xii) Non-payment of the Council's reasonable legal costs
- (xiii) Non-payment of the monitoring fee

PROPOSED CONDITIONS:

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

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

2. Prior to occupation of the development, details of the following hard and soft landscaping works must be submitted to and approved in writing by the local planning authority:

- Retained features
- New planting

- Hard surfaces
- Boundary treatment

All hard and soft landscape works must be carried out in accordance with the approved details.

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

REASON: To ensure compatibility with the character of the area, in accordance with Policy S1 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

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

REASON: To ensure a satisfactory standard of development in the interests of visual amenity and heritage protection in accordance with ULP Policies S7, ENV2 and GEN2 of the Uttlesford Local Plan (adopted 2005).

Pre-commencement condition justification: To ensure that the resulting development does not prejudice the visual qualities of the area or the setting of nearby designated heritage assets.

4. Prior to occupation of any dwelling, the provision of an access formed at right angles to Duck Street, to include but not limited to: minimum 5.5 metre carriageway width with appropriate radii (minimum of 9 metres), two 2-metre-wide footways and clear to ground visibility splays with dimensions of 2.4 metres by 90 metres, in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway the interest of highway safety, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

5. Prior to occupation of any dwelling, a scheme of highway works to be implemented, to include but not limited to;

- i. Improvements to the existing footway to the north-west of the site access, from the proposed tie in with the existing footway to 'The Old Stag' dwelling, including resurfacing and cutting back of vegetation.
 - ii. Provision of a 2-metre-wide footway (where achievable) along Duck Street from the site access extending eastwards to public footpath no. 26 Little Easton, as shown in principle on DWG no. WIE-14412-SA-95-0037-A01 (Titled - Proposed Frontage Footway link to Public Footpath 26).
 - iii. Cycle Route Enhancements at roundabout with Woodside Way and B184, as shown in principle on lower drawing of 'Off-site enhancements' DWG no. WIE-14412-SA-95-0019-A01.
 - iv. Relocation of the 30mph speed limit (eastwards) to incorporate the development site frontage, including all necessary signing, road markings, Traffic Regulation Orders, as required.
 - v. Any redundant access width adjacent the 'The Stag Inn' public house shall be suitably and permanently closed incorporating the reinstatement to full height of the footway/kerbing.
- The highway scheme, to be approved by the local planning authority in consultation with the highway authority, shall be implemented prior to first occupation.

REASON: In the interests of highway safety and accessibility, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 6. 3. Prior to first occupation, the pedestrian/cycle link along the south-east of 'The Stag Inn' public house from the development site to the existing footway network on Duck Street shall be provided and retained in perpetuity.

REASON: In the interests of accessibility, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 7. 4. The width of public footpath no. 7 (Little Easton), for its entire length within the site, must be retained at a minimum of 3 metres, and any proposed planting must be set back a minimum of 2 metres from the width of the footpath, and any surfacing works to be agreed with the Highway Authority.

REASON: To ensure the definitive line and width of the public footpath is retained, in the interests of accessibility and highway safety, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

- 8. 5. The width of public footpath no. 26 (Little Easton), for its entire length within the site, must be retained at a minimum of 1.5 metres, and any proposed planting must be set back a minimum of 2 metres from the width of the footpath, and no part of the flood alleviation scheme shall be any closer than 3 metres from the width of the public footpath, and any surfacing works to be agreed with the Highway Authority.

REASON: To ensure the definitive line and width of the public footpath is retained, in the interests of accessibility and highway safety, to ensure that the development accords with the Highway Authority's Development

Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

9. 6. Prior to first occupation of the development, a financial contribution of £114,000 (index linked to April 2021) to be paid to the Highway Authority to contribute to a strategy that will enhance local bus services serving Little Easton and the surrounding areas to provide connections to local amenities and/or key towns.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

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

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

11. 8. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

12. 9. Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport opportunities, including walking, cycling, and local car clubs and other alternatives to the private car, as approved by Essex County Council. Such packs should include six one day travel vouchers for use with the relevant local public transport operator.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

13. 10. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The approved Plan shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:

- i. Safe access into the site;
- ii. The parking of vehicles of site operatives and visitors;
- iii. Loading and unloading of plant and materials;
- iv. Storage of plant and materials used in constructing the development;
- v. Wheel and underbody washing facilities.
- vi. Local highway before and after condition survey and where necessary repairs/reinstatement of the highway (at developers' expense) to the satisfaction of the Highway Authority.
- vii. Appropriate cleaning of the highway in the vicinity of the site.
- viii. The proposed management and protection of the definitive routes of public footpaths no. 7 and no. 26 within the site, and mindful that the route currently used does not wholly coincide with the definitive route.

REASON: To ensure that appropriate facilities are provided for construction operations clear of the highway, to ensure that loose materials and spoil are not brought out onto the highway and appropriate consideration of the public footpaths, in the interests of highway safety, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

14. No unbound material shall be used in the surface treatment of the highway within 10 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

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

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.
- Limiting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100-year rate plus 40% allowance for climate change. Alternatively discharge from the site should be limited to Greenfield equivalent rates with inclusion of Long-Term Storage (LTS) as stated in SuDS Design Guide. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.

- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event. Where the half drain time cannot achieve within 24 hours it should be shown that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change.
- Final modelling and calculations for all areas of the drainage system.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- The scheme shall subsequently be implemented prior to occupation.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2021).

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

REASON: The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoil's during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2021).

17. Prior to occupation, a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the

surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2021).

18. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. This condition is in accordance with Uttlesford Local Plan (2005) Policy GEN3 and the National Planning Policy Framework (2021).

19. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Hybrid Ecology, April 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Uttlesford Local Plan (2005) Policy GEN7.

20. Prior to slab level a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Impact Assessment (Hybrid Ecology, April 2021), shall be submitted to and approved in writing by the local planning authority. The enhancement measures shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

REASON: To enhance protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Uttlesford Local Plan (2005) Policy GEN7.

21. Prior to occupation a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for

foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set

out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), in accordance with Uttlesford Local Plan (2005) Policy GEN7.

22. A Traffic Noise Assessment, including the cumulative impact from vehicles, accessing/egressing the proposed development, shall be submitted to and approved by the local planning authority. The assessment should consider the advice contained in the Design Manual For Roads and Bridges, LA 111 Noise and vibration and Guidelines for Noise Impact Assessment” from the Institute of Environmental management and assessment (IEMA) 2014, as appropriate. It is considered that if the outcome of the assessment is greater than slight, this would be considered unacceptable and further mitigation measures would be required.

REASON: In the interests of the amenity of surrounding residential/business premises in accordance with Policies GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

23. a) No development approved by this permission shall be commenced prior to the submission to, and agreement of the Local Planning Authority of a written preliminary environmental risk assessment (Phase I) report containing a Conceptual Site Model that indicates sources, pathways and receptors. It should identify the current and past land uses of this site (and adjacent sites) with view to determining the presence of contamination likely to be harmful to human health and the built and natural environment.
- b) If the Local Planning Authority is of the opinion that the report which discharges condition (a), above, indicates a reasonable likelihood of harmful contamination then no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes.
- (i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and
- (ii) The results from the application of an appropriate risk assessment Methodology
- c) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (b), above; has been submitted to and approved by the Local Planning Authority
- d) This site shall not be occupied, or brought into use, until:
- (i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (c) above have been fully

completed and if required a formal agreement is submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.

(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority. The verification report shall include disposal records, waste transfer receipts etc, to ensure that all waste disposal is traceable.

e) In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with Land contamination risk management published by the Environment Agency. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures, a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

24. Prior to occupation of the development, details of measures to maximise the use of low-emission transport modes (e.g., secure covered storage for motorised and non-motorised cycles, an electric vehicle charge point) must be submitted to and approved in writing by the local planning authority. The measures must be installed in accordance with the approved details prior to occupation.

REASON: To minimise any adverse effects on air quality, in accordance with Policy ENV13 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

25. Prior to the commencement of development, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:
1. Demolition, construction and phasing programme.
 2. Contractor's access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
 3. Construction/Demolition hours shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
 4. Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
 5. Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
 6. Maximum noise mitigation levels for construction equipment, plant and vehicles.
 7. Dust management and wheel washing measures in accordance with the

provisions of London Best Practice Guidance: The control of dust and emissions from construction and demolition.

8. Prohibition of the burning of waste on site during demolition/construction.

9. Site lighting.

10. Screening and hoarding details.

11. Access and protection arrangements around the site for pedestrians, cyclists and other road users.

12. Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.

13. Prior notice and agreement procedures for works outside agreed limits.

14. Complaints procedures, including complaints response procedures.

15. Membership of the Considerate Contractors Scheme.

The development shall then be undertaken in accordance with the agreed plan.

REASON: To minimise any adverse effects on residential amenity, in accordance with Policy GEN4 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework

2. DESCRIPTION OF THE SITE:

2.1 The application site as outlined in red on the submitted location plan is located on the northern side of Duck Street on the eastern periphery of the settlement known as Little Easton. The site itself is approximately 3 hectares in size, irregular in shape and has a modest slope that falls across the site from west to east.

2.2 The site is vacant of any built form and remains as open grassland. The site does however have a lawful use to be used for recreational purposes in association with the adjoining public house for no more than 28 days a year.

2.3 Extensive vegetation in the form of a hedgerow and a mixture of shrubs and bushes and a variety of tree species is located along the boundaries of the site. An unmade public footpath positioned just inside the northern and eastern boundaries of the site extends from Duck Street to Butchers Pasture.

2.4 Residential dwellings units that front onto Butchers Pasture back onto the northern boundary of the site along with an existing electrical substation. The public house known as 'The Stag Inn' which is a grade two listed building abuts the western boundary along with the residential property known as the 'Old Stag' which is a thatched cottage. Duck Street bounds the site to the south whilst 'Willow Creek Stud' abuts the site to the east. Modest size fields are located to the northeast whilst Chelmer River and Bush Wood are located further beyond.

3. PROPOSAL

3.1 44 Residential units split between affordable and open market.

3no. employment units with potential to be subdivided to create 6no.

The residential provision comprises:

Private Homes – 26no. units

- 9no. four bed detached houses;

- 9no. three bed detached houses;
- 4no. three bed semi-detached houses;
- 3no. three bed detached bungalows; and
- 1no. five bed detached house.

Affordable Homes – 18 units

- 6no. one bed terrace houses;
- 6no. two bed terrace houses;
- 4no. three bed semi-detached houses; and
- 2no. two bed semi-detached bungalows.

As noted above, space is provided to the southern extent of the scheme for 3no. self-build units.

The commercial provision comprises:

- 279 sqm GIA (3,000 sqft) of flexible floorspace;
- Divided into two smaller business units of 46.5 sqm (500sqft) each.

Densities range to reflect character zones and relation to neighbouring properties.

Employment units have been strategically positioned to enhance the schemes connection to Little Easton as well as enhancing the open space proposals.

2no. Employment units connected to The Stag, with the intention of creating a new public cluster taking cues from the neighbouring conservation area, The Stag PH, Employment Units, Green, Alms-houses.

Typologies are predominantly detached with a small amount of semi-detached and terraced properties to add variety to the streetscape.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANTS CASE

- 5.1 The application is accompanied by a detailed Design & Access Statement which refers to the planning history of the adjoining site, and how design principles have informed the current scheme in terms of layout, scale, palette of materials and the various optional house types which have been selected for the site scheme.

- 5.2 To inform Members of the concept behind the proposal, the following section of the Statement is extracted:

- 5.3 *“This residentially led mixed-use proposal will provide a logical and sustainable extension to the existing settlement. The scheme has been tailored to meet the specific local circumstances of the village, including the provision of both accessible and affordable housing, together with flexible and affordable local employment space and new community amenities.*”

From an architectural and landscape perspective, the design team has taken its cues from the locally distinctive character of Little Easton and the qualities of the surrounding landscape that frames the village

The scheme has kept in mind design principles in the Essex Design Guide and 'Building for a Healthy Life' as endorsed by Homes England. In this regard, we have taken a well integrated approach between built form and landscape from inception and carried through the later design stages to Planning Submission.

This can be seen in the proposed scheme through the incorporation of an extensive landscaping scheme including a new green, allotments, open spaces, trim trail. Walking and cycling links are of fundamental importance to our scheme in line with supporting healthy lifestyles and a vibrant community.

We have engaged and consulted extensively throughout a lengthy pre-application process with Council Officers, the Essex Quality Review Panel and the local community. This has been a positive process of collaboration throughout leading to the significant evolution of the scheme design as shown.

The design team has also carefully considered the previous reasons for refusal and has radically altered both the conceptual rationale for the design and significantly reduced the quantum of development. Climate resilience and the wider ecology are integral to the multi-disciplinary approach that has been applied.

As a result, we believe that our proposals will deliver a sensitively designed, high quality scheme, with a density, layout and landscaping that are all sympathetic and appropriate to the character of the village and its surroundings.

The proposals are intended to follow best practice through the next stages of design and to be delivered as an 'exemplar project' which will provide significant benefits across all three strands of sustainable development; economic; social and environmental".

6. RELEVANT SITE HISTORY

6.1 UTT/12/5575/OP - Outline application for the erection of 5 no. detached dwellings with all matters reserved except access – Refuse.

Dismissed at appeal under ref. APP/C1570/A/13/2190128.

This is a piece of land to the south of the site, but the Inspector's decision is considered relevant.

6.2 UTT/15/2069/OP - Outline application for development of up to 65 no. dwellings with all matters reserved except access – Refuse.

6.3 UTT/20/2277/PA – PPA agreement entered into to discuss the proposals as set out in this submission. The proposal has been presented to Members and the Essex Quality Design Review Panel.

7. CONSULTATION RESPONSES:

Little Easton Parish Council

- 7.1 Little Easton Parish Council (LEPC) have reviewed the above planning application and wish to register their formal objection to the proposed development. LEPC have received more than 70 responses from village residents objecting to the proposals and no responses in favour of the proposed development. The council also notes that at the time of writing there are 23 resident objections logged on the UDC planning portal.

History Of The Site

The site, which is outside the Little Easton Village development boundary, has a previous history of planning applications and development proposals. In 2015 the site was put forward as a potential development site for 65-75 homes in the UDC call for sites process for the Local Plan.

The findings on the suitability of the site for development are detailed on page 272 (reference 03 LT EAS 15) in the AECOM Sustainability Appraisal for the UDC Local Plan dated December 2018.

The site was rejected from the call for sites process with the reason given by UDC being "The site is considered unsuitable as development on this site would not contribute to sustainable patterns of development."

Later in 2015, an application for Outline Planning permission was submitted for 65 houses on the site (UTT/15/2069/OP). The parish council objected to the proposal and more than 90 letters of objection were submitted by residents. The application was refused by UDC on the following grounds:

- The proposal would represent an unsustainable form of residential development at this isolated and exposed rural location outside the development limits of Little Easton.
- The site has poor connectivity with adjacent settlements and there would be a dependency upon the car by residents of the development to travel to work and to use essential local services such as health and education given that the site is poorly served by public transport.
- The proposal would result in an unsatisfactory urban expansion of the settlement that would erode into the open countryside creating a large expansive development which does not relate to the settlement thereby having an environmental impact.
- The proposed development fails to contribute to the achievement of sustainable development as defined within the National Planning Policy Framework.

Objections To Current Application - UTT/21/1495/Ful

Character & Landscape Objections

The site is outside the Little Easton Development Boundary is therefore considered to be within the countryside. The site sits within the Upper Chelmer River Valley as defined in the Chris Blandford Associates Assessment Report (2006) which assessed the landscape character has having a relatively high sensitivity to change. LEPC objects to the application on the following character and landscape grounds:

- The proposal will significantly affect the character of the site and the surrounding area. It is at odds with the existing linear settlement pattern and the scale of the development is disproportionate to the existing settlement (a 24% increase on the existing 195 houses).
- The development will significantly intrude into the valley and will be visible in views from Duck Street and the public footpath network.
- The site contributes significantly to the rural quality and character of the area around Little Easton and this will be substantially eroded if the development proceeds. The development will give rise to unacceptable adverse impacts on the character and appearance of the countryside which are not mitigated by any realistic scheme benefits.
- The proposal is contrary to the core principles of the NPPF which aim to conserve and enhance the natural environment and to recognise the intrinsic character of the countryside.

Access And Transport Objections

A range of potential transport benefits and solutions are proposed in the application. LEPC would note the following for use in the assessment of the application:

- Little Easton is very poorly served by public transport. New residents would be dependent upon cars to travel to work and to use essential local services such as health and education.
- The only bus service serving the village (313) is an infrequent bus service with just 2-3 services per day that only operate outside of peak hours of travel. There is no direct service to a railway station and a peak time journey to a railway station would take over an hour by bus. This fact is not mentioned in the application. Also, the DaRT2 bus service does not meet the needs of residents in the village and is rarely, if ever used by residents.
- It is highly unlikely that a "Car Club" would be a viable proposition for a village the size of Little Easton. No operational details of such a scheme are included with the application and the parish council are sceptical that such a scheme will ever acquire sufficient critical mass to make it viable. It is far more likely that new residents will use their allocation of 90+ parking spaces to park their private cars which will be frequently used to access needed services and facilities away from the village, resulting in a dramatic increase in traffic through the village.
- The parish council regularly receive complaints about street parking along Duck Street near The Stag public house. The parking makes driving through the village dangerous and forces pedestrians to walk out in the road around

the parked cars putting them at increased risk of being hit by passing cars. The reduction in parking availability at The Stag public house due to the planning proposal and the increase in car numbers is likely to make this situation worse for residents, cyclists and pedestrians.

Sustainability Objections

Economic Benefit:

There is little in the way of local amenities and services in Little Easton, limited to the public house, village hall and cricket pitch/play area and the site itself is significantly isolated. There is also limited connectivity to larger nearby towns by way of public transport. Future occupiers would therefore be heavily dependent on the use of motor vehicles to access essential facilities and services further afield. This would conflict with any environmental approach of what constitutes a sustainable development.

There is minimal opportunity for employment in the village, with the only commercial enterprises being the small privately-run public house and a local wedding venue. The proposed commercial units would only offer very limited employment opportunities for the existing or future residents and so would not provide any significant economic benefit to the village. The suggested uses of the units (i.e. dog groomers, yoga or an ethical beauty salon) are unlikely to have any impact on the long term sustainability of the village. As a result, the development does not satisfy the economic dimension of sustainability in the NPPF.

Social Benefit:

Given the isolation of the application site and its limited public transport connectivity to other larger villages and towns, most trips would start with the use of a motor vehicle. It is therefore considered that the future residents would be dependent upon the wider community for their health, social and cultural well-being as well as for employment opportunities. The parish council are of the opinion that the proposal does not adequately meet the needs of present and future generations and would not satisfy the social dimension of sustainability as set out in paragraph 8 of the NPPF.

Environmental Benefit:

The NPPF identifies this dimension as contributing to protecting and enhancing our natural built and historic environment including improvements to biodiversity and minimising waste. Little Easton is a linear settlement that sits on the ridge above the Chelmer Valley with houses aligned close to Duck Street. The only notable intrusion down towards the valley is the small number of houses in Butchers Pasture. The proposed development would be a significant intrusion into the valley that does not relate to the existing village or the wider surrounding area and would result in an urban expansion of the settlement of Little Easton into the open countryside creating a large expansive development which does not relate to the existing settlement. This neither protects or enhances the built, historic or natural environments of the village.

Although some attempts have been made in the current application to address the sustainability issues identified in the previous refusal, such as

more sustainable design and construction proposals, LEPC consider that the application proposes a development which is not sustainable and that the substantial harm that would be afforded by the development outweighs any benefits from the proposal when assessed against the NPPF. As a result, there can be no presumption in favour of sustainable development as advised by the NPPF.

Flood Risk Objections

Although the Flood Risk Assessment confirms that the majority of the Site is not located within Flood Zones 2 or 3 as defined by the Environmental Agency it is located within the Chelmer Valley and immediately adjacent to an area designated as Flood Zone 2 & 3 (which includes part of the Site).

The assessment notes the fishing lakes/reservoirs and water channels within the village of Little Easton that flow into the River Chelmer via the Site. It is worth noting that the single access point to the site is within the corridor of "High Risk Flooding" as detailed on page 13 of the assessment - section 3.1.12, figure 3.3. This will be a potential issue for access to and from the site.

The River Chelmer frequently floods in and around the village and in recent years, the village has increasingly suffered from serious and frequent flooding. During periods of even moderately heavy rainfall, the village becomes inaccessible as a result of flooding along Duck Street and at the junction of Mill End with Dunmow Road and the ford in Great Easton.

As the flooding cuts residents off from accessing or leaving the village, the parish council has had to negotiate with private landowners in and around Easton Park to provide a "Flood Route" that directs traffic away from Duck Street and Mill End across Easton Park and the A120 and exiting/entering on the Stortford Road in Little Canfield. This situation is worsening every year and the flood route was needed during the Winter of 2020/21.

It is also interesting to note that the Flood Assessment has a caveat excluding the insurability of properties at flood risk, recommending that developers proposing developments in areas that may be at risk of flooding contact the Association of British Insurers to ascertain policy rules on flood insurance. Many insurers have a policy question asking whether a home is within 200 metres of a river, and it is also noteworthy that a significant proportion of the proposed site is within 200 metres of the river Chelmer. Pictures of flooding within the village are contained in Appendix A on the following page.

Appendix A - Pictures of Little Easton Village Flooding

7.2

ECC Highways

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with

acceptable specification sufficient to ensure future maintenance as a public highway.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to conditions.

7.3 **ECC SUDS**

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission, subject to conditions.

7.4 **ECC Ecology**

No objection subject to biodiversity mitigation and enhancement measures.

7.5 **UDC Environmental Health Officer**

Noise

The application site is outside aircraft and outside other transportation noise significance contours. It is considered that traditional construction will provide suitable protection for internal noise and external noise in compliance with UDC technical guidance on planning and noise.

A transport noise assessment is however, recommended to establish the change in noise level at the closest property next to the entrance to the site. Where the assessment indicates an increase in ambient noise conditions greater than 3dB, then further mitigation measures such as the installation of an acoustic barrier (close board fencing) will be required, if this has not already been suggested by the applicant.

Air Quality

The site is also outside the Air Quality Management Zone and below the unit threshold for an AQ assessment, an electric vehicle charging point condition is however recommended.

Contaminated Land

A Phase 1 land contamination condition is recommended.

Construction

Construction management plan condition is recommended to control potential adverse impacts during the construction phase of the development.

Conclusion

I have no objection to the application subject to conditions

7.6 **Anglian Water**

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

The development site is within 15 metres of a sewage pumping station. This asset requires access for maintenance and will have sewerage infrastructure leading to it. For practical reasons therefore it cannot be easily relocated.

Anglian Water consider that dwellings located within 15 metres of the pumping station would place them at risk of nuisance in the form of noise, odour or the general disruption from maintenance work caused by the normal operation of the pumping station.

The site layout should take this into account and accommodate this infrastructure type through a necessary cordon sanitaire, through public space or highway infrastructure to ensure that no development within 15 metres from the boundary of a sewage pumping station if the development is potentially sensitive to noise or other disturbance or to ensure future amenity issues are not created.

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

The sewerage system at present has available capacity for these flows via a gravity discharge regime to the public foul sewer. If the developer wishes to connect to our sewerage network, they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Planning Strategic Enquiry. The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be

consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off.

7.7 Essex Police

Whilst there are no apparent concerns with the layout to comment further, we would require the finer detail such as the nature of the proposed commercial units use, the proposed lighting, boundary treatments and physical security measures.

We would welcome the opportunity to consult on this development to assist the developer with their obligation under the above policy and to assist them in achieving Secured by Design Homes and Commercial awards.

7.8 UDC Housing Enabling & Development Officer

The Housing Team support this application as it would provide 18 new affordable homes, including 2 fully wheelchair user M4(3) bungalows specifically for applicants in need of them who are on the Council's Housing Register.

The proposed 18 affordable homes are predominately 1 and 2 bedroom which correlates with the identified housing need for the district.

The proposal to include an additional 3 self-build plots is also welcome as it assists with the demand for self-build plots within Uttlesford.

The inclusion of 3 commercial units should also provide local employment opportunities and assist with the sustainability of the village.

The consultation by the applicants and the Registered Provider prior to the submission of the application was also most welcome as it has enabled the specific housing needs of applicants to be incorporated within the proposed scheme at an early stage.

7.9 Historic England

Based on the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

7.10 ECC Place Services Historic Environment

The application is located to the rear of the Stag Inn, which was built in the early 1930s, adjacent to the Public House is the Grade II listed building, Cottage 20 metres south east of Stag Inn (list entry number: 1097456). Across the road is the Grade II listed building, House 100 metres south east of Manor Road (list entry number: 1055802) and to the north is the designated heritage asset, House at Junction with Manor Road (list entry number: 1334053). A Public Right of Way is located along the northern extent of the site.

A previous application for five dwellings located to the south east of the site was recently dismissed at Appeal, Ref: APP/C1570/A/13/2190128 in August 2013.

This application is for the erection of 44 residential units and three commercial units to the rear of the Stagg Inn and the designated heritage asset, Cottage 20 metres south east of Stag Inn (list entry number: 1097456). Access will be provided between the two, using the existing access for the car park for the Public House. With a proposal such as this, a key concern is the potential impact upon the setting and significance of the heritage assets affected. Historic England's publication, The Setting of Heritage Assets, provides a stepped approach and within Step 2 a checklist of potential attributes of setting which contribute to significance is provided. This includes 'surrounding landscape, views, tranquillity, seclusion and land use', also environmental factors such as noise, light pollution, seasonal and diurnal changes and general disturbance must be taken into consideration.

It is felt that the proposals would inevitably have an impact upon the setting of the designated heritage asset, Cottage 20 metres south east of the Stag Inn. As evident from historic mapping the site has remained undeveloped agrarian land which positively contributes to the character and wider rural setting of the settlement of Little Easton. The open agricultural land positively contributes to the setting and significance of the designated heritage asset, through its evidential and historic value as a modest rural dwelling in the countryside.

I do not support this application. The proposed creation of 44 residential units and three commercial units is considered to result in an urbanising effect and is not considered reflective of the pattern of development or local character. The proposals would result in a level of less than substantial harm to the setting of the heritage asset and its significance, Paragraphs 202 and 206 (NPPF 2021) being relevant. I suggest that this harm is likely towards the low-middle of the spectrum.

7.11 **ECC Place Services Archaeology**

The Historic Environment Record has identified that the proposed development lies within an area of archaeological potential. To the south of the proposed development lies the remains of earthwork features associated with Little Easton Manor (EHER12000). To the north of the site lies a series of cropmarks representing trackways and field boundaries (EHER 46570). Also located to the north a brickworks of post medieval date is recorded (EHER 15531). Work on the Uttlesford Historic Environment Characterisation project and the development of the Stansted Airport area has shown that slopes above rivers, or streams such as this are prime locations for Prehistoric and Roman settlement.

The archaeological work would comprise initial trial trenching to identify the extent and depth of archaeological deposits followed by open area excavation if archaeological deposits are identified. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

7.12 **UDC Principal Urban Design Officer**

From a design perspective this application demonstrates a rigorous and comprehensive design process which has resulted in a sensitively designed and ambitious scheme which I fully support.

7.13 ECC Minerals And Waste

The Mineral Planning Authority has no comment to make in relation to this application as the area of the proposed development site located within the sand and gravel Mineral Safeguarding Area is below the minimum Minerals Local Plan 2014: Policy S8 threshold of 5ha.

7.14 ECC Gren Infrastructure

Having reviewed the Design and Access Statement (DAS), Landscape Strategy, Masterplan and Management Plan which accompanied the planning application we do not object the granting of planning permission.

7.15 ECC Sustainable Growth

ECC Sustainable Growth supports the proposed scheme's aspiration to deliver low carbon homes particularly the intention to meet Passivhaus standards along with the use of sustainable energy and water systems, and climate mitigation and adaption measures such as biodiversity improvements. Delivering new housing with such integrated measures will be essential to address the climate change challenge as recently espoused by the Essex Climate Action Commission.

We also support the principle of delivering employment uses at the site to assist local economic growth. Whilst we support employment spaces which are flexible and adaptable to different business needs we appreciate that this is not always possible or appropriate for every scheme. Therefore dependent on the nature and layout of development schemes we encourage measures such as construction that facilitates subdivision; eaves heights that allow for a variety of economic activity and provide potential for mezzanine floorspace; floors that cater for heavy point loads; doors/lifts that facilitate loading and unloading of goods and plant; and security conducive to storage of high value stock and plant. To reiterate, some or all of these measures may not be appropriate to every scheme.

From a skills perspective we support the applicant's acknowledgement for the provision of meaningful employment and an expectation is clear that both permanent and temporary local jobs will be generated as part of the construction and ongoing commercial use of the development. An employment and skills plan would be welcomed to ensure local people benefit from these new roles through clear training opportunities, work experience, and apprenticeships. Skills training is essential to ensure that the key employment sector in the district continue to grow, and that new businesses and start-ups can flourish.

7.16 Environment Agency

Thank you for your re-consultation, dated 10 June 2021. We have reviewed the application, as submitted, and are now able to remove our holding objection.

7.17 **MAG Aerodrome Safeguarding**

The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no aerodrome safeguarding objections to the proposal subject to conditions.

7.18 **UDC Landscape Officer**

This is a relatively well contained site where the impact of the proposed development on the wider landscape would be limited. The tree plantation to the eastern side of the site provides additional visual containment.

The submitted arboricultural report is considered to be comprehensive. Some 5 trees have been identified to be felled, including ash, horse chestnut, elm, and elder. None of the trees proposed to be removed are considered to be of merit.

The proposed layout and illustrative landscape masterplan is considered to be well conceived. In the event of a recommendation for approval a fully detail scheme of landscape and planting should be conditioned for submission and approval.

7.19 **UDC Economic Officer**

From an economic development perspective, I can confirm my support for this overall approach. However, I believe that commercial decisions will be required regarding business start-up eligibility criteria for support, unit rental charges and types of business welcome on site and although the Council's EDO can offer advice, Montare will make the decisions and it will be their vision for the site that is delivered.

As Economic Development Officer I support the principles of this application regarding the commercial units but believe that a very clear vision and policy about the achievement of the vision may be helpful. Parameters around rental levels, business support mechanisms, expectations around the uses of the commercial units, the ratio of start-up businesses and existing businesses would all strengthen this application.

8. **REPRESENTATIONS**

72 representations were received from neighbouring residents, and the following observations have been made:

In objection:

- Impact on ecology
- Flood risk and increase
- Unsafe and inappropriate access
- No access to amenity and services
- Impact from increased traffic
- Lack of public transport
- Harm to local pub
- No employment opportunities

- Impact on the countryside
- Impact on local character and appearance
- Impact on residential amenity
- Poor layout of social housing
- Impact on the setting of a listed building
- Insensitive house designs
- Overdevelopment
- Inappropriate layout
- Impact on views
- Impact on a community asset
- Removes important parking
- Lack of appropriate infrastructure
- Impact on local Co2 levels
- Impact on views
- Inappropriate site for development
- Inappropriate housing mix
- Impact from construction vehicles
- Impact on PROW
- Open the floodgates to more development

In support

- Bungalows are great for older generation
- Affordable dwellings good for younger generation and to keep them in the District
- Workspace units for residents
- Units for disabled
- In keeping with the character of the village

9. POLICIES

9.1 National Policies

National Planning Policy Framework (NPPF)
Planning Practice Guidance

9.2 Uttlesford District Local Plan 2005

ULP Policy S7 – The Countryside
 ULP Policy ENV2 – Development affecting Listed Buildings
 ULP Policy ENV3 – Open Spaces and Trees
 ULP Policy ENV4 – Ancient Monuments and Sites of Archaeological Importance
 ULP Policy H1 – Housing Development
 ULP Policy H9 – Affordable Housing
 ULP Policy H10 – Housing Mix
 ULP Policy GEN1 – Access
 ULP Policy GEN2 – Design
 ULP Policy GEN3 – Flood Protection
 ULP Policy GEN6 – Infrastructure Provision to Support Development
 ULP Policy GEN7 – Nature Conservation
 ULP Policy GEN8 – Vehicle Parking Standards
 ULP Policy ENV10 – Noise

ULP Policy ENV14 – Land Contamination

9.3 **Supplementary Planning Document/Guidance**

SPD – “Accessible Homes and Play space” (adopted November 2005)

9.4 **Other Material Considerations**

Essex Design Guide

Self-Build and Custom Housebuilding Act 2016 (as amended by the Housing and Planning Act 2016).

Essex County Council Parking Standards – “Design and Good Practice” (September 2009)

Uttlesford District Council Parking Standards (February 2013)

Uttlesford District Council Interim Climate Change Planning Policy (February 2021)

10. CONSIDERATION AND ASSESSMENT:

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

- A. Principle of development having regard to sustainable development principles – flood risk, accessibility to local services, countryside protection, heritage protection and current LPA housing land supply status (NPPF, ULP Policies GEN1, GEN3, S7, ENV2, ENV4 and H1);**
- B. Whether proposed access arrangements would be acceptable (NPPF and ULP Policy GEN1)**
- C. Design (NPPF, ULP Policy GEN2)**
- D. Landscaping (ULP Policy GEN2)**
- E. Vehicle parking standards (ULP Policy GEN8)**
- F. Impact on neighbouring residential amenity (NPPF, ULP Policy GEN2)**
- G. Whether the proposed housing mix would be acceptable (NPPF, ULP Policy H10)**
- H. Affordable housing requirements (NPPF, ULP Policy H9)**
- I. Impact on trees / protected and priority species (NPPF, ULP Policies ENV3 and GEN7).**

A Principle of development having regard to sustainable development principles – flood risk, accessibility to local services, countryside protection, heritage protection and current LPA housing land supply status (NPPF, ULP Policies GEN1, GEN3, S7, ENV2, ENV4 and H1)

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the planning policies set out in the Adopted Development Plan unless material considerations indicate otherwise. The planning policies contained within the National Planning Policy Framework (the Framework) are also a material planning consideration, particularly where the policies in the Adopted Development Plan are out of date whereby the revised NPPF provides the statutory guidance for determining planning applications at a national level. The adopted development plan for Uttlesford comprises the Uttlesford Local Plan which was adopted in January 2005 and is therefore now over 16 years old and pre-dates both the original NPPF (2012) and the latest version (2021). A neighbourhood plan does not currently exist for Little Easton.

10.2 The NPPF emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development. The Framework also sets out objectives for achieving this aim, including the need to deliver a sufficient supply of homes in the right place at the right time to support the government's objective of significantly boosting the supply of homes. Paragraph 8 of the NPPF confirms the 'presumption in favour of sustainable development' and explains that there are three dimensions to sustainable development, namely, economic; social; and environmental.

10.3 Paragraph 11d) of the NPPF states that where there are no relevant development plan policies, or the policies which are the most important for determining the application are out of date (including applications involving the provision of housing where the LPA cannot demonstrate a five year housing land supply), the LPA should grant planning permission unless (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development (see Footnote 7); or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

Flood risk:

10.4 The site sits on the boundary of Flood Zone 2 but not directly in it, meaning that the site is at low risk of fluvial flooding. The application is accompanied by a Flood Risk Assessment (FRA) and Drainage Strategy (April 2021). The submitted FRA and drainage scheme has been examined by the Lead Local Drainage Authority have not objected to the drainage report and associated documents accompanying the application in their revised comments dated 07.07.2021 subject to drainage conditions. No drainage objections are therefore raised on this basis under the relevant provisions of the NPPF and ULP Policy GEN3.

Accessibility to local services:

10.5 Paragraph 79 of the NPPF notes that to promote sustainable development in rural areas housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 110 of the Framework states that in assessing specific applications for development that it should be ensured that (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location, whilst paragraph 113 advises that all developments that will generate significant amounts of movement should be required to provide a travel plan.

10.6 The site is located at the edge of Little Easton, just outside the development limit boundary. Little Easton contains no local services or amenities except for a public house. The town of Great Dunmow is 2.3 miles from the which contains several services including shops, primary and secondary schools and doctors. The site is located within walking distance of a bus stop served by the No.313 bus service which runs between Saffron Walden and Great Dunmow.

10.7 The applicant has also proposed several options that will encourage sustainable transport options.

Countryside protection:

10.8 Paragraph 170 of the NPPF seeks to protect and enhance ‘valued landscapes’ in a ‘manner commensurate with their statutory status or identified quality in the development plan’ whereby the Framework requires recognition to be given to the intrinsic character and beauty of the countryside. ULP Policy S7 states that the countryside will be protected for its own sake and that planning permission will only be given for development

that needs to take place there or is appropriate to a rural area, adding that there will be strict controls on new building. Policy S7 also states that development will only be permitted if its appearance protects or enhances the 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. Policy S7 has been found, however, to be partially consistent with the provisions of the NPPF following an independent policy review of the adopted local plan against the NPPF (Ann Skippers) whereby its restrictive stance towards housebuilding in the countryside contrasts with the more proactive stance taken by the NPPF towards sustainable development within the rural areas. Policy S7, however, is still a saved local plan policy and carries moderate weight.

- 10.9 The site comprises an undeveloped piece of land that sits behind several residential properties fronting Duck Street and Butchers Pasture, and the Stag Public House. The site and surrounding landscape are not covered by any statutory or local landscape designation or identified within the development plan for its landscape quality. Therefore, the site is not a 'valued landscape' in the context of the Framework and its location means that it is generally representative of the wider countryside in the area.
- 10.10 The delegated officer report for refused application UTT/15/2069/OP for 65 no dwellings with associated infrastructure, which represents the precursor to the current full application assessed that "the scale of the development is disproportionate in relation to the existing settlement". The refused scheme was an outline application for up to 65 dwellings, with limited detail on the scale, layout, and form of the development. This revised scheme has been reduced to 44 no. dwellings and contains a significant amount of assessment and detail on the design and landscaping. The applicant has gone to great lengths to ensure the proposal would sit comfortably within the site and surrounding setting.
- 10.11 The application is accompanied by a detailed Landscape Assessment which considers the visual impact that the proposed development would have on the local landscape. It states:
- 10.12 *The proposal for Little Easton is a robust example of landscape-led scheme that begins with the land and its surroundings which then evolves in tandem with the architectural design in a fully collaborative process. The equal weight given to both landscape and architecture at the inception stage of the design allowed for the scheme to easily meet those key green infrastructure criteria outlined in the Building With Nature (BWN) CORE standards.*
- 10.13 *The site design identifies the topography of the site, existing hedgerows, and woodlands as well as view corridors as a starting point for the green infrastructure proposal, incorporating these to reference, reflect and enhance the local environment (BwN CORE 2). It responds to the local context through the creation of similar wildlife corridors and creating new connections for wildlife and people (BwN CORE 3).*
- 10.14 *The proposed landscape-led SuDS features with a series of rain gardens, dry ponds and attenuation ponds, considers the filtering and cleansing of runoff before reconnecting with the existing water courses as a key objective. The presence of up to 100 new trees of varying species across the site*

ensures a development well nested within a green setting which is beneficial to the wellbeing of the dwellers (BwN CORE 4).

- 10.15 The Landscape Assessment demonstrates that the visual impacts of the proposed development within its localised setting both by the scale of the proposal and by the layout and landscaping measures, would not be significant and demonstrable and that only moderate weight can be afforded to ULP Policy S7 in terms of countryside protection. As such, it is considered that the environmental objective of the NPPF is met in terms of assessing wider environmental impacts.

Heritage protection:

- 10.16 Section 16(2) and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 state that LPAs should seek to protect the integrity and setting of listed buildings. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset that this harm should be weighed against the public benefits of the proposal. ULP Policy ENV2 of the Uttlesford Local Plan relating to heritage protection states that “Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building, will not be permitted.
- 10.17 The site is located adjacent a grade II listed cottage and therefore, the potential impact of the proposed development upon the setting and significance of these heritage asset must be considered.
- 10.18 In 2012, application UTT/12/5575/OP which relates to a much smaller piece of land to the south of the site was refused, citing reasons of harm on the heritage asset. This went to appeal and was subsequently dismissed, however, in regard to the setting of a heritage asset, the Inspector concluded *“the proposed development would be well separated from the listed building at ‘Old Stag Cottage’ by an area of garden land and by a strong hedge feature that could be retained. The separation could be further strengthened by a new substantial hedge between the new development and the listed building and its immediate setting. Thus, the development need not harm the setting of the listed building and need not conflict with planning policies that are aimed at protecting the setting.”* Whilst this decision is based on a different site and proposal, the Inspector’s conclusions are considered relevant.
- 10.19 Regarding the history of this site, the previously refused outline application was not refused on heritage grounds and the setting of the heritage asset was not listed as a material concern as part of the Officer’s report. Whilst each application is assessed on its own merits, this again is considered relevant to the current assessment of the revised scheme.
- 10.20 For the purposes of the assessment of this application, the Historic Environment Team Place Services Essex County Council were consulted on the proposals and made the following observations:
- 10.21 *“It is felt that the proposals would inevitably have an impact upon the setting of the designated heritage asset, Cottage 20 metres southeast of the Stag*

Inn. As evident from historic mapping the site has remained undeveloped agrarian land which positively contributes to the character and wider rural setting of the settlement of Little Easton. The open agricultural land positively contributes to the setting and significance of the designated heritage asset, through its evidential and historic value as a modest rural dwelling in the countryside.

10.22 *I do not support this application. The proposed creation of 44 residential units and three commercial units is considered to result in an urbanising effect and is not considered reflective of the pattern of development or local character. The proposals would result in a level of less than substantial harm to the setting of the heritage asset and its significance, Paragraphs 202 and 206 (NPPF 2021) being relevant. I suggest that this harm is likely towards the low-middle of the spectrum”.*

10.23 The proposal will cause less than substantial harm to the setting of the Cottage and its significance. This harm will be in the lower half of the scale of harm. Place Services’ comments regarding design have been noted, however, it is considered that the design and appearance of the dwellings, the gap left between the proposed development and the heritage asset, the provision of 2 fully wheelchair user M4(3) bungalows, 18 affordable homes and 3 self-build plots which correlate with the demands/needs of the Uttlesford District is such that any adverse impacts upon the setting of the aforementioned listed building would be less than significant when assessed under paragraph 202 of the NPPF whereby the public benefits of the proposal at this location outweigh any identified harm. In terms of archaeological impacts, the Specialist Archaeological Adviser at Place Services, Essex County Council have reported that the application site has the potential for surviving archaeological deposits and has recommended a series of pre-development conditions of archaeological investigation and reporting.

10.24 As such, it is considered that no heritage objections can be reasonably raised to the proposal under ULP Policy ENV2 and ENV4.

Current LPA housing land supply status:

10.25 The NPPF requires all local planning authorities to identify a supply of specific deliverable sites to provide five years’ new housing supply against their requirements as calculated under national policies. A housing trajectory is used by Councils to calculate their 5-year housing land supply and demonstrate whether anticipated housing delivery will meet or exceed those housing requirements. Uttlesford District Council cannot currently demonstrate a 5 Year Housing Land Supply where the current housing deficit against statutory housing requirements now stands as adjusted at 3.11 years for the 2020-2025 period as of 1 April 2020 following a UDC planning policy review and update of its housing trajectory and 5-year housing land supply calculation. Accordingly, it is the case that the Council’s adopted policies which are most important for determining planning applications must be considered out of date, including ULP Policy H1 of the adopted Local Plan relating to the distribution of housing within the district.

B **Whether means of access would be satisfactory / sustainable transport measures (ULP Policy GEN1)**

10.26 The proposed access would see the existing field access from Duck Street re-purposed as the primary access to the Site.

10.27 The applicant has agreed to make a commuted sum of £114,000 (index linked to April 2021) to be paid to the Highway Authority to contribute to a strategy that will enhance local bus services serving Little Easton and the surrounding areas to provide connections to local amenities and/or key towns, as requested by ECC Highways in their response dated 13.10.2021.

10.28 In the circumstances, the proposal would comply with ULP Policy GEN1.

C **Layout, Scale and Appearance (ULP Policy GEN2, GEN8)**

10.29 The NPPF advises that the creation of high-quality buildings and places is an important part of the development process and a key aspect of sustainable development. Paragraph 130 states that all new developments should “function well and add to the overall quality of the area....; be visually attractive as a result of good architecture, layout and appropriate and effective landscaping; be sympathetic to local character and history including the surrounding built environment and landscape setting....; establish or maintain a strong sense of place...; while optimising the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space).” ULP Policy GEN2 states that development will only be permitted unless its design meets all design criteria contained within the policy and has regard to Supplementary Design Guidance and SPD’s, including the SPD “Accessible Homes and Playspace”.

10.30 The dwellings would comprise generally a mix of 1 and 2 storey dwellings across the development, 18 of which would be affordable. The site design identifies the topography of the site, existing hedgerows, and woodlands as well as view corridors, incorporating these to reference, reflect and enhance the local environment. The UDC Principal Urban Designer considers this to be an exemplar scheme stating the application “demonstrates a rigorous and comprehensive design process which has resulted in a sensitively designed scheme”.

10.31 In terms of appearance, the proposed properties would incorporate traditional building methods and materials, referencing local architecture but with a contemporary interpretation. A palette of materials would be used using brickwork, timber weatherboarding and clay tiles/shingles, whereby this would provide modern housing in a vernacular that would respect the character and appearance of the local area.

10.32 Each plot has sufficient garden amenity space in accordance with the Essex Design Guide.

10.33 It is considered that the scale, layout and appearance of the dwellings as shown would be acceptable for this end of settlement location interfacing as it does with more open countryside beyond and to the rear and no design objections are raised under ULP Policy GEN2 in this regard whereby it is

considered that the scheme would align with the design requirements of the NPPF.

D Landscaping (ULP Policy GEN2)

10.34 A landscaping strategy has been submitted with the application. This is a relatively well contained site where the impact of the proposed development on the wider landscape would be limited. The tree plantation to the eastern side of the site provides additional visual containment. The proposed layout and illustrative landscape masterplan is considered to be well conceived. The proposed mix of planting is considered to be appropriate for this edge of settlement site.

10.35 The Council's Landscape Officer has not raised any landscaping objections to the landscape strategy, finding it to be 'well-conceived'. No policy objections are therefore raised under ULP Policy GEN2 and ENV3.

E Vehicle parking standards (ULP Policy GEN8)

10.36 Car parking is provided in accordance with the UDC adopted parking standards. Garages, where provided, have internal dimensions of 7m x 3m. All dwellings will be provided with a dedicated EV charging point (7kw). Cycle parking is provided at a minimum of one covered space per dwelling. Visitor parking is provided based on 0.25 spaces per unit. This provision is available around the site in key locations, close to the units. The parking area to the north-west is also available to provide additional visitor space as required. As such the parking provision shown for the development overall would comply with ULP Policy GEN8.

F Impact on neighbouring residential amenity (NPPF, ULP Policy GEN2)

10.37 The proposed development by reason of its layout and the orientation of dwellings located at the boundaries would not give rise to any significant residential amenity issues in terms of overbearing effect, loss of privacy, overshadowing or loss of light either between dwellings for the development or for neighbouring dwellings. No amenity objections are therefore raised under ULP Policy GEN2.

G Whether the proposed housing mix would be acceptable (NPPF, ULP Policy H10)

10.38 The proposed 44 no. dwelling development would comprise a mix of both private and affordable homes, as follows: -

- Private Homes: - 26 dwellings comprising 9, four bed detached houses; 9, three bed detached houses; 4, three bed semi-detached houses; 3, three bed detached bungalows; and 1, five bed detached house.
- Affordable Homes: - 18 dwellings comprising 6, one bed terrace houses; 6, two bed terrace houses; 4, three bed semi-detached houses; and 2, two-bedroom semi-detached bungalows.

10.39 Such a housing mix which has a propensity for 3 bedrooed dwellings, rather than a dominance of 4 bed units as is often the case for such schemes, would be consistent with the Council's previous SHMA findings. No objections are therefore raised to the proposed housing mix under Uttlesford Local Plan Policy H10.

H Affordable housing requirements (NPPF, ULP Policy H9)

10.40 ULP Policy H9 of the adopted local plan states that the Council will see "affordable housing of 40% of the total provision of housing". The 18 affordable homes proposed as part of this development represents 40% of the total number of dwellings and therefore there are no objections raised under ULP Policy H9. This affordable housing requirement would be subject to inclusion within a Section 106 agreement.

I Impact on trees / protected and priority species (NPPF, ULP Policies ENV3 and GEN7)

10.41 The site is situated on an east-facing slope which descends towards the south-eastern corner. There is a footpath along the eastern boundary which links into further footpath connections to the north. The site contains grassland and is bordered by hedgerows and individual trees which envelop the site. A cricket bat willow *Salix alba* *Caerulea* plantation exists to the east of the site. A drainage ditch exists to the south-east of the site and dense scrub encroaches along the eastern boundary.

10.42 A detailed Ecological Impact Assessment was submitted as part of the proposals. ECC Place Services have advised in their consultation response that they are satisfied that there is sufficient ecological information available for determination of the application, adding that with appropriate mitigation measures secured that the development can be made acceptable.

10.43 The Landscape Officer has confirmed that the submitted arboricultural report is comprehensive and that none of the trees proposed to be removed are of merit.

10.44 No ecology objections are therefore raised under ULP Policy GEN7 and ENV3 subject to the recommended conditions.

PLANNING BALANCE

10.45 It is considered when taking the Framework as a whole, that the benefits of the proposal, where mitigation has been offered to make the development acceptable, are considered not to outweigh the harm which would be caused to the character of the rural area, and any less than substantial harm to the significance of the Grade II listed building.

10.46 Consideration has been given to paragraph 11 c) i, and Footnote 7 of the National Planning Policy Framework 2021 in terms of impacts of the development upon designated heritage assets. Given that the identified harm to assets is categorised at the lower half of the spectrum of harm, this does not give the Local Planning Authority a *clear reason* for refusing the development, and given the identified public benefits as set out, the application can be supported. The "tilted balance" is in favour of the proposal, including a presumption in favour of sustainable development, as

set out in paragraph 14 of the National Planning Policy Framework 2021, which is therefore engaged.

11. EQUALITIES

- 11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. CONCLUSION

- 12.1 The principle of residential development at this edge of settlement greenfield location immediately accessible to public transport providing 26 market dwellings and 18 affordable dwellings (44 in total) to the Council's Housing Land Supply, 3no. self-build plots, 2o. wheelchair accessible bungalows and 3no. commercial units is acceptable in principle whereby the benefits would outweigh the identified harm.
- 12.2 Vehicular access arrangements are considered acceptable. The applicant has agreed to make a commuted sum of £114,000 (index linked to April 2021) to be paid to the Highway Authority to contribute to a strategy that will enhance local bus services serving Little Easton and the surrounding areas to provide connections to local amenities and/or key towns.
- 12.3 The design of the proposed development (scale, layout and appearance) is considered acceptable, as are the proposed landscaping measures.
- 12.4 Indicated parking arrangements would comply with adopted parking standards.
- 12.5 The development would not lead to any significant loss of residential amenity.
- 12.6 The proposed housing mix would be acceptable for this location.
- 12.7 The proposal would provide 40% affordable housing.
- 12.8 The development would not have a harmful impact upon trees or upon protected / priority species subject to appropriate ecology conditions, whilst the landscaping measures proposed provide for ecological site enhancements.

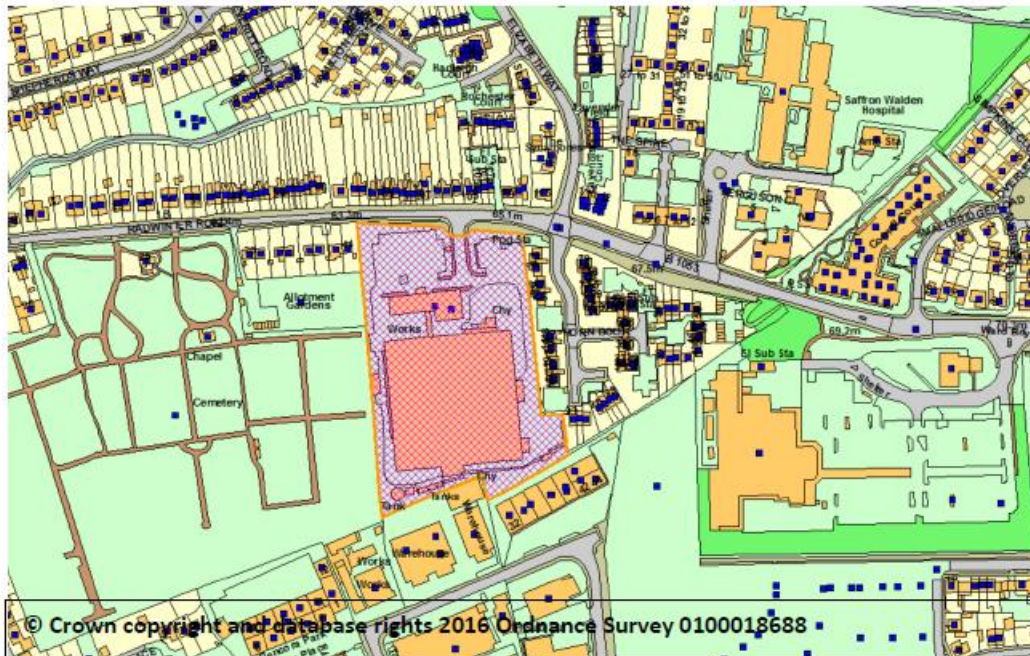
Agenda Item 5

ITEM NUMBER:

REFERENCE NUMBER: UTT/20/2007/FUL

**LOCATION: Land South of Radwinter Road
(former Printpack Site) Saffron Walden**

SITE LOCATION PLAN:



| | |
|---------------|-----------------------------|
| Organisation: | Uttlesford District Council |
| Department: | Planning |
| Date: | 15 OCTOBER 2021 |

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Organisation: Uttlesford District Council

PROPOSAL: Demolition of existing buildings and erection of a discount foodstore, a 70 bed care home and 49 no. retirement living apartments with access, car parking, landscaping and associated works.

APPLICANT: Endurance Estates (Saffron Walden) Ltd

AGENT: Rapleys LLP

EXPIRY DATE:

CASE OFFICER: Henrietta Ashun

NOTATION: Within Development Limits

1. RECOMMENDATION: APPROVE SUBJECT TO SECTION 106 AGREEMENT & CONDITIONS

1.1 S106 HEADS OF TERMS –

1.1.1 The applicant be informed that the committee be minded to refuse planning permission for the reasons set out in paragraph (3) below unless by 18 February 2022 the freehold owner enters into a binding agreement to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991 in a form to be prepared by the Head of Legal Services, in which case he shall be authorised to conclude an agreement to secure the following:

- i. NHS Contribution**
- ii. Highway Contribution**
- iii. Highway Works**
- iv. Agreement for all users to have access to the discount foodstore car park**
- v. Costs**
- vi. Pay the monitoring fee**

(II) In the event of such an obligation being made, the (Assistant) Director of Planning/Public Services shall be authorised to grant permission subject to the conditions set out below;

1.1.2 In the event of such an agreement being made, the Director of Planning /Public Services shall be authorised to grant permission subject to the conditions set out below.

1.1.3 (III) If the freehold owner shall fail to enter into such an obligation the Director of Planning / Public Services shall be authorised to refuse permission in his discretion anytime thereafter for the following reasons:

- i. Non-payment of contribution towards NHS provision**
- ii. Non-payment towards highway infrastructure**
- iii. Non-provision of highway works**
- iv. Insufficient parking provision**

1.2 CONDITIONS:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

Reason: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

3. No development above ground floor slab for any parcel shall take place until an example bay study showing full details of window(s) and their reveals and cills relating to each building typology within the parcel, and any commercial ground floor frontages in that parcel, including 1:20 scale elevational drawings and sections for the development hereby permitted in that development parcel have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details for each parcel and shall be retained as such thereafter.

Reason: To ensure a satisfactory appearance to the development and to comply with policy GEN2 of the Uttlesford Local Plan (adopted 2005).

4. No development above ground floor slab level of any parcel of the development hereby permitted shall take place until samples of all materials to be used in the construction of the external surfaces of that parcel of the development have been submitted to and approved in writing by the Local Planning Authority, including (where applicable):

- a) samples of all brick, render and tiling (including details of the colour of render/paintwork to be used)
- b) samples of all cladding to be used,
- c) samples of all hard-surfacing materials,
- d) details of the proposed window, door and balcony treatments,
- e) details of all other materials to be used externally including balconies.

The development of that parcel shall be carried out in accordance with the approved details for that parcel.

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

Landscaping and Trees

5. Notwithstanding the submitted drawings prior to occupation or use of each parcel of the development hereby permitted, a scheme for hard and soft landscaping for that parcel shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping for that parcel shall be implemented in accordance with the approved details in the first planting season after completion or first occupation of that parcel, whichever is the sooner and thereafter retained as such. The hard and soft landscaping scheme shall include the following:

- i. means of enclosure including details of the proposed walls and fencing

- iii. vehicle and pedestrian access and circulation areas;
- iv. hard surfacing materials;
- v. details of the safety measures proposed
- vi. minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, street lighting, etc.);
- vii. Soft landscape works including [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Any trees or plants planted pursuant to the approved hard and soft landscaping scheme which within a period of 5 years from the completion of the development on a parcel die, are removed or become seriously damaged or diseased shall be replaced on that parcel in the next planting season with others of similar size and species

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

environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

6. Prior to the commencement of the development hereby approved on any parcel (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) including details of all tree protection monitoring and site supervision by a suitably qualified tree specialist (where arboricultural expertise is required) for that parcel shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: As this matter is fundamental to protecting the trees which are to be retained on the site during construction works in the interest of the visual amenities of the area and to comply with policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

7. No tree shown as retained on Appendix 4 – Tree Protection Plan of the Arboricultural Impact Assessment (A.T. Coombes Associates Ltd (14 February 2021) shall be cut down, uprooted, destroyed, or damaged in any manner during the development of a parcel and thereafter within 5 years from the date of occupation of that parcel for its permitted use, other than in accordance with the details set out in paragraph 9.7 and Appendix 4 – Tree Protection Plan of the Arboricultural Impact Assessment (A.T. Coombes Associates Ltd (14 February 2021) or as may be permitted by prior approval in writing from the local planning authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Management Plans

8. Prior to the first use/occupation of each parcel within the development hereby approved a scheme for the storage of refuse and recycling within that parcel, including details confirming adequate operational capacity for the relevant bin stores has been submitted to and approved in writing by the Local Planning Authority. The scheme for the relevant parcel shall be carried out and provided in full in accordance with the approved details prior to first occupation of that parcel and the refuse and recycling storage facilities in that parcel shall thereafter be retained for use at all times.
Reason: To provide an acceptable standard of development in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan 2005.

9. Prior to the first use/occupation of each parcel within the development hereby approved a management plan for that parcel shall be submitted to and approved in writing by the local planning authority to detail arrangements for the provision, maintenance and retention of the following on that parcel:
- i. All roads and footpaths;
 - ii. All common areas; and
 - iii. Lighting;
- Thereafter, the development of the relevant parcel shall be implemented and retained in accordance with the management plan for that parcel.
Reason: To ensure an acceptable standard of development is provided and maintained in compliance with Policies GEN2 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

Contamination

10. No development within any parcel hereby approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
- i) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
 - ii) The results of a site investigation based on (i) and a detailed risk assessment, including a revised CSM.
 - iii) Based on the risk assessment in (ii) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.
 - iv) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (iii) has been submitted to and approved by the local planning authority. The long-term monitoring and maintenance plan in (iii) shall be updated and be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater and to comply with policy ENV14 of the Uttlesford Local Plan (adopted 2005).

11. If, during development on a parcel, contamination not previously identified is found to be present in that parcel then no further development of that parcel (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater and to comply with policy ENV14 of the Uttlesford Local Plan (adopted 2005).

12. No development within any development parcel hereby permitted shall begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater and to comply with policy ENV14 of the Uttlesford Local Plan (adopted 2005).

13. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater and to comply with policy ENV14 of the Uttlesford Local Plan (adopted 2005).

Environmental Health

14. Prior to the commencement of development, a Demolition and Construction

Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority. The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
- d) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless

- otherwise agreed in writing by the local planning authority in advance.
- e) Soil Management Strategy.
 - f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
 - g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
 - h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
 - i) Maximum vibration levels.
 - j) Dust management measures in accordance with Appendix C of the Air Quality Assessment prepared by MLM Consulting Engineers Limited reference 777702-MLM-ZZ-XX-RP-J-0001.
 - k) Use of concrete crushers.
 - l) Prohibition of the burning of waste on site during demolition/construction.
 - m) Site lighting.
 - n) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
 - o) Screening and hoarding details.
 - p) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
 - q) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
 - r) External safety and information signing and notices.
 - s) Consideration of sensitive receptors.
 - t) Prior notice and agreement procedures for works outside agreed limits.
 - u) Complaints procedures, including complaints response procedures.
 - v) Membership of the Considerate Contractors Scheme.

The development shall then be undertaken in accordance with the agreed Plan

Reason: To safeguard the amenities of the surrounding neighbours and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.

15. Prior to the discount foodstore being brought into use, a scheme for any mechanical services plant to be used in the discount foodstore shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with. The development shall be carried out in accordance with the approved scheme and the details set out in the scheme shall thereafter be retained as approved.

The cumulative measured or calculated rating level of noise emitted from the mechanical services plant shall not exceed the existing background noise level (determined using the methodology on pages xiii and xiv of Appendix B to the MLM Acoustic Design

The cumulative measured or calculated rating level of noise emitted from the mechanical services plant shall not exceed the existing background noise level (determined using the methodology on pages xiii and xiv of Appendix B to the MLM Acoustic Design Statement & Noise Impact Assessment (August 2020) or such other method of assessment which is approved by the local planning authority prior to the assessment), at all times that the mechanical system operates. The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142; An

alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF .

The plant shall be isolated so as to ensure that vibration amplitudes which causes re-radiated noise not to exceed the limits detailed in table 4 detailed in section 7.7.2 of BS8233:2014 Guidance on sound insulation and noise reduction for buildings.

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.

16. No deliveries shall be made to the discount foodstore between 2300hrs and 0700hrs on Mondays to Saturdays or at any time on Sundays and Bank Holidays except between 1000hrs and 1600hrs. For all delivery times there shall be no more than two deliveries by lorry and four deliveries by van to the discount foodstore in any given day.

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.

17. Prior to the commencement of deliveries to the discount foodstore a Service Management Plan shall be submitted to and approved by the local Planning Authority. The operation of the discount foodstore shall adhere to the approved plan retained thereafter. The plan must demonstrate that deliveries will be made using the relevant procedures outlined in the Quiet Deliveries Good Practice Guidance – Key Principles and Processes for Freight Operators (April 2014) produced by the Department of Transport (DfT).

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policies GEN1 and GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.

18. No development above ground floor slab level shall occur until details of window treatments and openings to the retirement living apartments are submitted to and approved in writing by the Local Planning Authority. The works shall be carried out and completed fully in accordance with the approved details for shall be retained as such thereafter.

Reason: To ensure an acceptable standard of development and to comply with policy GEN2 of the Uttlesford Local Plan (adopted 2005).

19. No development above ground floor slab level of the development hereby permitted shall take place until specification details for the building façade, glazing and ventilation elements of the relevant parcel has been submitted to the Local Planning Authority and demonstrate that they achieve the sound attenuation requirements detailed in the Acoustic Design Statement and Noise Impact Assessment prepared by MLM Consulting Engineers Limited reference 102903-MLM-ZZ-XX-RP-YA-0002 Table 13.

The development of the relevant parcel shall be carried out in accordance with the approved specification details for that parcel.

ii) Where acoustically attenuated ventilation is required and there is evidence of adverse air quality impact to occupants, mechanical ventilation will be required. Where whole dwelling ventilation is provided then acoustically

treated inlets and outlets should where possible be located away from the façade(s) most exposed to noise (and any local sources of air pollution). The scheme shall thereafter be retained as approved.

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policies GEN5 and ENV13 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

20. No development above ground floor slab level within any development parcel hereby permitted shall take place until full details of the acoustic barrier along the southern boundary of the site and perimeter of the west care home garden has been submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details and once erected the barriers shall thereafter be maintained as approved.

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.

21. The design and layout of the development shall be constructed so as to protect amenity spaces (including gardens, balconies and terraces) against externally generated transportation noise sources including road so as to achieve 50dB(A) LAeq,16 hours with a maximum limit of 55dB(A) LAeq,16hour. Any works which form part of the scheme shall be completed in accordance with the approved details before the dwellings are occupied and shall thereafter be retained as approved.

Reason: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.

Biodiversity

22. The development of each parcel shall be carried out in accordance with the details contained in the Ecological Impact Assessment (MLM Group, August) and Arboricultural Impact Assessment (A T Coombes, August 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination, including but not limited to a pre-commencement check for badgers pursuant to condition 25, bat survey to inform a licence application if required pursuant to condition 23 and precautionary measures for reptiles (prior to commencement) and post development monitoring of biodiversity.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan 2005.

23. Prior to the commencement of works (including demolition and site preparation) the local planning authority must be provided with either:
- a) a licence in respect of bats issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as

amended and s40 of the NERC Act 2006 and s17 Crime & Disorder Act 1998, and Policy GEN7 of the Uttlesford Local Plan 2005.

24. Prior to any active sett closure the local planning authority must be provided with either:
- a) a licence issued by Natural England pursuant Badger Protection Act 1992 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.

Reason: To conserve protected species and allow the LPA to discharge its duties under and Badger Protection Act 1992 and s17 Crime & Disorder Act 199 and Policy GEN7 of the Uttlesford Local Plan 2005.

25. A further supplementary pre-commencement check for badgers shall be undertaken prior to the commencement of works (including demolition and site preparation) to inform the preparation and implementation of Construction Environmental Management Plan (Biodiversity). The supplementary survey shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan 2005.

26. Prior to the commencement of the development hereby approved on any parcel (including demolition and all preparatory work), a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features; to include a Biodiversity Method Statement for reptiles and other mobile protected and Priority species and any measures identified by the follow up Badger survey.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.
- i) Containment, control and removal of any Invasive non-native species present on site.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species), and Policy GEN7 of the Uttlesford Local Plan 2005.

27. Prior to the commencement of works (including demolition and site preparation) hereby approved on any parcel a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) timetable for implementation demonstrating that works are aligned with the proposed phasing of development;
- e) persons responsible for implementing the enhancement measures;
- f) details of initial aftercare and long-term maintenance/monitoring (where relevant).

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To enhance protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan 2005.

28. Prior to the commencement of works (including demolition and site preparation) hereby approved on any parcel a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The details shall include the design of the lighting unit, any supporting structure and the extent of the area to be illuminated.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policies GEN5 and GEN7 of the Uttlesford Local Plan 2005.

29. The approved ecological mitigation measures secured through condition 22 shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys in respect of bats and badgers in accordance with condition 22 to:

- i. establish if there have been any changes in the presence and/or abundance of protected species and
- ii. identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and

approved in writing by the local planning authority prior to the commencement of the development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan 2005.

Highways

30. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

I. vehicle routing,

II. the parking of vehicles of site operatives and visitors, no parking related to the construction to take place on Radwinter Road or on the access road to be constructed as shown in principle on drawings Y351/PL/DR/208 rev P05 and URB.

III. loading and unloading of plant and materials,

IV. storage of plant and materials used in constructing the development,

V. wheel and underbody washing facilities.

VI. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense when caused by developer.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011 and Policy GEN1 of the Uttlesford Local Plan 2005.

31. No parcel of the development hereby permitted shall be occupied or brought into use until the access road of minimum width 6.5m wide with two 2m wide footways, as shown in principle on submitted drawing Y351/PL/DR/208 rev P05 and URB RW (08) 00 03 rev A02 is provided, including widening of the footway to a minimum width of 2m on Radwinter Road, parking restriction on the access road, and clear to ground visibility splays with dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway the vehicular visibility splays shall be retained free of any obstruction at all times thereafter.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 and DM15 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 of the Uttlesford Local Plan 2005.

32. Prior to the 6 month anniversary of first beneficial use of the supermarket an on street parking survey of Radwinter Road is to be undertaken between Elizabeth way and the proposed bus stop on the northside of Radwinter Road as shown on drawing number Y351/PL/DR/208 rev P05. Additionally an on-site survey of parking demand to be undertaken in the car park areas. The surveys are to be repeated on the 12 month anniversary of occupation of the whole site. The surveys are to be submitted to the highway authority within 4 weeks of being undertaken. If the outcome of the surveys demonstrates that

parking is occurring on Radwinter Road as a consequence of the development or is interfering to the detriment of highway safety with access to the development then the developer shall be responsible for the all costs associated with the promotion and implementation of a Traffic Regulation Order to prohibit on street parking including (but not limited to) the associated signs and lines necessary in conjunction with the TRO. Details of the surveys to be agreed with the Highway Authority prior to occupation.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety in accordance with the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 of the Uttlesford Local Plan 2005.

33. No parcel of the development hereby permitted shall be occupied or brought into use until the proposed cycle parking is provided for all parts of the development in accordance with the EPOA Parking Standards (2009) it shall be secure, convenient, covered. Details of the facility shall be submitted to the planning authority for approval, the approved facility shall be provided prior to occupation and retained at all times.

Reason: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 of the Uttlesford Local Plan 2005.

34. No parcel of the development hereby permitted shall be occupied or brought into use until such time as the vehicle parking area indicated on the approved plans for that parcel, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays has been provided. The vehicle parking area and associated turning area on that parcel shall be retained in this form at all times. The vehicle parking on the relevant parcel shall not be used for any purpose other than the parking of vehicles that are related to the use of the development and the parking area in the discount superstore shall be available for no charge and at all times for use of the residents and employees of and visitors to the care home and retirement living apartments on the site unless otherwise agreed with the Local Planning Authority. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and Policy GEN1 of the Uttlesford Local Plan 2005.

Ecology/SUDS/Drainage

35. No development within any development parcel hereby permitted shall be commenced (other than demolition works) place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- Limiting discharge rates to 4.8 l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Final modelling and calculations for all areas of the drainage system.

- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features

- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The development shall be carried out in accordance with the approved scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to ensure the effective operation of SuDS features over the lifetime of the development; to provide mitigation of any environmental harm which may be caused to the local water environment; and to comply with Policy GEN3 of the Uttlesford Local Plan 2005.

36. No parcel of the development hereby permitted shall be occupied or brought into use until a maintenance plan detailing the maintenance arrangements for surface water drainage on that parcel including who is responsible for different elements of the surface water drainage system on that parcel and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided. The development of each parcel shall be carried out in accordance with the details approved for the surface water drainage maintenance arrangements for that parcel.

Reason: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site and comply with Policy GEN3 of the Uttlesford Local Plan 2005.

37. No parcel of the development hereby permitted shall be occupied or brought into use until a Scheme for Crime Prevention Measures for the development within that parcel shall be submitted to and approved in writing by the Local Planning Authority. The agreed crime prevention measures shall be implemented and retained within the relevant parcel thereafter.

Reason: In the interests of crime prevention, to comply with policy GEN2 of the Uttlesford Local Plan 2005.

38. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification) no fences, gates or walls shall be constructed within the site or on the site boundaries without the prior written permission of the local planning authority.

REASON: To ensure the development is in accordance with the character of its surroundings, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

39. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), no extensions or alterations, including installation of mezzanine floors, roofing, open yards or sub-division shall be carried out (other than those expressly authorised by this or any other express permission) on any part of the site, whether externally or internally, without the prior written permission of the local planning authority.

REASON: Extensions would result in the loss of parking spaces and servicing areas, resulting in a detrimental impact on the layout of the site and to control the use of the units without the relevant retail tests so as to not cause unacceptable harm to the vitality and viability of the town centre, in accordance Policy GEN1, GEN2 and GEN8 of the Uttlesford Local Plan (adopted 2005) and the NPPF

2. DESCRIPTION OF THE SITE

- 2.1 The site is located to the east of the Town of Saffron Walden and is rectangular in shape measuring 2.01ha. Ground levels in the south of the site are circa 70.2 metres above Ordnance Datum (mAOD) falling to circa 64.5 mAOD at the site entrance to the north. The site is bound by landscaping and trees around the perimeter of the site. A group of lime trees at the frontage are protected by a Tree Preservation Order (TPO No.11/19). Access is provided from Radwinter Road on the northern extent of the site.
- 2.2 The site accommodates a purpose-built steel framed warehouse/ industrial building constructed in 1977 with associated offices and car parking. The existing building is approximately 8,268 square metres and is square in shape with a basement of 583 square metres. The site has been vacant since 2017 following the company shutting down.
- 2.3 The character of the surrounding area is a mixture of residential and commercial. The site is bound to the east by residential properties. To the south by Shire Hill Industrial Estate and to the west by Saffron Walden Cemetery. To the north of the site is Radwinter Road highway, beyond which are residential properties.
- 2.4 The site lies within development limits as defined in the development plan. To the south of the site is an archaeological area. To the immediate west is Saffron Walden Conservation Area.

PROPOSAL

- 2.5 This planning application seeks full planning permission for the demolition of existing buildings and erection of a discount foodstore, a 70 bed care home and 49 no. retirement living apartments with access, car parking, landscaping and associated works. The table below provides a breakdown of the proposed development:

| | Units | Parking | Staff | Height |
|------------------------------|----------|---------|-------------------|--------|
| Retirement Living Apartments | 49 units | 24 | 1 (lodge manager) | 3/4 |
| Care Home | 70 room | 26 | 60 FTE | 3 |
| Discount Foodstore | 2178 m2 | 123 | 40 FTE | 1 |

- 2.6 The proposed discount foodstore will be operated by Lidl Great Britain ('Lidl'), the care home will be operated by Care UK and retirement living apartments will be operated by Churchill Retirement Living.
- 2.7 Vehicular access will be taken from Radwinter Road. It is proposed to reutilise the existing access arrangements which served the Pulse Packaging Facility. A shared site entrance is proposed in the location of the existing access, with the access road through the full length of the site.

2.8 *Discount Foodstore- Lidl*

Lidl and Schwarz Grocery Wholesale was founded in Germany in the 1930s. Lidl commenced trading in the UK in November 1994 and since that date has grown to become a substantial presence in the convenience retail market, with over 800 stores currently trading nationwide.

- Located on the south-western corner of the site
- Single storey building with ancillary car park
- GIA of 2178m² and net sales floor of 1410m²
- 123 car parking spaces (incl 6 disabled and 9 parent and child)
- 40 full time equivalent jobs

The main site opening hours will be:

- Monday to Saturdays 0800:00-22:00
- Sunday and Bank Holidays 1000 to:16:00

A maximum of two HGV deliveries per day

2.9 *Retirement Living Accommodation – Churchill*

Churchill is a UK-based, privately-owned, family-run Company, founded in 1994. Sold to purchasers with a lease containing an age restriction which ensures that only people of 60 years or over, or those of 60 years or over with a spouse of partner of at least 55, can live in the development.

- Located in the north-eastern corner of the site
- 3-4 storeys
- 49 apartments (32 x one bed units and 17 two-bed units)
- 24 car parking spaces
- A lodge manager

2.10 *Care Home- Care UK*

Care UK was established in 1982 and is the UK's largest independent provider of health and social care

- Located on the south-eastern part of the site
- 3 storey
- 70 bedrooms
- 26 parking spaces

2.11 **AMENDMENTS TO ORIGINAL SUBMISSION**

- Retention of Trees at the frontage of the site covered by a Tree Preservation Order
- Agreement of Acoustic Barrier between the site and the cemetery
- Agreement to allow Discount Foodstore car park to be used by retirement living apartments and care home occupiers, visitors and staff
- Discount Foodstore and Care Home have each increased their provision of Sheffield-style cycle racks from 5 to 10 (from 10 to 20 cycle spaces in total).

3. **ENVIRONMENTAL IMPACT ASSESSMENT**

3.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

Town and Country Planning (Environmental Assessment): The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

Human Rights Act considerations: There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

4. APPLICANTS CASE

4.1 The following documents have been submitted in support of the application:

- Application Drawings
- Lidl Drawings,
- Care UK Drawings
- Churchill Retirement Living
- Design and Access Statement
- Planning Statement
- Executive Summary
- Retail Impact Assessment
- Statement of Community Involvement
- Economic Statement
- Marketing Note;
- Health Impact Statement
- Affordable Housing Statement
- Transport Assessment and Travel Plan
- Landscape Masterplan
- Arboricultural Reports
- Ecology Report
- Biodiversity Checklist
- Phase 1 Contaminated Land Report
- Phase 2 Geoenvironmental Assessment
- Noise Impact Assessment,
- Lighting Assessment
- FRA and Drainage Strategy
- SuDs Checklist
- Utilities Search Report
- Air Quality Impact Assessment
- Historic Environment Desk Based Assessment,

5. RELEVANT SITE HISTORY

UTT/0647/77- New factory to print tape and film with associated offices and canteen. Access road and loading areas plus car parking area- permission granted, October 1977.

UTT/0376/79 -Outline application for erection of 24 000 sq ft of industrial building for the production of polythene film and for ancillary purposes- permission granted June 1978.

UTT/0963/91- Outline application for general business use - purpose group B1,B2, & B8 & alteration to existing access- permission granted October 1991.

UTT/1460/98/OP- Outline application for residential development and creation of access.-refused March 2000.

UTT/19/1930/SCO - Request for a Screening Opinion for a the erection of a food store (class A1) and retirement accommodation (Class C2) – Not an EIA development 21.11.2019

5.2 *Statement of Community Involvement*

The Localism Act requires pre-application consultation on certain types of planning applications made in England. As such the following consultation events have been held by the applicants:

Pre-application discussions with UDC

- 18th July 2019
- 19th March 2020
- 15th May 2020

SWTC

- Presentation by the development team to key members of SWTC on 8th July 2019.
- Mtg at Town Hall on 12th September 2019

Public consultation

- Leaflet drop on 24th June 2020 and consultation period ending on 17th July 2020
- Website
- Online survey

6. **CONSULTATION RESPONSES:**

6.1 **Saffron Walden Town Council (Summary response)**

1. Principle of development and proposed use

SWTC does not object to the principle of development of a supermarket, care home and retirement flats on the site.

2. Vehicle Traffic

2 a) SWTC objects to any development of the site on grounds that it will increase traffic and change traffic patterns adversely, and that Radwinter Road and particularly the Radwinter Road / Thaxted Road junction already have unacceptable levels of traffic.

2 b) SWTC would remove its objection to development of the site when the connecting road is opened by the Linden Homes and there is a ban on HGV traffic on Radwinter Road between the site and the junction of Radwinter and Thaxted Rds.

2 c) SWTC expresses disappointment that Lidl UK has not made any effort to open the site up to foot traffic from the Shire Hill Industrial Estate, which may have gone some way to making the development more sustainable, and to raise a concern about whether the site is suitable for a supermarket without sustainable connectivity.

3. Parking

SWTC considered this matter from all potential outcomes and puts forward a response to each.

3 a)

EITHER:

Developer Position (i) The developers consider that there is sufficient parking across the site as a whole, and as such is willing to put a permission in place in perpetuity¹ that eventual overspill parking would be allowed at the Lidl at no charge, safe in the knowledge that this will never be taken up. In this case:

1 For example by covenant which will be enforceable by future residents.

SWTC has no objection to number of parking spaces.

OR:

Developer Position (ii) The developers consider that each element of the site needs to stand alone in terms of parking. In this case:

SWTC objects on grounds of insufficient parking at the care home and the retirement home and the likelihood that there will be fly parking in the area.

OR:

Developer Position (iii) The developers consider that each element of the site needs to stand alone in terms of parking, and that restricting availability of spaces at the retirement home and care home is desirable. In this case:

SWTC objects on grounds that this strategy is known not to work and that there will be insufficient parking at the care home and the retirement home and the likelihood that there will be fly parking in the area.

In all circumstances, the spaces must meet the ECC standards in terms of size and specifications. The plans do not specify this. Should they not:

3 b) SWTC objects on grounds that the spaces are too small.

SWTC recommends that the developers explore the options of underground parking, as otherwise they cannot seem to fit all that they are trying to fit in to the space available, which would be objectionable as overdevelopment of the site.

4. Protection of Conservation Area

4 a) SWTC places a holding objection on the whole development until a second Acoustic Design Statement & Noise Impact Assessment is carried out to assess audio impacts of the proposals on the cemetery and make recommendations on mitigating measures. SWTC will respond separately to the new Acoustic Design Statement and Noise Impact Assessment.

4 b) SWTC objects to loss of the trees at the front of the site.

4 c) SWTC objects to the proposed design of the Lidl building

5. Local ecology

5 a) SWTC requests that developers add bat and bird boxes to the proposals.

5 b) SWTC requests that the developers add rainwater harvesting equipment to the proposals.

6. Inadequate provision of green open space

6. SWTC objects to the inadequate green amenity space around the retirement flats.

7. Developer contributions

7 a) SWTC requests a leisure contribution from retirement homes of £225,988.

7 b) SWTC requests an emergency healthcare contribution from the retirement flats and care home of £14,000.

Detailed response is contained within the Appendix 1.

**6.2 Internal
UDC Environmental Health Officer**

Recent comments:

The proposed additional acoustic barrier detailed at section 7 of the MLM Consulting Engineers Limited Acoustic Technical Report Addendum ref 102903-MLM-ZZ-XX-RP-YA-0001 dated 28/10/2020 indicates that received noise levels at the cemetery location from vehicle reversing noise are predicted to be below maximum guidelines levels and therefore addresses the concerns raised by UDC environmental health department in their initial planning consultation response to application UTT/20/2007/FUL.

Initial Comments:

There is potential for loss of amenity to new occupiers of the proposed development and existing local residents due the following pollution issues;

1. Noise impact from external transportation noise sources i.e. road traffic and commercial activity from the nearby industrial estate on the proposed residential development
2. Noise from mechanical services plant serving the proposed discount foodstore affecting both existing residential and proposed dwellings in the vicinity of the proposals
3. Noise impact on the existing and new residents in the vicinity of the development from vehicle movements and associated loading/unloading due to deliveries to the store
4. Noise impact on the cemetery due to the proposed discount foodstore car park
5. Air quality
6. Contaminated land
7. Public health

Response Summary

Noise

In accordance with ProPG: Professional Guidance on Planning the report identifies the majority of the site lies within Negligible or Low risk noise category. However, for areas closer to Radwinter Road this increases too Low to Medium risk and for the proposed location of the care home Medium to High risk noise.

Good acoustic design remains an overriding requirement. This may be achieved with suitable building construction design and layout and ventilation strategy. In areas where openable windows may not be appropriate alternative forms of ventilation will be required.

External amenity areas are expected to meet guideline levels and commercial sound from the proposed supermarket should not adversely affect existing residential properties.

When further construction design details are known, a further acoustic report should be submitted which demonstrates how the development will comply with the proposed conditions.

However I do have concerns in respect of the impact of the proposed car park serving the discount foodstore upon the adjacent Saffron Walden Cemetery. I acknowledge the previous industrial use of the application site, which included a carpark located adjacent to Radwinter Road. However the impact of this carpark

on the cemetery would have been negated by the benefits offered by the main factory building serving as an acoustic barrier. As such no doubt those visiting the cemetery greatly value the existing soundscape which is one of tranquillity.

In respect of the proposed discount foodstore car park this would introduce a new noise source of different character due to multiple vehicles as patrons arrive and depart, with additional noise from the opening and closing of car doors, the idling of engines, groups of people talking and the sound of car stereos. With the submitted acoustic report remaining silent respect of the impact of the proposed discount foodstore car park on the cemetery I am unable to determine if there would be an acceptable impact and recommend refusal on such grounds of this element of the proposals.

In the event approval is granted the following consent conditions are recommended.

Demolition and Construction Environmental Management Plan (DCEMP)

Prior to the commencement of development, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the local planning authority.

The DCEMP shall include the consideration of the following aspects of demolition and construction:

- a) Demolition, construction and phasing programme.
- b) Contractors access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.
- c) Construction/Demolition hours shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation. Prior notice and agreement procedures for works outside agreed limits and hours.
- d) Delivery times for construction/demolition purposes shall be carried out between 0730 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the local planning authority in advance.
- e) Soil Management Strategy.
- f) Noise method, monitoring and recording statements in accordance with the provisions of BS 5228-1: 2009.
- g) Maximum noise mitigation levels for construction equipment, plant and vehicles.
- h) Vibration method, monitoring and recording statements in accordance with the provisions of BS 5228-2: 2009.
- i) Maximum vibration levels.
- j) Dust management measures in accordance with Appendix C of the Air Quality Assessment prepared by MLM Consulting Engineers Limited reference 777702-MLM-ZZ-XX-RP-J-0001.
- k) Use of concrete crushers.
- l) Prohibition of the burning of waste on site during demolition/construction.
- m) Site lighting.
- n) Drainage control measures including the use of settling tanks, oil interceptors and bunds.
- o) Screening and hoarding details.

- p) Access and protection arrangements around the site for pedestrians, cyclists and other road users.
- q) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.
- r) External safety and information signing and notices.
- s) Consideration of sensitive receptors.
- t) Prior notice and agreement procedures for works outside agreed limits.
- u) Complaints procedures, including complaints response procedures.
- v) Membership of the Considerate Contractors Scheme.

The development shall then be undertaken in accordance with the agreed plan

Mechanical Services Noise Control

a) Before any mechanical services plant is used at the proposed discount foodstore, a scheme shall be submitted to and approved in writing by the local planning authority which demonstrates that the following noise design requirements can be complied with and shall thereafter be retained as approved

b) The cumulative measured or calculated rating level of noise emitted from the mechanical services plant shall not exceed the existing background noise level, at all times that the mechanical system etc.

operates. The measured or calculated noise levels shall be determined at the boundary of the nearest ground floor noise sensitive premises or 1 metre from the facade of the nearest first floor (or higher) noise sensitive premises, and in accordance to the latest British Standard 4142; An alternative position for assessment /measurement may be used to allow ease of access, this must be shown on a map and noise propagation calculations detailed to show how the design criteria is achieved.

c) The plant shall be isolated so as to ensure that vibration amplitudes which causes re-radiated noise not to exceed the limits detailed in table 4 detailed in section 7.7.2 of BS8233:2014 Guidance on sound insulation and noise reduction for buildings.

Deliveries

a) No deliveries shall be made to the discount foodstore between 2300hrs and 0700hrs on Mondays to Saturdays or at any time on Sundays except between 1000hrs and 1600hrs and no deliveries permitted for bank holidays. For all delivery times there shall be no more than two deliveries by lorry and four by van in any given day.

b) Prior to the commencement of deliveries to the discount foodstore a Service Management Plan shall be submitted to and approved by the local Planning Authority and shall be retained thereafter. The plan must demonstrate that deliveries will be made using the relevant procedures outlined in the Quiet Deliveries Good Practice Guidance produced by the Department of Transport (DfT).

Residential Dwellings Internal Noise Protection Scheme

a) Specification details for the building façade, glazing and ventilation elements of the development shall be submitted to the Local Planning Authority and demonstrate that they achieve the sound attenuation requirements detailed in

the Acoustic Design Statement and Noise Impact Assessment prepared by MLM Consulting Engineers Limited reference 102903-MLM-ZZ-XX-RP-YA-0002 Table 13.

b) Where acoustically attenuated ventilation is required and there is evidence of adverse air quality impact to occupants, mechanical ventilation will be required. Where whole dwelling ventilation is provided then acoustically treated inlets and outlets should ideally be located away from the façade(s) most exposed to noise (and any local sources of air pollution). The scheme shall thereafter be retained as approved.

a) Full details of the acoustic barrier along the southern boundary of the site and perimeter of the west care home garden shall be submitted for approval by the Local Planning Authority. Once erected the barriers shall thereafter shall be maintained as approved.

External Noise Amenity Area Protection Scheme

a) The design and layout of the development shall be constructed so as to protect amenity spaces (including gardens, balconies and terraces) against externally generated transportation noise sources including road so as to achieve 50dB(A) LAeq,16 hours with a maximum limit of 55dB(A) LAeq,16hour. Any works which form part of the scheme shall be completed in accordance with the approved details before the dwellings are occupied and shall thereafter be retained as approved.

Air Quality

I note the Air Quality Assessment prepared by MLM Consulting Engineers Limited reference 777702-MLM-ZZ-XX-RP-J-0001 and have no adverse comments.

Contaminated Land

I note the Phase 1 Contamination Assessment prepared by MLM Consulting Engineers Limited reference 776515-MLM-ZZ-XX-RP-J-0001 which identifies the need for a remediation strategy and verification plan which can be dealt with by condition.

In the event approval is granted the following consent conditions are recommended.

ENV2 No development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, and the natural environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

ENV3 The remediation scheme shall be implemented in accordance with the approved timetable of works and prior to the commencement of development other than that required to carry out the remediation, unless otherwise agreed by the local planning authority. Within 2 months of the completion of measures

identified in the approved remediation scheme, a validation report (that demonstrates the effectiveness of the remediation carried out) must be submitted to the Local Planning Authority.

ENV4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority and work halted on the part of the site affected by the unexpected contamination.

Public Health

In the event approval is granted the following consent conditions are recommended.

a) Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

b) Prior to the commencement of works, the applicant confirms baiting for rodent pests will be undertaken, which shall include:

Step 1: Determine what, if any, infestation exists on the site;

Step 2: Take steps to eradicate it and any treatment program will be undertaken in accordance with industry accepted standards.

6.3 UDC Housing and Enabling Officer

Recent Comments:

Thank you for providing the additional submission including the response to the need for an additional care home. Having read the response I have no additional comments/observations regarding the application.

Initial Comments:

Having read the application documents I note that it is stated in the viability assessment that no affordable housing provision is required as a financial credit equivalent to the existing gross floor space of the vacant Pulse factory building can be offset when calculating the affordable housing liability. I assume the viability assessment is checked so as to ensure it has been calculated correctly.

It is disappointing that there would be no affordable housing provision & it is questionable as to whether there is a need for a 70 bed care home in Saffron Walden so soon after completion of a 73 unit extra-care scheme in the town. Have the applicants spoken to Essex County Council to establish that there is a proven need for a 70 bed care home in view of the recently completed extra-care scheme in the town only so far receiving in the region of 40 nominations to it?

There is an ageing demographic within the district but there does need to be an identified need for such a level of care home provision within Saffron Walden so soon after completion of an extra-care scheme within the town.

6.4 UDC Landscaping Officer

Recent Comments

I'm pleased that the revised proposal now provides for the retention of the TPO'd Limes on the site frontage. In the circumstances of an approval being

recommended this should be subject to conditions including a fully detail scheme of soft and hard landscaping, and the submission for approval of detailed planting plans; and details of protective measures for trees to be retained during construction works.

Initial Comments

The lime trees on the Radwinter Road frontage of the proposal site are subject to a tree preservation order (TPO No.11/19). The trees form part of a group designation in the order (G1). The amenity value of the trees is not based on their individual qualities, but that of their value as group of trees. The tree group is visually prominent in the street scene, which is enhanced by the trees being on land elevated above the public carriageway.

The proposed development shows the group of lime trees to be removed. The applicant's submitted arboricultural report (A.T. Coombes Associates Ltd. Dated August 2020) identifies these trees to be in good physiological and structural condition. The report categories' the trees as being of moderate quality and amenity value. This is considered to be a fair assessment if the trees are assessed individually. The loss of these trees and the changes in land levels would significantly impact on the existing character of the street scene.

The proposals provided for new tree planting to be provided along the Radwinter Road frontage of the site, however, this would provide limited mitigation. It is recognised that a retail outlet would wish for a visible presence in the street scene so as to attract passing trade, and this will be appropriate in some locations. It is not considered appropriate in the context of this part of the Radwinter Road. In contrast with the proposal, the nearby Tesco store situated off the Radwinter Road is completely screened from the public highway by extensive landscaping, with only in small part the canopy of the associated petrol filling station being glimpsed in passing views.

There are an additional number of trees within the site which are proposed to be removed to accommodate the proposed development. These trees are not considered to be of a public amenity value to be made the subjects of a tree preservation order.

External

6.5 BAA

The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. We have no aerodrome safeguarding objections to the proposal.

6.6 NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal. However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted. If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be

further consulted on any such changes prior to any planning permission or any consent being granted.

6.7 Place Services- Ecology

No objection subject to securing biodiversity enhancement measures;

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species and, with appropriate mitigation measures and biodiversity enhancements secured, the development can be made acceptable.

We note that the development site is situated within the Impact Risk Zone for Hatfield Forest Site of Special Scientific Interest (SSSI)/National Nature Reserve (NNR) as shown on MAGIC map (www.magic.gov.uk). Therefore, Natural England's revised interim advice to Uttlesford DC (ref: HatFor Strategic Interim LPA, 5 April 2019) should be followed to ensure that impacts are minimised to this site from new residential development. As this application is less than 50 or more units, Natural England do not, at this time, consider that is necessary for the LPA to secure a developer contribution towards a package of funded Strategic Access Management Measures (SAMMs) at Hatfield Forest.

The Environmental Impact Assessment (EIA) (MLM Group, August 2020) confirms bat roosts in building B2 and a European Protected Species (EPS) Mitigation Licence for the development will be required, along with the installation of 2 x bat boxes in trees to be retained before any clearance/demolition works commence. We recommend that a copy of the EPS mitigation licence is secured as a condition of any consent.

The EIA did not find any trees with potential roosting features that are due to be felled, but as a large area of linear woodland containing some trees with Tree Protection Orders are to be removed (predominately from the north and north west of the site) suitable compensation has been identified and is to be delivered as part of the mitigation and landscaping scheme.

Nesting birds were found within the building and would be impacted by the removal of the woodland and trees on site. The EIA recommends demolition of the building and felling of the trees outside of bird nesting season (March to August Inclusive), or a breeding bird survey within 48 hours of any works undertaken by a suitably qualified ecologist and protection zones applied until any young have fully fledged. Mitigation includes the installation of Woodcrete bird boxes in trees to be retained prior to any clearance works commencing.

An inactive, two entrance, badger sett was found on site. The EIA recommends closing the sett entrances to prevent recolonization, this will require a licence from Natural England a copy of which should be submitted to the LPA and secured by a condition of any consent, to provide certainty that the works proposed have done everything possible to avoid impacts to badgers.

The linear woodland habitats on other boundaries are due to be retained and suitable protection zones have been detailed in the Arboricultural Impact Assessment (A T Coombes, August 2020). Considering this and the other ecological factors highlighted by the Environmental Impact Assessment (MLM Group, August 2020), we recommend a Construction Environmental Management Plan (Biodiversity) is formulated for this scheme, to be informed by a follow up Badger survey to ensure no new activity on site, and secured by a condition of any

consent. This is necessary to protect protected and Priority species during the construction phase.

Impacts to reptiles are assessed as being low but requiring a precautionary Biodiversity Method Statement (BMS). As Hedgehogs were found on site, and are also impacted, any BMS should include other mobile protected and Priority species. This should also be included in the CEMP (Biodiversity).

The mitigation measures identified in the Environmental Impact Assessment (MLM Group, August 2020) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority Species.

Given the presence of confirmed bat roosts and boundary features that could provide commuting and foraging opportunities for bats and other wildlife on site, a wildlife sensitive lighting design strategy has also been recommended for the site and this should be secured for submission to the LPA as a condition of any consent. This should identify areas that are sensitive to wildlife and how light spill to these areas will be avoided.

The Environmental Impact Assessment (MLM Group, August) has outlined enhancement measures, beyond those that form mitigation/compensation for the loss of woodland habitat, nesting opportunities for bats and birds, and foraging/nesting habitat for hedgehogs. These should be secured and implemented in full. However, the predicted 1.35% Biodiversity Net Gain calculated for the site using the Biodiversity Metric falls short of the 10% mandatory biodiversity net gain that will come into force with the passing of the Environment Bill.

We recommend that the planned enhancements are reviewed in a biodiversity enhancement strategy and improved to increase the biodiversity net gain for this site. This is necessary to conserve and enhance protected and Priority species and secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. These reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable **subject to the conditions below based on BS42020:2013.**

Submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions:

1. ACTION REQUIRED: IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS
2. PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF THE EPS LICENCE FOR BATS
3. PRIOR TO COMMENCEMENT: SUBMISSION OF A COPY OF THE MITIGATION

LICENCE FOR BADGERS

4. PRIOR TO COMMENCEMENT: FURTHER SURVEYS FOR BADGERS
5. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN: BIODIVERSITY
6. PRIOR TO SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY
7. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME
8. ACTION REQUIRED: TIME LIMIT ON DEVELOPMENT BEFORE FURTHER SURVEYS ARE REQUIRED

6.8 Environment Agency

We have inspected the application, as submitted, and consider that planning permission could be granted to the proposed development providing the planning conditions, outlined in the letter below, be appended to any permission granted. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would wish to object to the application.

Site Specific Information / Comments

The site overlies a principal aquifer and is located in a groundwater source protection zone (SPZ), namely SPZ3 (Total Catchment). This means the site lies within the catchment of a groundwater abstraction used for public water supply. The site is therefore vulnerable to pollution as contaminants entering the groundwater at the site may contaminate the protected water supply. Principal aquifers are geological strata that exhibit high permeability and provide a high level of water storage. They support water supply and river base flow on a strategic scale. The regional use of groundwater in this area makes the site highly vulnerable to pollution.

We consider the previous uses of the site which include fuel and solvent storage and industrial use to be potentially contaminative. The site is considered to be of high sensitivity and could present potential pollutant linkages to controlled waters.

Our technical comments on the reviewed reports are provided below; we will expect that these are resolved in future submissions.

Land contamination

The site former use has been identified as works, and the potential sources listed in the report include:

- Industrial land use on and off site
- Fuel and chemical storage on site
- Infilled land on site (south)
- Potentially infilled land off site (south and west)
- Former railway line (southern boundary)

Measured concentrations of hydrocarbons and metals were found to exceed the adopted human health screening criteria in the northern part of the site. Leachate testing has been undertaken on four soil samples collected from beneath the site. According to the laboratory certificates appended to the report, the concentrations of metals, TPH and PAH in the leachate were measured below the method detection limit. One of the leachate samples was collected from the southern part of the site. Groundwater has not been encountered during the works.

The concentrations of a number of contaminant suites, including TPH, VOCs and SVOCs, have been measured below the laboratory method detection limit at the majority of the sample locations tested during the intrusive investigation at the site.

However, the investigation of the former fuel, solvent and ink storage areas has been limited. In addition, access restrictions and underground utilities were noted which prevented investigations from being undertaken in parts of the site (such as the area to the west of the building).

Additional investigation within the footprints of the former tanks and storage areas is required, i.e. in the south-eastern and south-western part of the site as well as the south-eastern part of the building. This should be undertaken once the bunds and structures associated with the former tanks have been removed to allow investigations to be undertaken in these areas.

It is understood that a suspected underground storage tank is present in this area, but it is unclear if it was used to store fuel or solvents. If hazardous substances were stored within the underground storage tank, it should be removed to allow investigations to be undertaken beneath the tank.

Surface water drainage

It is understood that shallow soakaways are proposed for surface water drainage with the remainder of the site run-off discharging to the sewer located in Radwinter Road. Soakage testing has been undertaken at three locations at the site, and the infiltration rates were found to be variable ranging by two orders of magnitude. Additional soakage tests may be required. In addition, soil samples should be collected from the proposed soakaway locations, or the locations of other infiltration SuDS. Soakaways and/or other infiltration SuDS must not be constructed in contaminated ground, they will only be acceptable if the investigation shows the absence of significant contamination.

Please refer to our general advice with regard to SuDS in Appendix 1 below.

Building foundations

Based on the investigations undertaken, the report has concluded that shallow foundations may be feasible at the site. However, piling has also been considered subject to detailed design and bearing capacity required. For development involving piling or other penetrative ground improvement methods on a site potentially affected by contamination, a suitable Foundation Works Risk Assessment based on the results of the site investigation and any remediation should be undertaken. This assessment should underpin the choice of founding technique and any mitigation measures employed, to ensure the process does not cause, or create preferential pathways for, the movement of contamination into the underlying aquifer, or impacting surface water quality.

We, therefore, request that the following conditions be appended to any future permission granted:

Condition 1

No development approved by this planning permission shall take place until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

- i) A Preliminary Risk Assessment (PRA) including a Conceptual Site Model (CSM) of the site indicating potential sources, pathways and receptors, including those off site.
- ii) The results of a site investigation based on (i) and a detailed risk assessment, including a revised CSM.
- iii) Based on the risk assessment in (ii) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are

to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long term monitoring and maintenance plan as necessary.

iv) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (iii). The long term monitoring and maintenance plan in (iii) shall be updated and be implemented as approved.

Reason for Condition 1

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater.

Protection Position Statements.

Advice to LPA on Condition 1

We are satisfied that the risks to controlled waters posed by contamination at this site can be addressed through appropriate measures. However, further details will be required in order to ensure that risks are appropriately addressed prior to the development commencing and being occupied. It is important that remediation works, if required, are verified as completed to agreed standards to ensure that controlled waters are suitably protected.

Condition 2

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason for Condition 2

See Reason 1.

Advice to LPA on Condition 2

Contamination can still be missed by an investigation and this condition gives the Local Planning Authority the ability to require a new, or amendments to an existing, remediation strategy to address any previously unexpected contamination.

Condition 3

Development shall not begin until a scheme for surface water disposal has been submitted to and approved in writing by the Local Planning Authority. Infiltration systems shall only be used where it can be demonstrated that they will not pose a risk to groundwater quality. The development shall be carried out in accordance with the approval details.

Reason for Condition 3

Infiltration through contaminated land has the potential to impact on groundwater quality.

See Reason 1.

To protect and prevent the pollution of controlled waters from potential pollutants associated with the current and proposed land use in line with National Planning Policy Framework (NPPF) and Environment Agency's Groundwater Protection Position Statements.

Advice to LPA / Applicant on Condition 3

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS).

Condition 4

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason for Condition 4

See Reason 1

Advice to LPA / Applicant on Condition 4

Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater.

We ask to be re-consulted on the details submitted for approval to your Authority under any future discharge of conditions applications and on any subsequent amendments/alterations.

6.9 Essex Police

Whilst there are no apparent concerns with the general layout care needs to be taken when mixing a residential development with the public nature of a retail unit. The retail unit provides a level of legitimacy to people close the confines of residential properties. With a development including a care home and retirement properties the vulnerability of the occupants needs to be taken into consideration. It would appear that the boundary treatments serve only as a symbolic boundary offering no security to private areas that have direct access into residents properties. Where there are such doors within the frontage to patio areas it is noted that these appear to have 1m railings around them, it is recommended that the security provided by these railings is supplemented by the planting of shrubs of a spiky nature to the outside of them.

To comment further we would require the finer detail such as the proposed lighting, access and visitor control, mail delivery and physical security measures. We would welcome the opportunity to consult on this development to assist the developer with their obligation under this policy and at the same time as achieving relevant Secured by Design awards.

6.10 ECC SUDS Team

Recent Comments:

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, **we do not object** to the granting of planning permission based on the following:

Condition 1

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

- • Limiting discharge rates to 4.8 l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with
 - the relevant third party. All relevant permissions to discharge from the site into any outfall should be demonstrated.
 - Final modelling and calculations for all areas of the drainage system. Detailed engineering drawings of each component of the drainage scheme.
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

Reason • To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. • To ensure the effective operation of SuDS features over the lifetime of the development. • To provide mitigation of any environmental harm which may be caused to the local water environment • Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 3

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you

should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- • Sequential Test in relation to fluvial flood risk;
- • Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
 - Safety of the building;
 - Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
 - Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

Initial Comments:

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a **holding objection** to the granting of planning permission based on the following:

- Water treatment – Not all water is being treated by permeable paving. It should be ensured that all water is being treated in line with the simple index approach.

In the event that more information was supplied by the applicants then the County Council may be in a position to withdraw its objection to the proposal once it has considered the additional clarification/details that are required

6.11 Fisher German

Thank you for your e-mail, however this enquiry did not fall inside the zone of interest therefore we have no further comments to make. In future if your enquiry does not fall inside the zone of interest there will be no need to send paperwork to us.

6.12 NHS

Thank you for consulting West Essex Clinical Commissioning Group (CCG) on the above planning application.

1.2 I refer to the above planning application and advise that, further to a review of the applicants' submission the following comments are with regard to the primary healthcare provision on behalf of West Essex Clinical Commissioning Group (CCG), incorporating NHS England Midlands and East (East) (NHS England).

2.0 Existing Healthcare Position Proximate to the Planning Application Site

2.1 The proposed development is likely to have an impact on the services of 2 GP practices operating within the vicinity of the application site. The GP practices do not have capacity for the additional growth resulting from this development.

2.2 The proposed development will likely have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. West Essex CCG would therefore expect these impacts to be fully assessed and mitigated.

3.0 Review of Planning Application

3.1 West Essex CCG acknowledge that the planning application does include a Health Impact Assessment (HIA), however this does not appear to recognise that a capital contribution may be required to mitigate the primary healthcare impacts arising from the proposed development.

3.2 A Healthcare Impact Assessment has been prepared by West Essex CCG to provide the basis for a developer contribution towards capital funding to increase capacity within the GP Catchment Area.

4.0 Assessment of Development Impact on Existing Healthcare Provision

4.1 The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 144 residents and subsequently increase demand upon existing constrained services.

4.2 The primary healthcare service directly impacted by the proposed development and the current capacity position are shown in Table 1.

| Table 1: Summary position for primary healthcare services within 2km catchment (or closest to) the proposed development Premises | Weighted List Size ¹ | NIA (m²)² | Capacity³ | Spare Capacity (NIA m²)⁴ |
|---|--|--|-----------------------------|---|
| Crocus Medical Centre (including its branch surgery) | 12,317 | 438.00 | 6,387 | -406.59 |
| The Gold Street Surgery (including its branch surgery) | 10,245 | 542.78 | 7,916 | -159.73 |
| Total | 22,562 | 980.78 | 14,303 | -566.32 |

The development would have an impact on primary healthcare provision in the area and its implications, if unmitigated, would be unsustainable. The proposed development must therefore, in order to be considered under the 'presumption in favour of sustainable development' advocated in the National Planning Policy Framework, provide appropriate levels of mitigation.

Healthcare Needs Arising From the Proposed Development

5.1 The intention of West Essex CCG is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.

5.2 The development would give rise to a need for improvements to capacity, in line with both the emerging CCG and STP estates strategies, by way of extension, refurbishment, reconfiguration or potential relocation for the benefit of the patients at Crocus Medical Practice, a proportion of the cost of which would need to be met by the developer.

5.3 Table 2 provides the Capital Cost Calculation of additional primary healthcare services arising from the development proposal.

Table 2: Capital Cost calculation of additional primary healthcare services arising from the development proposals

| Premises | Additional Population Growth (119 dwellings)⁵ | Additional floorspace required to meet growth (m²)⁶ | Spare Capacity (NIA)⁷ | Capital required to create additional floor space (£)⁸ |
|-----------------|---|--|---|--|
|-----------------|---|--|---|--|

| | | | | |
|-------------------------------|------------|-------------|----------------|---------------|
| Crocus Medical Practice | 144 | 9.87 | -406.59 | 29,610 |
| Total | 144 | 9.87 | -406.59 | 29,610 |

A developer contribution will be required to mitigate the impacts of this proposal. West Essex CCG calculates the level of contribution required, in this instance to be £29,610. Payment should be made before the development commences.

5.5 West Essex CCG therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

6.0 Conclusions

6.1 In its capacity as the primary healthcare commissioner with full delegation from NHS England, West Essex CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development.

6.2 The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

6.3 Assuming the above is considered in conjunction with the current application process, West Essex CCG would not wish to raise an objection to the proposed development. Otherwise the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

6.4 The terms set out above are those that West Essex CCG and NHS England deem appropriate having regard to the formulated needs arising from the development.

6.5 West Essex CCG and NHS England are satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

6.6 West Essex CCG and NHS England look forward to working with the applicant and the Council to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of the safe receipt of this letter.

6.12 Highways Authority

This application was accompanied by a Transport Assessment which has been reviewed by the highway authority in conjunction with a site visit and internal consultations. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2019 and in particular paragraphs 108 – 109, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

The transport assessment of this application is complex in that there is an existing use associated with the former Printpack Site, this has vehicle and HGV trips

associated with it, in addition there is allowance made for diversion of trips from other stores both these have a material impact on the assessed trips. The committed development to has been taken into account this has not been discounted but it is noted that those trips include shopping trips. The development was assessed with and without the link road that has been secured through other developments.

The nature of the road was taken into and the access includes widening of the footway, the provision of bus stop and contribution to bus services and improvements to signals at Thaxted Road and Elizabeth Road in the form of optimisation and provision of MOVA as required on Elizabeth Way junction, this reacts to queues and provides ensures active optimisation of the signals. In order to improve the sustainability of the site a contribution to bus services is being provided to provide services better link the site to key areas within the town and station.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following mitigation and conditions:

1. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the

local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- I I. vehicle routing,
- II II. the parking of vehicles of site operatives and visitors, no parking related to the construction to take place on Radwinter Road.
- III III. loading and unloading of plant and materials,
- IV IV. storage of plant and materials used in constructing the development,
- V V. wheel and underbody washing facilities.
- VI VI. Before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense when caused by developer.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

2. **Access:** Prior to occupation of the development, the access road of minimum width 6.5m wide with two 2m wide footways, as shown in principle on submitted drawing Y351/PL/DR/208 rev P05 and URB RW (08) 00 03 rev A02 shall be provided, including widening of the footway to a minimum width of 2m on Radwinter Road, parking restriction on the access road, and clear to ground visibility splays with dimensions of 2.4 metres by 43 metres in both directions, as measured from and along the nearside edge of the carriageway the vehicular visibility splays shall retained free of any obstruction at all times thereafter.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with policy DM1 and DM15 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

3. **Highway Works:** Prior to occupation the following highway works shall be undertaken All necessary works including any relocation or provision of

signage, lighting, associated resurfacing or works to the existing carriageway to facilitate widening and Traffic Regulation Orders to be carried out entirely at the developer's expense. 3.1. **Bus stops:** Prior to first occupation the bus stops and associated informal crossing point, situated on both sides of Radwinter Road as shown in principle on drawing number Y351/PL/DR/208 rev P05 shall be provided which shall comprise (but not be limited to) the following facilities: shelters; seating; raised kerbs; bus stop markings; poles and flag type signs, timetable casings. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

3.2. **Signals at Thaxted Road and Elizabeth Way:** Prior to first occupation of the site the signals on Radwinter Road at Thaxted Road and Elizabeth Way junctions to be assessed and optimised and MOVA to be provided at Elizabeth Way junction or Thaxted Road junction dependant on the result of the assessment. After full occupation but within 6 months of full occupation of each of the three elements of the site the signals to be reassessed and optimised. All assessment and works to be agreed with the highway authority and implemented as approved. **Reason:** In the

interests highway safety and capacity in accordance with DM1 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

4. **Bus services:** Prior to commencement a payment of a financial contribution of £100,000 (indexed from the date of this recommendation) shall be made to fund improvements to enhanced bus services between the development and the town centre; local amenities and/or key towns improving the frequency, quality and/or geographical cover of bus routes servicing the site. **Reason:** to improve the accessibility of the of the development by bus in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011

5. **On street Parking:** Prior to the 6 month anniversary of first beneficial use of the supermarket an on street parking survey of Radwinter Road is to be undertaken between Elizabeth way and the proposed bus stop on the northside of Radwinter Road as shown on drawing number Y351/PL/DR/208 rev P05. Additionally an on-site survey of parking demand to be undertaken in the car park areas. The surveys are to be repeated on the 12 month anniversary of occupation of the whole site. The surveys are to be submitted to the highway authority within 4 weeks of being undertaken. If the outcome of the surveys demonstrates that parking is occurring on Radwinter Road as a consequence of the development or is interfering to the detriment of highway safety with access to the development then the developer shall be responsible for the all costs associated with the promotion and implementation of a Traffic Regulation Order to prohibit on street parking including (but not limited to) the associated signs and lines necessary in conjunction with the TRO. Details of the surveys to be agreed with the Highway Authority prior to occupation. **Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety in accordance with the Development Management

Policies as adopted as County Council Supplementary Guidance in February 2011.

Cycle parking: Prior to first occupation cycle parking shall be provided for all parts of the development in accordance with the EPOA Parking Standards (2009) it shall be secure, convenient, covered. Details of the facility shall be submitted to the planning authority for approval, the approved facility shall be provided prior to occupation and retained at all times. **Reason:** To ensure appropriate cycle parking is provided in the interest of highway safety and amenity in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

7. Parking: The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, including any parking spaces for the mobility impaired, has been hard surfaced, sealed and marked out in parking bays has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development and the supermarket parking shall be available for no charge and at all times for use of the residents and employees of and visitors to the care home and retirement living apartments unless otherwise agreed with the Local Planning Authority. **Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011.

8. Workplace Travel Plan Supermarket: Prior to first occupation of the proposed supermarket element of the development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,132 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

Workplace Travel Plan Care Home: Prior to first occupation of the proposed care home element of the development, the Developer shall submit a workplace travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall be actively implemented for a minimum period of 5 years. It shall be accompanied by a monitoring fee of £6,000 (plus the relevant sustainable travel indexation) to be paid before occupation to cover the 5 year period. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's

Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

10. Travel Packs, Retirement Living Apartments: Prior to occupation of the retirement living apartments element of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator for any resident that does not qualify for a free pass. **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informatives:

i (i) Any signal equipment, structures and non-standard materials proposed within the existing extent of the public highway or areas to be offered to the Highway Authority for adoption as public highway, will require a contribution (commuted sum) to cover the cost of future maintenance for a period of 15 years following construction. To be provided prior to the issue of the works licence.

i (ii) All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.

i (iii) Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.

i (iv) The Applicant should provide for agreement, information regarding their drainage proposals i.e. draining by gravity/soakaways/pump assisted or a combination thereof. If it is intended to drain the new highway into an existing highway drainage system, the Developer will have to prove that the existing system is able to accommodate the additional water.

i (v) The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.

6.13 ECC Archaeology

My advice on this development would be that in my opinion the site is extensively disturbed therefore we will not be recommending an archaeological condition on this current application.

6.14 AFFINITY WATER

Thank you for notification of the above planning application. Planning applications are referred to us where our input on issues relating to water quality or quantity may be required.

In regard to the above application, the construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken. There are potentially water mains running through or near to part of proposed development site. If the development goes ahead as proposed, the developer will need to get in contact with our Developer Services Team to discuss asset protection or diversionary measures. This can be done through the My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com.

In this location Affinity Water will supply drinking water to the development. To apply for a new or upgraded connection, please contact our Developer Services Team by going through their My Developments Portal (<https://affinitywater.custhelp.com/>) or aw_developerservices@custhelp.com. The Team also handle C3 and C4 requests to cost potential water mains diversions. If a water mains plan is required, this can also be obtained by emailing maps@affinitywater.co.uk. Please note that charges may apply.

Being within a water stressed area, we would encourage the developer to consider the wider water environment by incorporating water efficient features such as rainwater harvesting, rainwater storage tanks, water butts and green roofs (as appropriate) within each dwelling/building.

For further information we refer you to CIRIA Publication C532 "Control of water pollution from construction - guidance for consultants and contractors".

7.0 REPRESENTATIONS

Representations were received from neighbouring residents, and the following observations have been made:

Character

- Poor visual amenity
- Care home and retirement apartments could be built (as already proposed)
- Too many supermarkets
- No need for care home or supermarkets- already saturated in the area
- Failing to address existing community issues
- Mixed use accepted but cinema, bowling alley, and homes should be considered
- Owners should try industrial use again
- Supermarket not British
- Cheap Food – harmful production

- Crime and antisocial behaviour in car park

Ecology/Biodiversity

- Loss of Protected Trees
- Loss of ecology
- Bats use the site
- Owls use the site

Amenity

- Loss of privacy
- Light pollution
- Noise disturbance from turning, deliveries and vehicles
- Low quality of life for residents opposite

Infrastructure

- Limited infrastructure
- Need for school and healthcare in the area
- Cumulative impact from developments

Highways

- Link road between Radwinter Road and Thaxted road required first
- Radwinter Road already at capacity
- Parking loss
- Highway Safety
- Congestion
- Gridlock
- Accidents
- Inadequate access
- Children walk on Radwinter Road
- Allocated parking needed for health professionals
- Radwinter Road too narrow at this point
- No cycle provision

A letter was received by Tesco Stores Limited, objecting on the following grounds:

There is a lack of adequate reasoning and evidence in the approach to the Retail Impact Assessment such that it has not been demonstrated that there will not be a “*significant adverse impact*” on the vitality and viability of the town centre;

2. Without a compliant approach to the assessment of a sequentially preferable town centre opportunity, the sequential test cannot be met; and

3. That there is a breach of an important development plan policy relating to the loss of employment land and premises.

Please refer to Appendix 2 for the full detailed letter.

8. POLICIES

8.1 National Policies

National Planning Policy Framework (NPPF) (2021)
National Planning Policy Guidance (NPPG)

8.2 Uttlesford District Local Plan 2005

ULP Policy H1 – Housing Development

ULP Policy H3 – New Houses within Development Limits
 ULP Policy H9 – Affordable Housing
 ULP Policy H10 – Housing Mix
 ULP Policy GEN1 – Access
 ULP Policy GEN2 – Design
 ULP Policy GEN3 – Flood Protection
 ULP Policy GEN4 – Good neighbourliness
 ULP Policy GEN5 – Light Pollution
 ULP Policy GEN6 – Infrastructure Provision to Support Development
 ULP Policy GEN7 – Natural Conservation
 ULP Policy GEN8 – Vehicle Parking Standards
 ULP Policy E2 – Safeguarding Employment Land
 ULP Policy S1 - Development Limits for Main Urban Areas
 ULP Policy SW1 - Town Centre
 ULP Policy SW2 - Residential Development within Saffron Walden's Built up Area
 ULP Policy SW6 – Safeguarding Existing Employment Areas
 ULP Policy ENV3 – Open Space and Trees
 ULP Policy ENV11 – Noise Generators
 ULP Policy ENV12 – Ground Water Protection
 ULP Policy ENV13 – Exposure to Poor Air Quality
 ULP Policy ENV14 – Contaminated Land
 ULP Policy ENV15 – Renewable Energy
 ULP Policy RS1 - Access to Retailing and Services
 ULP Policy RS2 - Town and Local Centres

8.3 Supplementary Planning Document/Guidance

SPD – Accessible Homes and Playspace (November 2005)
 Energy Efficiency and Renewable Energy (October 2007)
 Uttlesford Interim Climate Change Planning Policy
 Essex Design Guide
 ECC Parking Standards
 UDC Parking Standards

9 CONSIDERATION AND ASSESSMENT:

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

- A Principle, brownfield, & Employment Land**
- B Retail**
- C Housing Land Supply**
- D Design & Amenity**
- E Amenity**
- F Affordable Housing**
- G Access and Transport**
- H Ecology and Trees**
- I Sustainability**
- J Environmental Health**
- K Flooding**
- L Infrastructure Provision to support the development**
- M Other Material Considerations**

A Employment Land (E2, SW6, NPPF)

- 9.2** The site is located within 'development limits'. Policy S1 (Development Limits for Main Urban Areas) states that development within the existing built-up areas, if compatible with the character of the settlement will be permitted. Furthermore, Policy SW2 (Residential Development Within Saffron Walden's Built Up Area) also identifies the area for residential development. The development is a brownfield site and within development limits, therefore there is policy support for development in such areas.
- 9.3** The site is also allocated as a Key Employment Area subject to Policy SW6 (Safeguarding of Existing Employment Areas).
- 9.4** The application site has been vacant since 2017 when Pulse Flexible Packaging Ltd went into administration. Pulse Flexible Packaging was established in May 2014 (following a management buyout of the UK operations of Printpack Enterprises Ltd from US parent Printpack Inc) and provided packaging for the consumer goods sector and employed 83 people.
- 9.5** *Administration and marketing*
Administrators were appointed in early 2017 and eventually the plant and machinery were removed and sold by auction in September 2017 and the property was vacated.
- 9.6** The site was marketed in March 2018 (by way of a marketing board, adverts in Estates Gazette, listings on Savills website, and contacting development client bases). The property was remarketed in July 2018 which was unsuccessful.
- 9.7** The applicant has provided sufficient information to demonstrate that the site has not been in use for a considerable amount of time and steps have been taken to market the site for industrial use between March 2018 - January 2019, to no avail.
- 9.8** *Employment opportunities*
The proposed development, although mixed-use in nature would generate employment.
- 9.9** The discount foodstore will provide 40 Full Time Equivalent (FTE) jobs mainly from the local area. Lidl offer many different career paths and opportunities within the retail sector including managerial and administrative positions in addition to positions such as store assistants and cashiers. Extensive training opportunities are also provided. Lidl employee local staff initially trained by an experienced manager in a nearby location. They also aim to employ local construction workers.
- 9.10** The retirement living apartments would have 1 warden 'lodge manager' to manage the site, employed by the Management Company to provide assistance and security for the owners of the apartments.
- 9.11** The care home would have 60 FTE members of staff comprising nursing, administrative and care staff.
- 9.12** Policy SW6 seeks to retain employment land, for the purpose of providing employment opportunities. Although the land will no longer be in sole employment use, the proposed uses would generate employment in situ. In total, the development would generate 101 Full Time Equivalent (FTE) job roles which would contribute to the local and wider economy, providing a net increase of 18 FTE positions. This is welcomed and weighs in favour of the development.

9.13 *Amenity*

Although the building has been vacant since 2017, the applicant has cited that the site (and adjacent Shire Hill Industrial Estate) is located in close proximity to existing residential uses, and also support activities which generate HGV traffic, noise pollution and significant car traffic. As such the proposed use of the site would be an improvement to residential amenity. This is discussed in more detail within the body of the report.

9.14 Overall, it is considered that the proposed development meets the requirements of Policies E2, S1 and SW6 of the Local Plan and the NPPF 2021.

B **Retail** (RS1, RS2, NPPF)

9.15 The site lies outside of the main town centre and an element of the site would be retail, comprising the discount foodstore.

9.16 *Lidl retail offer*

As submitted by the applicant, the Lidl retail offer is one of a discount retailer which is based on simplicity and maximum efficiency at every stage of the business, and their model is based on the following:

- Single level store of standard area (allows for pallets to be easily moved from delivery to sales area)
- Not the full retail offer (they do not provide specialist product or services i.e. hot food, pharmacy, photographic services etc)
- Limited product range ('no frills' product lines of basic convenience goods)
- Shorter trading hours – Lidl stores are not open 'all hours'

9.17 As such, Lidl have argued that their customers tend to purchase part of their main grocery shop (i.e. basic staples) in store, taking advantage of the low prices, but then visit other retailers to purchase luxury food or more specialist items. Therefore, discount retailers are therefore distinct from the mainstream convenience retailers in the offer that they provide to shoppers.

9.18 New retail development outside of the town centre will be required to address the tests set out in national policy. The NPPF sets out how a sequential test should be applied to applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. A number of documents and assessments have been provided by the applicant to support the proposed retail use:

9.19 The reports have been assessed by the Council's retail consultants, Pegasus. **Please refer to the Appendix 4 and 5.** UDC's Policy Team have also reviewed both the applicant's submission and Pegasus' comments.

9.20 The discount foodstore would measure 2178m² GIA with a net sales area of m² for convenience good sales.

9.21 *Sequential Test Assessment*

When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

- 9.22** Paragraph 87 of the NPPF states “*Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered*”. Paragraph 88 goes on to state: *When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored*’.
- 9.23** The applicant revised the search parameters to 0.5ha. and concluded that no alternative sites exist in a sequentially preferable location. A site visit was also undertaken by the applicant to confirm that there were no other alternative sites that were not obvious from their desk-based review
- 9.24** UDC Planning Policy Team have reviewed the submitted information in light of the plan making process. They have confirmed that “*no major sites were submitted for proposed retail use in the Call for Sites and we are aware of no other alternative available sites to ‘higher up’ the sequential approach*”.
- 9.25** Following the objection letter submitted by Tesco a further review was undertaken by the applicant including ascertaining whether the Emson Close/Rose and Crown Walk was a sequentially preferable site. The applicant considered that this site was not suitable due to the need to demolish 22 commercial buildings and remove car park; the shape of the site; no areas for safe manoeuvring of HGV vehicles; and fragmented land ownership.
- 9.26** UDC’s Planning Policy Team agreed with the applicant’s conclusion and considered that “*The Emson Close/Rose and Crown Walk site is a constrained site, with important pedestrian routes into the main town centre. The site also provides a diverse range of retail units, which if lost from the Centre would harm its attractive nature as a source of small, independent shops*”.
- 9.27** It is clear that the site is not reasonably available, and the constraints would not be offset by the proposed development.
- 9.28** The Planning Policy Team, yet again state “*according to available information no sequentially preferable locations can be identified and the sequential test is therefore passed*”.
- 9.29** Based on the supplementary evidence provided by the applicant, which has been reviewed by both Pegasus and UDC’s Planning Policy Team, it is considered that the applicant has satisfied the sequential test.
- 9.30** *Retail Impact Assessment*
Paragraph 90 of the NPPF states that when assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, Local Planning Authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace)”.
- 9.31** There is no local threshold for undertaking a retail impact assessment, and therefore in line with the National Planning Policy Framework (NPPF), a threshold of 2,500 sq.

m will be applicable in this case. Nevertheless, the applicant has still provided a Retail Impact Assessment.

- 9.32** Pegasus, engaged as the Council's independent retail consultant, have reviewed the information and consider that it does not provide a thorough assessment of the retail impact of the scheme but does provide sufficient information for the Council to form a view on the likely consequences of this proposal for the town centre.
- 9.33** *Health check /Site Visit*
Paragraph 90 of the NPPF requires the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment to be considered.
- 9.34** The applicant undertook a desktop-based health check assessment of Saffron Walden with has had regard to the national key indicators of the centre's 'health' contained in the NPPG. The applicant submitted a health check with the application which was accordingly updated following comments from Pegasus. The applicant considered that *"the town centre performs well with regard to indicators of vitality and viability, with a good mix of uses, good accessibility by all means of transportation, a high-quality environment and a low perception of crime. Overall, the centre appears to be functioning well as a Town Centre as it serves residents adequately. On the basis of the above, it is not considered that the Lidl store proposed through this planning application will have a significant adverse impact on the town centre"*.
- 9.35** In response, Pegasus noted "There is now additional information provided in respect of the health check *and whilst the applicant has not fully explained the trading context of the town, I do not dispute that Saffron Walden is a healthy town centre...*". Pegasus are of the view that Saffron Walden is a 'vibrant' town that is not reliant on one form of retail offer; and they do not dispute that Saffron Walden is a healthy town centre.
- 9.36** As advised by UDC Policy Team "... based on the supplementary evidence provided by the applicant we of the opinion that the applicant has satisfied the sequential test. A recent Retail Interim Report – (part of the Retail Capacity Evidence – Saffron Walden: Healthy Checks- Summary Findings) shows that the town centre is slightly below the UK average in terms of convenience goods provision. Tesco and Aldi are both located out of centre.
- 9.37** *Turnover and trade draw*
Pegasus have provided analysis of this element and considered the following: *"The crux of the impact assessment is Waitrose, as that is the key town centre convenience store. I note from Table 5a of the Council's retail study that it commands 35.4% of the main food good market in Saffron Walden and is the most popular store in Zone 1a and also commands 30.73% of top up shopping trips from this zone. In terms of the trade draw figures, it is only identified to contribute 13% of the proposed store's trade (£1.66m in 2026). This is significantly lower than the 43% or £5.50m from Tesco (commands 31% of main food shopping trips) and 44% £5.64m from Aldi (26% of main food shopping trips). I have indicated that the trade drawn was broadly reasonable having regard to the nature of the offer and the location of the proposal"*.
- 9.38** Pegasus continue to state: *"Even if you take an extreme position and suggest that the level of trade diversion from Waitrose is closer to £3.32m, this will result in a % impact on the Waitrose of around 10.7%. This store is significantly overtrading (stated to be 238% when compared to benchmark levels), so that level of impact is unlikely to result in any closure of the store. Again, I reiterate the view that the applicant's stated location of trade draw is broadly reasonable, and I mention the doubling of*

impact on Waitrose simply as a way of demonstrating that there is scope for the trade draw to alter without adverse impact. Waitrose would continue to be a key anchor and draw to the centre and would still command a large level of convenience goods visits and trade well. The Waitrose also benefits from the linked trips being undertaken to other uses in the centre”.

9.39 In conclusion, Pegasus state: *“The impact on this store is not the only consideration, the test is the impact on trade and turnover within the centre as a whole. When this is calculated (£3.57m diversion from a centre trading at £98.86m in 2026) the impact is around 3.5% (and only 3.7% if the higher figures from scenario 6c of the applicant's updated work are used). Given the overall health of the centre (as evidence by the Council's own work for the emerging Local Plan), the provision of convenience goods and the assessment that convenience is not the mainstay of the centre, my view is that the Lidl would not result on a significant adverse impact on the trade and turnover of Saffron Walden as a whole”*

9.40 UDC Planning Policy Team have reviewed the submission and Pegasus' comment and confirm that *“currently Waitrose in Saffron Walden Town Centre has 6.3% of the district's convenience goods market share. Tesco & Aldi (out of centre) account for 11% and 7.4% convenience goods market share in the District. The impact of the proposed Lidl is difficult to determine at this stage but it is doubtful that it would have a significant adverse impact on the Saffron Walden Town Centre”.*

9.41 *Conclusion*

Paragraph 91 states that *“where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 90 (retail impact assessment requirements”.*

9.42 Pegasus consider that the information provided by the applicant (as supplemented) enables the Council to conclude that the sequential test has been passed. They have concluded: *It is my overall opinion that the information submitted by the agent on behalf of the applicant provides sufficient information to conclude that the sequential test has been passed and that there will not be any significant adverse impact on Saffron Walden Town Centre. I also consider that the information provided is proportionate to the nature of the proposal. It is possible to ask for further information to reinforce the opinion reached by the applicant agent's and to upgrade the retail impact work to a full retail impact assessment. However, I do not believe that such requests would be proportionate or lead you to a different conclusion”*

9.43 In conclusion, supported by comments from the Planning Policy Team, according to available information no sequentially preferable locations can be identified and the sequential test is therefore passed. It is also considered that a Retail Impact Assessment was not required, however a proportionate assessment has been undertaken and on balance it is considered that the discount foodstore would not have a significant adverse impact on Saffron Walden Town Centre. Therefore the proposed retail element of the development is in accordance with policy.

C **Housing Land Supply**

9.44 The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. The Council's housing land supply currently falls short of this and is only able to demonstrate a supply of 3.11years (Five Year Housing Land Supply update April 2021)

9.45 Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or where policies

which are most important for determining the application are out-of-date. This includes where the five-year housing supply cannot be delivered. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF

- 9.46** The technical reports submitted with this application demonstrate that Uttlesford has significant ageing population and as such, there is a need for additional specialist housing within the area. This proposal will both complement existing land uses and will meet identified local need.
- 9.47** In accordance with paragraph 60 of the NPPF, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 9.48** The NPPF explains that housing should be provided for all needs including older persons. This contributes to the housing supply. The retirement living apartments comprise one and two bedroom apartments which are to sold with a lease containing an age restriction that only people of 60 years or over, or those of 60 years or over with a spouse of partner of at least 55, can live in the development.
- 9.49** The provision of 49 residential units represents a significant proportion of the annual housing supply based on the district. In this respect the proposal would make a valuable contribution to the housing supply and wider economy.
- 9.50** Care Home
The Local Plan does not have specific policies which related to care homes however the applicant has argued that the introduction of high-quality residential care can provide benefits as observed within the Health Impact Assessment including reducing the strain on existing health services and improving housing and living standards for residents and freeing up the existing housing stock. Notwithstanding the above, the provision of a care home provides communal specialised housing need which in itself directly contributes to the housing supply.
- 9.51** These positive impacts should be afforded significant weight in the planning balance.

D Design and Appearance (GEN2 and NPPF)

- 9.52** National and local policies seek to secure good quality design which respects general townscape and the setting of heritage assets and is a key aspect of sustainable development. Policy GEN2 of the Local Plan states seeks to ensure that design of all new development is compatible with the scale, form, layout, appearance and materials of surrounding buildings.
- 9.53** **Masterplan**
It is proposed that the site will be split into three parcels with a shared access road stemming from Radwinter Road and running through the centre of the site. On the western part of the site is a new standalone discount foodstore is proposed with an adjacent delivery area and car parking to the west. To the front of the site, on the eastern extent of the site is Churchill Retirement Living apartments with associated car parking further east. The Care home is located to the south of the site.
- 9.54** Discount food store -The building would follow the standard operational model in terms of its size, mass and detailing which would comprise a single storey elongated building with a glazed entrance. It is considered the overall building, would be acceptable and would not detract from the character of the area.
- 9.55** Retirement Living Apartments and Care Home – The Retirement living apartment building will extend 3/ 4 storeys high with an ‘H’ shaped footprint, fronting Radwinter Road. The Care Home building will extend 3 storeys high with a ‘T’ shaped footprint.
- 9.56** It is considered that the roof profiles which vary in size and profile, break up the overall mass, and the projecting bays provide articulation and varied interest within the elevations. The retirement living apartments and care home are finished of light brown multi brick, masonry detailing, light and neutral vertical and horizontal cladding vertical and horizontal cladding and a dark tile roof tile.
- 9.57** Overall, it is considered that the proposed design of scheme meets the criteria for Policy GEN2 providing a good-quality design of design, creating a sense of place whilst respecting the surrounding scale, form and appearances of the locality and sensitivities of the site.
- 9.58** *Heritage*
Saffron Walden Conservation Area is located to the east of the site. The cemetery contains two listed buildings and the boundary wall and entrance gates are also listed. .The setting of the adjacent Saffron Walden conservation area and nearby listed buildings has been considered through the provision of a Heritage Desk Based Assessment (HDBA).
- 9.59** The HDBA demonstrates that that the building may be marginally visible from the cemetery, and if so, only glimpses of the roof would appear. The Retirement Living Apartments and Care Home are set back further east of the site and coupled with the screening afforded any views would be limited to the roofscape. The applicant argues that any views afforded from the cemetery to the site would likely be lessened and would be of the top of the buildings. The other buildings are set away to the east from the cemetery and any views, if at all, would be limited. The assessment concludes that the proposed development would not harm the experience within the cemetery, nor of the Grade II Listed chapel, and would therefore preserve the character of the conservation area and the setting of the listed buildings.

- 9.60** The proposed development would replace the existing building with a new single storey supermarket which is smaller in scale and bulk. The retirement living apartments and care home are sufficiently set back. It is considered that given the scale, bulk, separation and screening afforded; the proposed development would not impact on the setting of nearby heritage assets and would comply with Policy GEN2 of the Local Plan and NPPF.
- 9.61** Standard of Accommodation
Retirement Living Apartments
All of the proposed retirement living dwellings are self-contained have been designed to meet or comfortably exceed the Nationally Described Space Standards (NDSS).
Two bed – 80m²
One bed –57- 65m²
- 9.62** Windows are proposed which would provide adequate ventilation and daylight and sunlight provision into habitable rooms. Many of the units have dual aspect. It is acknowledged that some of the windows may create mutual overlooking due to the design of the H-footprint. It is considered that this will only affect a small majority of the units, and a condition requesting details of window treatment has been recommended.
- 9.63** Some of the units have private balconies whereas some units have Juliette balconies. Communal amenity space is provided on the ground floor. An owner's lounge and coffee bar is located on the ground floor. It is acknowledged that the amenity space provision is limited. The quality of accommodation provided is reasonable, albeit the provision of private amenity space for the occupiers is limited. This weighs against the scheme. However, this is somewhat compensated by extensive communal amenity space. The applicant has stated that the Retirement Living complex offers the presence of an in-built community. Residents therefore have the option of company and a social life should they choose it which would help to combat loneliness and isolation.
- 9.64** Care Home
Each of the rooms are en-suite, of a reasonable size and have a habitable window. Each floor has a large dining room and separate lounge (2 x on the 1st and 2nd floor) and the first and second floors have outdoor terraces. The second floor provides an area for staff including changing rooms, toilets and a staff room. Each floor has a nurses station.
- 9.65** Indoor amenity comprises hairdressers, café and cinema on the ground floor solely for the use of the residents. Outdoor amenity space comprises the terraces (accessed via the lounge areas) and the communal garden on the ground floor.
- 9.66** Discount food store
Policy RS1 (Access to Retailing and Services) seeks to ensure that retail and service development will provide sufficient public access that is accessible to all to ensure social inclusion.
- 9.67** The discount food store includes a staff welfare areas which provide a staff room, utility room, and toilets. In addition, there is a back officer and cash room. The internal layout is a single storey with sufficiently laid out aisles and easy access to products.

9.68 Overall, on balance, it is considered that the proposed development would provide an acceptable standard of accommodation for future occupiers and users.

E Amenity (GEN2, GEN4, GEN5, NPPF)

9.69 Policy GEN2 of the Local Plan states seeks to ensure that design of new development would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

9.70 *Overlooking & Loss of privacy*

There are existing residential properties to the north, east and south of the site, it is not considered that the proposal would have any undue impact on the amenity of the properties.

9.71 Furthermore, it is considered that the proposed care home and retirement living apartments would be an improvement to the former industrial use of the site.

9.72 *Noise and disturbance*

Policy ENV10 of the Local Plan seeks to ensure that residential development will not be permitted if the occupants would experience significant noise disturbance. The applicant has submitted a noise report. The report concludes that with sufficient mitigation, the proposed development would be acceptable.

9.73 *Deliveries*

The discount foodstore will have a maximum of two dedicated deliveries per day. During deliveries, it is company policy that vehicle engines are switched off to reduce noise and disturbance. The total unloading time for deliveries is approximately 45 minutes

9.74 The proposed store will feature graded ramps in the delivery bay and manual dock levellers, preventing the need for noisy scissor or tail lifts.

9.75 Initially, UDC's Environmental Health Officer had concerns relating to the noise impact from external transportation; mechanical services plant; vehicle movements and the impact on the cemetery adjacent to the discount foodstore carpark.

9.76 The applicant has since proposed an acoustic barrier between the cemetery and application site and an accompanying report which demonstrates that the resultant noise levels will be acceptable. The Environmental Health Officer has confirmed that the resultant noise levels at the cemetery location from vehicle reversing noise are predicted to be below maximum guidelines levels and which therefore addresses the concerns raised by UDC environmental health department in their initial planning consultation response.

9.77 In accordance with paragraph 55 of the NPPF, LPA are requested to consider whether development could be made acceptable through the use of conditions. Recommended suitable conditions relating to the restriction of store opening hours, deliveries, Demolition and Environmental Management Plan (DEMP) and Construction and Environmental Management Plan, noise protection schemes will ensure that the remaining concerns raised by the Environmental Health Officer are mitigated against proposed development would be acceptable.

9.78 The residential living apartments and care home will operate like a residential property in terms of the hours of use, which would not be dissimilar to the nearby residential properties. The hours of use for the discount food store will be limited.

9.79 *Lighting*

The lighting is provided for the car parking areas for each of the proposed buildings and along the spinal road. It is considered that the lighting would be necessary for safety and security reason. The car park for the discount foodstore has been designed in accordance with Lidl's 'Dark Sky' policy with light fittings carefully specified in order to keep light spill beyond the site boundary to a minimum, with Lux and timer controls fitted.

9.80 The discount food store will be fitted with movement sensors, Lux meters and thermostatic controls. The lighting within the sales area is cutback to one third before and after trading hours. The back of house areas of the store are only lit when people are using them, that external lighting is only used when required.

9.81 A lighting plan has been recommended by condition which will also tie in with ensuring the lighting does not cause any detriment to the ecology of the site.

9.82 Overall, it is considered that with the use of conditions, the proposed development would not cause any undue loss of amenity to neighbouring residents in this urban area, in accordance with GEN2, GEN4, GEN5, ENV10 and the NPPF 2021.

F Affordable Housing (ULP Policy H9, NPPF)

9.83 *Amount*

Policy H9 states that the Council will seek to negotiate on a site to site basis an element of affordable housing of 40%. Paragraph 64 of the NPPF states "...To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount". The footnote continues to explain that this is the "equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned". The purpose of this policy is to provide an incentive to applicants that reuse or redevelop brownfield land that is vacant. Essentially the floorspace of the existing building is offset against the floorspace of the proposed residential development.

9.84 The applicant has applied to the LPA for Vacant Building Credit (VBC). The application site is a vacant industrial site and the site has been vacant since 2017, therefore Vacant Building credit can be applied. The applicant submitted a viability assessment putting forward their case for VBC. It was concluded that the proposed application is not required to provide affordable housing.

9.85 The calculations have been received by ECC Principal Development & Viability Officer and the findings of the applicant's assessment has been verified. The care home is not required to provide any affordable housing. Paragraph 65 of the NPPF states 10% affordable housing should be sought for major developments, however "exceptions to this 10% requirement should also be made where the site or proposed development:

(a) provides solely for Build to Rent homes;

(b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

(c) is proposed to be developed by people who wish to build or commission their own homes; or

(d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

9.86 The updated version of the NPPF verifies that no affordable housing is required for specialised housing such as housing for older persons in any case. As such no affordable contributions are required for the proposed development in accordance with the NPPF.

G Access and Transport (GEN1, GEN8, NPPF)

9.87 *Access*

The main vehicle entrance access will be positioned on Radwinter Road in the existing location which facilitate a main spine road which runs through the site. A secondary access off the wider development spine road provides access to each of the buildings.

9.88 The proposed access road would have a minimum width 6.5m wide with two 2m wide footways. This access road will be lined with pedestrian pathways providing passage to each of the individual developments on site.

9.89 Policy GEN1 seeks to ensure that development is only permitted if the access is appropriate, traffic generation does not have a detrimental impact on the surrounding road network, it is designed to meet the needs of people with disabilities and it encourages sustainable modes of transport.

9.90 The application was accompanied by a Transport Assessment and has taken into account diversion of trips from other stores, committed development, and an assessment with and without the link road. The existing trips from the former use were also taken into account. The following measures are proposed;

- Widening of existing main access
- Widening of the footways
- Provision of bus stops and informal crossing point (incl. shelters, seating and raised kerbs) outside of the site
- Contribution to bus services improvements
- Signals at Thaxted Road and Elizabeth Road

9.91 In addition, the applicant has also agreed to the following:

- Workplace Travel Plan – for the discount supermarket and care home
- Travel packs (inc. 6 x one day travel vouchers)- for retirement living apartments
- £100,000 to fund improvement to enhances bus services

9.92 It is considered the above have improved the sustainability of the site and provide better links into the site. The Highways Authority do not object to the proposed development on the basis that the above measures are secured by condition and S106 agreement.

9.93 *Car parking*

Policy GEN 8 applies appropriate car parking standards which include minimum cycle spaces and maximum vehicle spaces. The parking provision is as follows:

- Discount food store - 123 car parking spaces, including 6 dedicated disabled spaces and 9 parent and child spaces.
- Retirement living accommodation - 24 car parking spaces along with mobility buggy spaces and cycle parking.
- Care Home- 26 parking spaces for employees and visitors.

9.94 *Cycle Parking*

- Discount foodstore -20 Spaces (10 Sheffield-style racks)
- Retirement living Apartments – 6 spaces (3 Sheffield-style cycle racks)
- Care Home- 20 cycle spaces (10 Sheffield-style racks)

9.95 The Highways Authority have requested that parking surveys are carried out at different stages within the car parking areas and between Elizabeth Way and the proposed bus stop on the northside of Radwinter Way. If the surveys demonstrate that on street parking is occurring a consequence or the development or detriment to highway safety is occurring, then the developer will be responsible for costs associated with prohibiting on street parking. Carefully drafted conditions have been duly recommended.

9.96 The Highway Authority have also recommended that the parking available at Lidl shall be made available at no charge at all times for the use of the residents and employees of and visitors to the care home and retirement living apartments. This has been agreed to by the applicant and is proposed to be secured should planning permission be granted.

9.97 It is considered that the proposed parking provision would be adequate to serve the proposed uses. The proposed movements have been taken into account and are considered appropriate for the site.

9.98 Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Therefore, there are no grounds to formally object to the scheme. The highways impact has been mitigated against by highways works, conditions and planning obligations and is considered acceptable.

H Ecology, Trees and Landscaping

9.99 Section 40 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'*.

9.100 As such the site is situated within the Impact Risk Zone for Hatfield Forest Site of Special Scientific Interest (SSSI)/National Nature Reserve (NNR) however as this application is less than 50 or more units, Natural England do not, consider that is necessary for the LPA to secure a developer contributions towards a package of funded Strategic Access Management Measures (SAMMs) at Hatfield Forest.

9.101 The applicant submitted an Ecological Impact Assessment which has been reviewed by ECC Ecologist. In conclusion no objections are raised subject to securing biodiversity enhancement measures. The following biodiversity enhancements are proposed:

- Bird boxes (fixed to new buildings)
- Bat Boxes (on trees)
- Brash piles (within woodland strip to the south)

9.102 A Biodiversity Net Gain of 1.35% will be achieved.

9.103 Trees and Landscaping

Trees

There are lime trees on the frontage of the site facing Radwinter Road are subject to a tree preservation order (TPO No.11/19). These trees partially screen the site and have group value. Initially they were proposed to be removed, however the applicant has now proposed to retain them.

9.104 There are an additional number of trees within the site which are proposed to be removed to accommodate the proposed development. These trees are not considered to be of a public amenity value nor are they subject to a TPO.

9.105 The Landscaping Officer is satisfied that the revised proposal now provides for the retention of the TPO lime trees on the site frontage. Conditions have been recommended to seek further details for a landscaping scheme, and protective tree measures.

9.106 A total of 69 new trees are proposed and 233m native hedgerow.

9.107 *Landscaping*

A landscaping scheme has been submitted, which proposes comprising of existing TPO trees to the north and new landscaping on the perimeters and within the site. A defensible boundary along the spine road between the highway and private land such as amenity areas will be created using various fencing and a 1m high evergreen hedge.

9.108 The landscaping for the proposed parcels are as follows:

Discount food store

Ethos- screening, domestic scale and welcoming and easy to maintain.

- Trees will be retained on the northern, western and southern boundary
- Ornamental and groundcover planting
- Proposed trees and sub canopy native buffer planting
- Boundary screening will comprise proposed mature trees, a native hedge and native shrub planting.

Retirement Living Apartments

Ethos – domestic scale, homely and a mix of social space and quieter semi-private areas

- Pleached trees and buffer planting around the car park.
- A defensible boundary along the western boundary
- Outdoor timber garden furniture
- Open amenity space consisting of lawn and shrub bed planting

Care Home

Ethos- tranquil, a series manicured spaces and seating

- Curve lawned areas
- Substantial seating areas
- Existing trees will be retained on the southern boundary providing natural screening

9.109 It is considered that landscaping strategies will be unique to each element of the development to assist in their function whilst also providing necessary screening for visual and amenity purposes. When viewed together, the landscaping strategies

are holistic. Subject to the recommended conditions, the application proposal is considered to accord with ULP Policy ENV3 and the NPPF.

I Sustainability (GEN2)

9.110 Policy GEN2 of the Local Plan seeks to ensure that the design of new development helps to minimise water and energy consumption. Uttlesford Interim Climate Change Policy sets out a list of Policies of note a demonstration of how developments demonstrate the path towards carbon zero. The NPPF seeks to ensure that new development should avoid increased vulnerability arising from climate change. More so, developments should help to reduce greenhouse emissions.

9.111 The applicant has prepared a report to demonstrate how the proposed development will meet the requirements which have come into force since the application has been submitted. The following measures are proposed:

- Lidl proposals incorporate roof mounted solar panels
- 4 x EV charging points (2 x Discount foodstore, 2 x retirement living apartments)
- Infrastructure for 8 EV charging spaces should it be required
- Delivery vehicles are also used to remove waste from the store on their return journey
- Waste/recyclable material is sorted and managed centrally
- 80% of all waste produced in store is recycled
- Measures to control water consumption
- All materials will where possible be obtained from sustainable sources
- Materials removed from site will be reused and recycled where possible

9.112 Overall, it is considered that the proposed development meets the provisions of local and national planning policy.

J Environmental Health (GEN4, ENV13, ENV14, NPPF)

9.113 *Contamination*

Paragraph 120 of the NPPF states that decisions should “(c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land”.

9.114 The site overlies a principal aquifer and is located in a groundwater source protection zone. The site is also of high sensitivity given its previous uses on and around the site (Industrial land use on and off site, fuel and chemical storage on site, Infilled land on site (south), Potentially infilled land off site (south and west), Former railway line (southern boundary)) and linkages to controlled waters. The Environment Agency are happy for planning to be granted on the basis that suitable conditions are imposed in relation to additional investigation, a remediation strategy, surface water disposal and ensuring no pilling can commence without consent. As such, recommended conditions have been duly imposed.

9.115 *Air Quality*

Policy ENV13 (Exposures to Poor Air Quality) and seeks to protect users of residential properties from exposure to poor level air quality.

9.116 The site lies outside of Saffron Walden Air Quality Management Area (AQMA) 200m east of the boundary.

- 9.117** A detailed air quality assessment has been undertaken which includes an assessment of the impact of increased traffic emissions as a result of the proposed development and cumulative impacts from nearby consented developments. For a 'worse case scenario', it has been assumed that the proposed link road between Radwinter Road and Thaxted Road is not in operation in 2025.
- 9.118** The report demonstrates that the proposed development is not predicted to lead to an exceedance of annual pollutant concentrations the AQMA. As such the impact of the proposed development on the AQMA is considered to be 'Not Significant'. UDC Environmental Health Officer does not disagree with this conclusion.
- 9.119** As recommended, conditions are imposed to ensure that the development would not cause detriment to the air quality during the construction phases. It is therefore considered that the proposed development would not detrimentally impact on the air quality in accordance with EMV13 and the NPPF 2021.
- 9.120** Subject to the included conditions, the proposal accords with Local Plan Policies GEN4, ENV14, ENV13, and the NPPF 2019.

K Flooding (ULP Policies GEN3, NPPF)

- 9.121** Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF.
- 9.122** Policy ENV12 (Surface water flooding) seeks to ensure all development will incorporate Sustainable Urban Drainage Systems (SUDs). The applicant submitted a management and maintenance plan is provided as part of the Flood Risk Assessment and Drainage Strategy report, which should be implemented to ensure that the SuDS are maintained for the lifetime of the development.
- 9.123** The site lies within Flood Zone 1 for which the proposed development is deemed appropriate. There are two Main Rivers located near the site. The Slade lies approximately 85 metres (m) north of the site. Another watercourse is located 500 m west of the site which flows towards the Slade to its north.
- 9.124** The proposed development could lead to an increase in impermeable area and as such will increase the volume and rate of surface water run-off from the site which the applicant proposes to manage. The proposed Sustainable Urban Drainage Strategy (SUDs) is based on partially discharge surface water via infiltration techniques where possible, with the residual run-off being discharged at a restricted rate to the existing Anglian Water sewer. This strategy includes the use of permeable paving, sub-base storage and underground crates.
- 9.125** The Local Lead Flood Authority who are responsible to provide advice on SUDS on major developments, consider the above strategy is acceptable subject to a number of conditions including detailed surface water drainage scheme, a maintenance plan and yearly logs.
- 9.126** Overall, it is considered that the proposals comply with GEN3 and ENV12 of the Local Plan.

L Infrastructure (ULP Policies GEN6, NPPF)

- 9.127** Policy GEN6 seeks Infrastructure provision to support development which is towards direct on-site provision by the developer as part of a scheme or in the immediate vicinity of the development.
- 9.128** Contributions should be CIL compliant and meet the provisions of National Planning Policy. In accordance with Paragraph 57 of the NPPF, Planning obligations must only be sought where they meet all of the following tests:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 9.129** *NHS Contribution*
The development was assessed in its entirety regard to the primary healthcare provision on behalf of West Essex Clinical Commissioning Group (CCG), incorporating NHS England Midlands and East (East) (NHS England). West Essex CCG has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development, to a total of £ £29,610.
- 9.130** The occupancy rate was based on 1.5 per unit, rather than 1.2 persons per unit. On this basis, the revised amount to be sought is **£26, 940**.
- 9.131** The applicant has agreed to this sum to be secured by s106 agreement.
- 9.132** *Highways Contribution*
The Highways Authority have requested a final contribution of **£100,000** to improve the accessibility of the development by bus through for the following to fund improvements to enhance bus serviced between the development and town centre; local amenities and/or key towns improving the frequency, quality and/or geographical cover of bus routes servicing the site. This is considered necessary to make the development acceptable. The applicant has *agreed to this sum to be secured by S106 agreement*.
- 9.133** *Highways Works*
The Highway works considered to make the scheme acceptable has been discussed in the highways section of this report and has been agreed by the applicant.
- 9.134** *Car Park*
The applicant has agreed to allow overspill car parking for the Retirement Living Apartments and the Care Home within the Discount Supermarket site, if required, in perpetuity at no cost to the Retirement Living Apartment or Care Home operators. This is considered necessary to make the development acceptable and alleviate the need for on-street parking, should overspill occur. This has been agreed to by the applicant.
- 9.135** Taking the above into account it is considered that the application provides sufficient infrastructure to support the proposed development. It is therefore concluded that the proposal accords with Policy GEN6.
- M** **Other considerations**
- 9.136** Security:

Policy GEN2 seeks all development to incorporate design features which deter crime or disorder and the fear of crime fence.

9.137 Essex Police have commented on the proposed application and have no objection to the scheme but have recommended a number of measures to the applicant and further detail to ensure the different uses work together.

9.138 Archaeology:
Policy ENV4 seeks to ensure development proposals preserve and enhance sites of known and potential archaeological interest and their settings. The applicant concluded that evidence suggests that the study site has a low potential to contain any remains of archaeological interest. ECC Archaeology have stated that the site is extensively disturbed therefore they do not recommend an archaeological condition.

10. EQUALITIES

Equality Act 2010

10.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

10.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

11. CONCLUSION

A The NPPF states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development (paragraph 81). Making effective and efficient use of a brownfield site is also supported by national planning policy (NPPF paragraph 119). The proposed development therefore offers an opportunity to redevelop a currently redundant previously developed, brownfield site for a mixed-use development.

The site is allocated for employment uses, they generate employment and cumulatively provide 101 full-time equivalent (FTE) jobs, with a net increase of 18 FTE, together with investment into the area, delivering a boost to the local economy. This weighs in favour of the development.

B The proposed discount food store will occupy an out-of-centre site, the accompanying retail assessments demonstrate that the retail use is acceptable with respect to the sequential and impact tests set out in the NPPF and adopted local policy. This has been duly reviewed by an independent consultant and the UDC Planning Policy Team.

- C** When considering the overall planning balance, significant weight must be given to the 5-year housing supply requirement. The application site would provide a net gain of 49 additional dwellings which would have access to services within the surrounding area. The care home provision would also provide an additional contribution to the housing supply. This has significant weight in the planning balance.
- D** The design, layout and scale of the scheme would be acceptable in accordance with Policy GEN2.
- E** Given the separation distances afforded, screening and mitigation measures no undue harm will be posed to adjoining occupiers as a result of the development. The scheme is considered acceptable and accord with ULP Policies GEN2 of the Uttlesford Local Plan 2005 and the NPPF 2019
- F** The scheme would provide a mixed use development including different housing types and typologies. Vacant building Credit has been applied and no affordable housing contributions are sought.
- G** The impact of the increased movements on the local road network has been carefully assessed and the Highways Authority have confirmed that the proposed trips will not have a significant impact on the highway, subject to mitigation measures as requested by Essex County Council Highways. The application proposal is therefore considered to accord with ULP Policies GEN1, GEN2, GEN8 of the Uttlesford Local Plan 2005 and the NPPF 2021.
- H** No objections are raised with from the Ecology Officer, subject to the recommended conditions. The impact on trees is considered acceptable and the landscaping is well considered and appropriate for the site. The application proposal is considered to accord with ULP Policy GEN7 and the NPPF.
- I** The sustainability measures would comply with UDC's Interim Climate Change Policy and the NPPF.
- J** The development does not pose any harm regarding noise or contaminated land subject to the included conditions, the proposal accords with ULP Policies GEN4, ENV14 and the NPPF 2019.
- K** The proposal would not give rise to any significant adverse effects with respect to flood risk, such that it accords with the policies in the NPPF and PPG.
- L** The development has made adequate provision to improvements off-site infrastructure. It is therefore concluded that the proposal accords with Policy GEN6

Appendix 1 Safron Walden Town Council detailed representation

1. Principle of development and proposed use

The application site is within the town's development limits. The site is brownfield and therefore is a priority site for re-development (taking precedence over greenfield sites). The site is allocated for employment, and the proposed uses are mainly employment (Lidl, care home). The other part of the site proposes a residential use however as the proposals are for high-end retirement flats, it might be considered to provide slightly more employment than general housing (the flats will have a site manager on duty, landscaping contractors, cleaners and, one assumes, in the fullness of time some residents will also employ private care workers). On the grounds that the retirement flats will provide some employment, the proposed combination of uses is acceptable.

The proposed uses accord with the paragraphs 117 and 118 of the NPPF which encourage making best use of brownfield land.

2. Vehicle Traffic

SWTC recognises that the previous use for the site entailed a level of traffic which should be considered acceptable as a baseline, however the proposed development will create additional traffic over and above the baseline (private cars as well as lorries and vans).

The emerging SWNP notes concerns about increasing numbers of HGV vehicles and pedestrians in a constrained streetscape. The number of HGV vehicles generated by the construction of the development and the operation of the Lidl are a cause for concern as they will make existing pollution levels worse, and make Radwinter Road even less conducive to walking and cycling.

The Linden Homes site currently in development (outline application UTT/13/3467/OP) puts a heavier strain on Radwinter Road and the Thaxted Road/Road junction than was anticipated when the planning permission for it was granted. In response to the application for that site, ECC highways noted that this site would need, in the long term, a link road between Radwinter Rd and Thaxted Rd. Recognising that the link road may be undeliverable, or at least a very long term prospect, [ECC said¹](#) that it did not object to that development, subject to a condition that a connection be created to the Shire Hill industrial estate. UDC neglected to add this condition to the permission when it was granted. Accordingly, there is no apparent way of obliging the developer to open the connection road. While the connection road remains unopened, that development puts a heavier load on the road network than anticipated at the time that consent was granted. By not actioning the mitigating measure, this development is effectively in breach of the non-objection of ECC. To further follow the logic of ECC, if the connection road was required to make the Linden Homes development acceptable in planning terms, because of the traffic that it would create on Radwinter Rd, then the traffic levels on Radwinter Rd must now unacceptable without the

¹ <https://publicaccess.uttlesford.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=MYMMNLQN01000>

connection road. Therefore, it follows that this proposed application would increase traffic levels and patterns above those already permitted, which have already produced an already unacceptable situation and is therefore unacceptable in traffic terms, and should be refused accordingly. The reasoning for refusal without this mitigation measure is set out in Appendix A.

The emerging SWNP puts an emphasis on encouraging sustainable travel, noting that a particularly high proportion of the population relies on the private car², and that because of this a large portion of the town is in an Air Quality Management Area because of pollution. The more sustainable travel that we can encourage, the better. The SWNP notes that *“10.2.2 A well-connected neighbourhood can encourage sustainable journeys. Where connections that can be made on foot or bicycle are quick and convenient, people are more likely to choose these modes of travel. Where footpath connections are not short, residents may find themselves forced to take longer routes and consequently choose to travel by car”*. This statement was informed by missed opportunities at the Tudor Park development which doesn't link to Tesco and the development by the Water Tower where people climb over a fence (even with prams) to avoid walking the long way round, and with a firm ambition to prevent similar town planning errors in the future.

The NDG encourages planning for accessible and connected developments and specifically asks planners *“Have you considered how to reduce reliance upon the private car? Moving away from car use for short journeys? Prioritising walking, cycling and public transport?”*

During early consideration of the application, SWTC officers made great efforts to persuade Lidl to pursue the possibility of acquiring land behind the site to join up with Shire Hill, or to at least secure a permissive footpath agreement. This would have gone some way to reducing the vehicle traffic on Radwinter Rd as it is logical to assume that shoppers at Lidl will travel from the Shire Hill direction. The Senior Acquisitions Consultant at Lidl declined to pursue this option. Therefore, effectively all the trips to the site will be by private car.

Since the land required for the footpath is privately owned, it is not within the control of the developer to acquire it, and therefore planning permission could not be refused on grounds that the footpath is not provided. It could however be viewed that the site, by dint of having no alternative access at the back, is unsuitable for a supermarket.

This is against GEN 1 which requires encouragement of non-car use. This is against the NPPF principles, particularly paragraphs 91, 92e and 102c. This is also against the NDG principles M1 and M2. It is also against the principles of the SWNP, which attempts to prevent additional poorly connected developments from being built in SW.

3. Parking

The SWNP is clear in that parking provision needs to be adequate. Saffron Walden has a high level of vehicle ownership, and this is not forecast to reduce. Further, public transport is not forecast to increase, in fact quite the opposite is anticipated as public sector budgets are stretched. Policy SW7 Design point 5d supports infill development so long as it provides adequate parking. Policy SW8

² Census 2011 – 85% of the population has access to a private car as opposed to 75% across England as a whole.

specifically requires that parking provision on all developments must provide for spaces as per the ECC parking standards, which have been adopted by UDC.

The ECC parking standards include quantity of spaces and minimum dimensions; ECC has a record of requiring the minimum dimensions for all supermarket planning applications and this site should be no different. To not require the correct numbers and sizes would be contrary to Uttlesford planning policy GEN8.

The NPPF paragraph 105 is perfectly clear on how parking standards should be set, and the particular circumstances of this site are such that there is no good reason to drop the parking standards. Appendix B sets out the facts and reasoning behind this statement.

The parking provision at the proposed site is insufficient. Essex County Council guidelines say that the supermarket and the care home have maximum standards of provision (because they are trip destinations, therefore the logic goes that restricting parking spaces at destinations makes people travel by alternative means). However, the retirement home has minimum standards of provision (because it is a trip origin, studies show that restricting parking in residential areas doesn't reduce the numbers of cars people have, it only causes them to park elsewhere).

The developers first claimed that the development as a whole meets parking standards by combining the maximum spaces and the minimum spaces. So SWTC has asked the developers to stand by this statement by confirming that should there be excess need at the residential site or the care home, the excess vehicles will be allowed to park at Lidl. If they are correct that there are enough spaces at each site, then the Lidl will never be troubled by cars from the other sites and they would be safe to allow this in principle.

The developers then said that each element of the site needs to stand alone, i.e. indicating that they would not be receptive to the idea of allowing other cars to park in the Lidl spaces. This indicates that they know that there are not enough spaces at the other elements of the site, and that allowing the need generated there to spill onto the Lidl site would be detrimental to the Lidl site.

The developers then suggested that deliberately restricting parking provision at the retirement home site, and not allowing overspill onto the Lidl car park would help to prevent car ownership at the retirement home. This does not stand because (a) studies show that restricting parking at residences doesn't restrict car ownership, it merely moves it elsewhere and (b) if they do not want the excess cars to park at the Lidl, but accept that there will be excess cars then they must be expecting them to fly park around the neighbourhood, which is unacceptable. Deliberately installing an inadequate number of parking spaces to restrict car use is contrary to NPPF paragraph 106, unless there is clear and compelling argument to do so, which there isn't here.

It is very likely that any overspill would park in the nearby hospital car park. This car park is free to use. However, spaces are at premium and the car park is often full. The spaces are required by

those that visit, use and work at the hospital. This makes the need to the development to meet its own car parking needs, and that accord with the Essex Parking Standards, an absolute priority.

The developers cannot have it every way, they must choose a position, and SWTC's response anticipates the possible positions.

The retirement home has a proposed 0.4ha footprint – 49 flats on this is a density of 123 dwellings per hectare. The EDG³ notes the difficulties of providing adequate parking for high density dwellings, such as blocks of flats, and suggests solutions: *"It can be difficult to provide space for car parking at ground level while still achieving an attractive urban living environment at housing densities greater than 50 dwellings per hectare. In order that public space is not compromised while current parking standards for Essex are applied, well design and innovative parking schemes should be provided, particularly, on schemes of greater density. If the public realm and space behind buildings are cluttered with parked cars, it allows little scope for creating quality space for socialising, play, walking or cycling. Solutions may include underground, underdeck parking, roof top and multi storey car parking."* There is precedent for underground parking for flats as a solution in Saffron Walden; the redevelopment of the brownfield Moore's Garage site⁴ provided mixed commercial and residential use, the residential element comprising 10 flats for which 24 underground spaces were provided. While the design of that building itself remains controversial in the town, the open space around it, which is not dominated by parking and has space for planting, is aesthetically successful. We should seek to replicate successes not failures, and the development site now in question should include underground parking.

4. Protection of Conservation Area

Section 16 of the NPPF – Conserving and enhancing the historic environment asks decision makers to consider the impact of development on heritage assets, which it describes as an *"irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations."* The comments below are not set out to object to the principle of development, but to improve upon the development proposals so as to conserve the resource. The improvements proposed are in line with the explicit considerations in the NDG chapter on Context, well-designed places: C1 Understand and relate well to the site, its local and wider context; and C2 Value heritage, local history and culture.

³ <https://www.essexdesignguide.co.uk/>

⁴ [UTT/14/2003/FUL](#)

Noise impact

The assessment of the proposed development's impact on the land immediately to the north and east of the site was considered, however the impact on the land to the west was not. This is a failure on the part of the application.

The land to the west is particularly sensitive to development because it is a cemetery, within a Conservation Area and immediately adjacent to the development, holds War Graves.

Since the impact assessment failed to consider the impact on the cemetery, it also failed to suggest mitigating measures. It is almost certain that mitigating measures would have been suggested had they been considered because they have been suggested for the care home. See Appendix C for further reasoning.

As a final note, the noise impact assessment was carried out during the early stages of the COVID lockdown⁵ and cannot, by any stretch of the imagination, be considered to be an accurate representation of day to day normal traffic. The noise impact assessment must be re-run.

Visual impact on Radwinter Road

The application proposes to remove a number of trees at the north/front/Radwinter Road side of the site which have Tree Preservation Orders.

The SWNP Policy SW7 Design 4c says *"Developments must demonstrate that they: Integrate well with existing neighbourhoods while seeking, where appropriate, to improve the aesthetic of the immediate area"*.

Although the trees are in some respects unremarkable in themselves, their density unarguably screens the site from the road in a manner that is aesthetically more pleasing than the site will be if developed as proposed. Instead of a green screen, viewer will see a car park and the blue lit signs of the Lidl. Thus the proposals do the opposite of the SWNP policy. The application proposes the replacement of some trees, but these are unlikely to perform the same screening role, since the reason for removing the screen is apparently to increase visibility of the site.

SWTC has been informed by UDC that if the permission is approved, this effectively also removes the TPOs. UDC can and should however apply a condition to an eventual permission that the trees are not to be removed.

The argument that the Lidl needs to be advertised from the road holds no water; in Saffron Walden the Waitrose is extremely busy and almost completely hidden from all directions. SWTC also notes that Tesco is not visible from the main road. All shoppers from within the town will have no trouble finding it even with trees at the front. Gentle signage at the entrance of the site should be adequate to advertise the location for out-of-town shoppers.

⁵ See paragraph 5.1

Visual impact within development

SWTC notes that other Lidl branches have a more sympathetic design for historic environments and that branches in Romania and Ireland even have green roofs, and wishes to see a similarly well-thought through scheme for Saffron Walden. The current design is poor and therefore contrary to GEN2.

5. Local ecology

Wildlife

As noted above, the trees to the north/front/Radwinter Road side of the site, while not 'grand specimens' unarguably provide a continuous band of vegetation, which absorbs pollution and hosts wildlife. The removal of these trees will remove this habitat. While the site has not been vacant for enough years to have become naturalised to the point where it should be afforded legal protection, it has become naturalised to a point whereby it hosts many birds and bats. The redevelopment will displace this wildlife, and the resumption of human activity on the site through the particularly dense proposed use will not naturally encourage its return, despite the proposals for environmentally friendly mixed planting of the site.

The plans do not obviously provide for bat and bird nesting boxes on the new building; these would be a very inexpensive and beneficial addition to the site. Government legislation and building regulations does not require the installation of these boxes, and so their omission from plans cannot be a reason for refusal. SWTC can only request that Churchill Retirement Living, Care UK and Lidl show industry leadership in sustainability and adopt corporate policies specifying bird and bat nesting boxes at their sites. In 2019 SWTC added bird and bat boxes in the cemetery.

Despite the lack of firm regulation, the NPPF paragraph 170 requires that biodiversity is improved and that development should minimise impacts on biodiversity. Further, to not give this adequate consideration would be contrary to GEN2h.

As a footnote, a retirement home and a care home which have visiting birds would no doubt be a delight to residents.

Surface Water

It is noted that the proposals involve more impermeable surfaces than on the current site. SWTC would like to see more permeable paving being proposed. It is also noted that excess surface water that cannot be absorbed will be discharged to the sewer system.

Affinity Water's response notes that the development will draw water from an area which is already classed by the Environment Agency as water stressed, and suggests that the development explores measures such as rainwater harvesting.

The development will meet statutory requirements. However despite the East of England being officially water stressed for well over a decade, the government's statutory requirements still do

not include rainwater harvesting measures. Therefore implementation of rainwater harvesting for uses such as flushing toilets remains voluntary for developers. A quick desk-based search shows that they are relatively inexpensive to install at the start of a development (while very costly to retrofit).

It is noted that Churchill Retirement Living, Care UK and Lidl have not voluntarily put forward proposals to reduce mains water use in their new developments in water stressed areas by using rainwater harvesting. SWTC can only request that Churchill Retirement Living, Care UK and Lidl show industry leadership in sustainability and adopt corporate policies specifying rain water reuse at their sites.

On this particular site, rainwater harvesting would both reduce use of mains water and help to reduce the amount of rainwater which enters the sewer system. While it would be the only sustainable option, government regulations mean that this is not something SWTC or UDC can insist upon and therefore is not a valid reason for objection to the development.

6. Inadequate provision of green open space

It is noted that the green amenity space around the proposed retirement home is inadequate. The plans do not set out exactly how much green space is proposed but visibly it is little and skirts around the sides of the building in spaces which is completely inadequate for use as a communal garden. This is not in accordance with the EDG which says: *"Poorly-designed areas of grass to the rear of blocks of flats are no longer an acceptable way of providing communal gardens."*

The EDG makes a similar comment with reference to parking: *"If the public realm and space behind buildings are cluttered with parked cars, it allows little scope for creating quality space for socialising, play, walking or cycling. Solutions may include underground, underdeck parking, roof top and multi storey car parking."*

The EDG goes on to specify the development criteria which includes at least 25sq.m of private space for each home.⁶ The proposals appear to fall far short of this and will therefore provide an unacceptably low standard of living for the residents, which is contrary to GEN6 which requires provision of infrastructure.

7. Developer contributions

The applicant has included an Affordable Housing and Viability Statement as a supporting document to the application. This statement serves to demonstrate that the development is exempt from providing affordable housing through Vacant Building Credit (VBC) allowances. VBC is a simple calculation which has regard only to the square metres of vacant buildings to be demolished and the square meters of residential space proposed to replace it. VBC has no regard to overall scheme viability and can be applied to any qualifying development, regardless of expected returns.

The Affordable Housing and Viability Statement makes no mention of scheme viability; therefore it can be presumed that the scheme is as viable as any other in Saffron Walden. Therefore, it is appropriate for this development to make other community contributions, since it will bring additional traffic and residents to Saffron Walden.

It is expected that the care home will be largely self-sufficient. The retirement flats will bring new residents to the town (either directly – people moving in from elsewhere or indirectly – people downsizing from within in the town). The Lidl will bring car traffic to the site which is at the edge of the town. In order to mitigate against the impact of the development, the following community contributions are required, which meet the statutory 6 tests below:

Test 1—Necessary

Test 2—Relevant to planning

Test 3—Relevant to the development to be permitted

Test 4—Enforceable

Test 5—Precise

Test 6—Reasonable in all other respects

7 a) To request a leisure contribution from retirement homes: £4,612 per dwelling - £225,988

This is *necessary* because the retirement homes will create residents with the time for leisure activities, and all the leisure facilities in Saffron Walden are underfunded and overcapacity, as evidenced in the Uttlesford District Council Sports Facilities & Recreation Strategy Assessment Report (Knight Kavanagh & Page Ltd, December 2018 - May 2019)

This is *relevant to planning* because it is directly related to mitigate against the increased numbers of residents that would be created by the grant of planning permission.

This is *relevant to the development to be permitted* because it makes specific consideration of the demographic of the new residents who will be created by the grant of planning permission.

This is *enforceable* in that the funding would be met directly by the developer and is therefore within the control of the developer.

It is *precise* in that it is a specific sum per household which was recommended by the document which is still in the public domain: Open Space, Sport Facility and Playing Pitch Strategy (The Landscape Partnership, 2012)

It is *reasonable in all other respects* in that it is common practice for a development to be asked to contribute towards leisure facilities in the locality.

7 b) To request an emergency healthcare contribution from the care home and retirement flats: £14,000

We expect that the demographic residents of the retirement home and the care home will be such that emergency healthcare will be called upon more frequently than it would be for a mixed-age residential development. This will place a disproportionately high pressure on the emergency

services and volunteer First Responders. The NHS response submitted by West Essex CCG only takes into account the demand that the development would place on the doctor's surgeries and omits to consider the impact on emergency services, which is why they are now being considered here.

The £14,000 is made up of:

£4,000 for two new public-access defibrillators on the east of the town in locations to be recommended by the First Responders. While we expect that the care home and retirement home will have their own defibrillators, they will not be public access and therefore of no use to the general public, which might need them while the First Responders are attending an incident at the development.

£10,000 towards general equipment for the First Responders – the NHS funds consumables however all other equipment is funded by donation. The volunteer First Responders use their own cars. This contribution will enable them to purchase additional equipment to meet the additional demand.

This request passes the test of being *necessary, relevant to planning and relevant to the development to be permitted* because while the NHS has requested funds towards healthcare, this has been calculated at a standardised formula which equates to £206 per head of new population. This formula may be appropriate for standard housing, however the resident demographic of this specific development is such that emergency healthcare must also be funded (as set out above).

This is *enforceable* in that the funding would be met directly by the developer and is therefore within the control of the developer.

It is *precise* in that it is calculated by adding up specific needs.

It is *reasonable in all other respects* in that it is common practice for a development to be asked to contribute towards healthcare facilities in the locality.

Appendix A – Reasoning for Refusal without Highways Mitigation Measures

No HGV/LGV Access on Radwinter Rd from Thaxted Rd lights to Printpak entrance:

ECC and UDC has secured an 'eastern connector' road from Shire Hill to the east of Tesco. This road is designed to move traffic away from the polluted Thaxted/Radwinter Rd traffic lights and reduce congestion on the northern part of Thaxted Rd and Radwinter Rd. Two things are required to make this happen.

- a. The Eastern Connector needs to be opened. It is built but has not been adopted by ECC whilst the build out of the Linden estate is underway, and so is closed by the developer outside of working hours. ECC is unlikely to adopt this crucial road until construction has finished and so construction and utility to the road is over.
- b. An HGV/LGV ban through the Thaxted Rd lights and along Radwinter Rd to the entrance of the former Printpak site

These two actions would immediately reduce the HGV traffic in the area, the worst pollution and the lorries that often clog both Thaxted and Radwinter Rds. The principle sites on the east of Saffron Walden with HGV/LGV traffic are Shire Hill, Ridgeons, Tesco, Homebase, Jossaumes, and the Printpak site. All these could easily be accessed via this new route.



The adoption of this route would also reduce HGV access in the town centre as more of it would now use the southern connector along Mount Pleasant Rd/Peaslands or the high/wide load route via Carver Barracks.

Opening the route would also have the effect of naturally siphoning off a good proportion of the residential traffic to the new route

All of the benefits of the connection were outlined clearly in the transport assessment for the [application UTT/13/3467/OP](#).

Appendix B – Reasoning for Parking Mitigation Measures

Reasons why proposed quantum of parking is insufficient and unacceptable

The parking provision is inadequate by Essex Parking Standards, and this is acknowledged in the outline travel plan.

Essex Parking Standards differentiate between:

Trip origins (homes) where parking standards are minimum; and

Trip destinations (commercial, leisure and retail), where parking standards are maximum.

| Use and Essex Parking Standards | Parking Provision according to Essex Parking Standards | Parking Provision proposed | Shortfall |
|--|--|----------------------------|---------------------------------|
| Supermarket 2178 sq. m. 1 space per 14 sq. m. | Maximum - 156 | 123 | Shortfall: 33 |
| Retirement home - Residents 49 flats 1 space per dwelling (this is the absolute minimum – in fact the 2-bedroom flats ought to have 2, but assuming retired couples run one car between them) | Minimum - 49 | 24 | Shortfall: 25 |
| Retirement home - Staff Not counted or provided for however the travel plan says there is a full-time lodge manager, and part time gardeners, cleaners etc. Assume 3 members of staff on site at any one time during the day. | Maximum - 3 | 0 | Shortfall: 3 |
| Care home 70 beds. 60 FTE members of staff, but 22 per shift. 1 space per employee and 1 space per 3 beds. | Maximum 45 | 24 | Shortfall: 21 |
| | 253 | 171 | Total shortfall 82 Spaces |

Even being as generous and as pragmatic as possible, there is a shortfall of 82 spaces. To give this some context, the development only provides 68% of the parking it should provide.

Is the site “well-served” by public transport?

The Travel Plan and wider application documents propose building two new bus stops on Radwinter Road with real time travel data panels. The Travel Plan fails to point out that bus services will not be able to serve staff working on the morning and afternoon shifts at the care home because they arrive and leave before and after the shifts start and end.

There are 4 buses which call at or near Radwinter Road.

Two of them, the 301 and the 60 do not call at or near Radwinter Road after the end of the middle shift at the care home, and therefore will not be usable by the staff of the care home in middle and late shift of the care home. Similarly they are unlikely to be used by the younger working offspring visiting residents of the care home and the retirement home in the evenings.

The number 6 just about serves the middle shift of the care home but calls at limited destinations, and as with those above, is of no use to late shift workers or afternoon/evening visitors.

The number 34 calls twice a week so can be discounted.

It simply cannot be said that the site is “well served by public transport”. Thus, the position put forward by the developers that consequential numbers of staff and visitors will use buses to access the site flies in the face of the timetabled reality and should be ignored accordingly. We must accept and plan for the fact that staff and visitors to the site will arrive by car.

It is common knowledge that private care providers have staff who travel from to client to client, site to site by private car, on tight time schedules. It is not reasonable to suggest that these trips could be made by public transport. This applies to both the care home and the flats.

Shortfall at Care Home

The Travel Plan states that typically only 50% of employees at Care UK homes travel by car, while the rest use alternative means of transport. The Travel Plan then refers to the appendices in the Transport Assessment for evidence. The appendices provide no comparison between the availability of public transport, walking and cycling options at the proposed site and the sites selected for comparison in the transport assessment. Therefore, this statement of 50% cannot be assumed to bear any relevance to considerations of parking standards at the application site and should be ignored accordingly.

A care home is a trip destination for parking because the residents do not drive. In theory therefore, 45 should be considered a maximum of spaces not a minimum. However, the Essex Parking Standards say that “*residential parking should reflect the local circumstances of a development*”. Quite clearly, the local circumstances mean that alternative means of transport are unlikely.

The parking provision proposed at the application site for the care home is unacceptably low, and should be at or very close to the maximum.

Shortfall at retirement home

The shortfall of parking proposed at the retirement home is substantial. The applicant suggests that there is relevant case law created at appeal which means that retirement homes don't need as much parking as 'normal' homes. Some of this appeal precedent appears to be based upon the work of Dr Allan Burns, advisor to retirement home developers McCarthy and Stone.

Appendix B – Reasoning for Parking Mitigation Measures

Dr Burns notes⁷ that Census data suggests that 22% of residents at retirement homes do not own a car. He then adds *“Experience suggests that more than 22% of the residents in this form of housing are likely to be non-car owners. Persons entering this form of housing are undertaking a lifestyle change and my surveys show that a significant number either give up car ownership before they enter this form of housing or in the same year that they make this move.”*

Considering only past experience to the exclusion of future trends is a disingenuous selection of facts.

There are at least three very obvious reasons why car ownership is likely to rise from past low levels at retirement homes, at least those in rural towns such as Saffron Walden.

i) Rural bus services are in decline. It is a nationally recognised fact that it is not easy to run rural bus services, and ECC, like other public transport providing authorities, is looking for cuts to this non-statutory service. While everyone would like to see more buses, to hope that buses may one day be more rather than less ubiquitous is clearly wishful thinking.

ii) Statistically, more retired people will have driving licences –

First, in the past more men than women had driving licences. The graph (DfT data) below illustrates this. Therefore, it is reasonable to assume that in recent years, far more men in the retirement population had a driving licence than women.

This is compounded by the fact that women live slightly longer than men. Therefore, it is reasonable to assume that retired females slightly outnumber retired males. Combining these well-known facts, it is very easy to explain why in the past, residents of retirement homes were less likely to have cars.

However, the graph below illustrates very clearly that driving licences are now much more prevalent amongst women, particularly since 1998. In the future the dramatic discrepancy between the number of retired female and male drivers will disappear, as the graph shows.

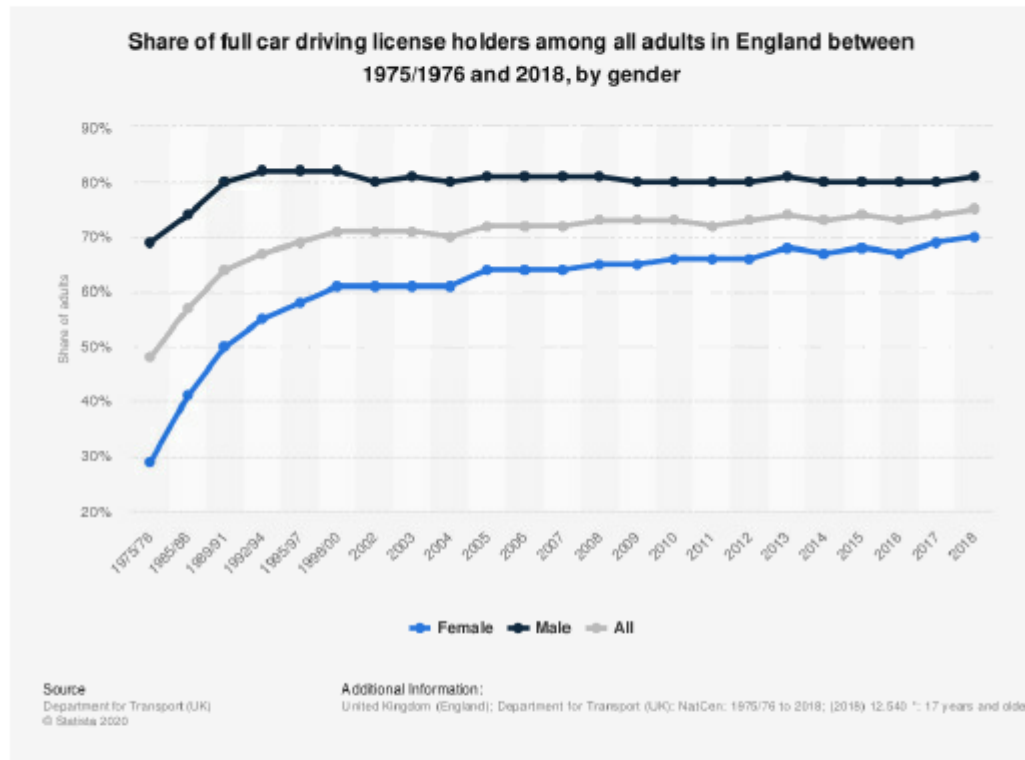
Second, the number of drivers overall has increased. According to the graph below, approximately 75% of the population has a driving licence in 2020, compared to about 65% in the early 1990s. The graph shows just the proportion of the population with licences; the population has increased as well in those years. In absolute numbers 75% of the 2020 population is greater than 75% of the 1990 population, thus the difference shown in the graph below is not 10%, it is greater. When these people retire, they will still have their driving licences. This is a much higher number than past generations of retirees. They will also be more likely to continue driving into older years because:

iii) Cars are becoming more autonomous. While the days of completely self-driving cars may seem a long way away, it is already the case that modern cars assist drivers far more than they used to. ‘In the old days’ older people would tend to give up their cars after a few too many bumps and scrapes. Now that cars are self-parking, or at least have parking sensors and aids, and monitor distance while driving, older drivers are likely to keep their cars for

⁷ <https://democracy.westsuffolk.gov.uk/documents/s14854/Working%20Paper%206.pdf>

Appendix B – Reasoning for Parking Mitigation Measures

longer. This is an informal assessment, but it would be difficult to argue its logic. Car manufacturers no doubt keep data which would back this up, otherwise they would not invest so much in the self-driving technology aimed at this growing market.



For all of these reasons it has to be assumed that levels of car ownership are likely to rise in the retirement age category.

It also has to be accepted that Saffron Walden is a rural town, and the proposed retirement flats are aimed at the higher end of the retirement market. It is inconceivable that the residents of these flats will live their lives constrained within the boundaries of Saffron Walden. They are most likely to have funds and lifestyles which allow them to continue to travel widely for leisure activities and to visit friends and family further afield. They will need cars to do this.

Therefore, provision of parking spaces at retirement homes has to be brought into line with normal residential accommodation, perhaps with a caveat that a 2-bedroom retirement property could provide just one space instead of two as many retired couples, especially those downsizing in accommodation, only need one car between them.

The Essex Design Guide Parking Standards notes that restricting parking at trip origin sites (i.e. housing) does not constrain car ownership, and that it should not be attempted as a tool to achieve this. It says: *A fundamental change included in the revised parking standards [i.e. the current 2009 standards] is a move to minimum standards for trip origins (residential parking) and maximum*

Appendix B – Reasoning for Parking Mitigation Measures

standards for trip destinations (for example, commercial, leisure and retail parking), acknowledging the fact that limiting parking availability at trip origins does not necessarily discourage car ownership and can push vehicle parking onto the adjacent public highway, diminishing the streetscape and potentially obstructing emergency and passenger transport vehicles.

The parking provision proposed at the application site for the retirement home does not meet minimum standards and therefore is unacceptable.

Shortfall at supermarket

Parking at the supermarket is insufficient. However, this could reasonably be left to the discretion of the supermarket. If there is famously nowhere to park at the Lidl, residents will simply drive to other supermarkets. It is unlikely that shoppers will fly park in the neighbourhood to get to the Lidl when other local supermarkets have ample parking close to their front doors. Putting it plainly, insufficient parking will be Lidl's problem, not the community's.

On-street parking amenity

On-street parking on Radwinter Rd impedes traffic but it is an important facility for local residents, many of whom are unable to add off-street parking to their properties. The access to the Printpak site is close to the Elizabeth Way traffic lights. In order to make increased access to the site work, it is likely that a parking restriction will need to be implemented on a portion of Radwinter Rd. Some of this may move to the dedicated parking spaces at the back of those properties. It is acknowledged by the developer that at least one house will completely lose its parking. This property should be given a space within the scheme/site red line.

Reasons why Essex Parking Standards are appropriate as per the NPPF: (NPPF text in italics)

105. If setting local parking standards for residential and non-residential development, policies should take into account:

a) the accessibility of the development; The development can only be accessed from one road and the site has low permeability. Therefore the site users will be highly likely to use cars.

b) the type, mix and use of development; Essex parking standards allow for maximum parking standards and minimum standards depending on the type of development and therefore rightly take 105b into account.

c) the availability of and opportunities for public transport; Saffron Walden has very little public transport and such that there is, is in decline.

d) local car ownership levels; and Local car ownership levels are particularly high as demonstrated above, and this is unlikely to reduce given demographic, lifestyle and technological trends, plus the reduction of public transit alternatives.

e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles. The development provides for these.

Appendix B – Reasoning for Parking Mitigation Measures

Arguably, the Essex Parking Standards, in setting maximum parking standards, fail a location such as Saffron Walden, in which maximum parking standards are not appropriate according to the NPPF:

106. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. As is demonstrated above, maximum parking standards will not manage the local road network in Saffron Walden because it is not well served by public transport. Applying maximum parking standards to a development within the town will densify the neighbourhood to the detriment of the visual and practical amenity.

Reasons why proposed sizes of parking spaces is insufficient and unacceptable

The parking spaces proposed are too small by Essex Parking Standards. As with the quantity of parking, again the developer leans on appeal precedents supported by Dr Allan Burns, who references cases in Saffron Walden⁸.

The thrust of his argument is that retirement homes don't need large parking spaces because: *"the majority of residents of this form of housing are unlikely to need, wish or possibly afford to own 4 x 4s or even SUVs"*. This line of argument does not stand up in the case of this development; someone who cannot afford an SUV or a 4x4 car is unlikely to be able to afford one of the proposed retirement flats, which the developer has acknowledged are a luxury housing product.

He also argues that people in retirement homes don't need big family cars any more, however their children and families are likely to have such cars and use them to visit.

The same is true for the visitors of residents in care homes – their families will be likely to visit in larger family cars.

Reasons why the audio and visual impact assessment is inadequate

The site is immediately adjacent to one of the Conservation Areas, and therefore great weight must be given to the protection of this area. The site borders onto the cemetery of the town, and the cemetery has two buildings in it, which are both Grade II listed.

Because of the Conservation Area, the listed buildings, and the specific use and of the land as a cemetery, development adjacent must be very carefully and sensitively considered. Development that is detrimental to the visual and aural tranquillity of the cemetery would be substantially harmful and according to the NPPF, would require “*clear and convincing justification*” (paragraph 194). There is no clear and convincing justification for the current proposals which are detrimental to the site.

Visual protection

At the boundary between the application site and the cemetery are a number of mature trees, and the maps indicate that these are on the application site land. The Historic Environment Assessment leans heavily on the presence of these trees to justify the application, which, because of the screening provided by the trees, will not be harmful to the cemetery. The HEA says: “*Furthermore, the mature trees along the boundary of the study site with the cemetery, where the new supermarket is Land at Radwinter Road, Saffron Walden, CB11 3HY July 2020 21 proposed, will be retained. Therefore, the part of the existing modern building that is visible from the cemetery would be replaced with a new modern building of a much smaller scale. It is unlikely that the supermarket building will be visible from within the cemetery, and if glimpsed, views would be of the top of the roof, which would slope away from the cemetery, and which would be far less visually intrusive than the existing building.*” These trees must be protected by Tree Preservation Order, and a planning condition that they must be retained at all costs.

Lighting and signage associated with the Lidl is likely to be visually intrusive in the Radwinter Road residents and the hours of operation must be limited by condition to the opening hours of the store.

Sound protection

It is very disappointing that the Acoustic Design Statement & Noise Impact Assessment makes no mention whatsoever of the impact of the development on the cemetery, and only focuses the assessment of the impact of the proposed supermarket on the proposed care and retirement homes. It finds the north and east sides of the store potentially detrimental enough for the care home to need a 2.5m barrier wall between it and the supermarket.

However, it is the south and the west sides of the store while will create the most noise, and these are the sides which are immediately adjacent to the cemetery.

To the south is the loading bay area which will be served by 6 deliveries a day, for one hour each, during which time the delivery vehicles are assumed to be running their refrigeration units. This means that there will be 6 hours per day of vehicle noise right next to the cemetery.

Appendix C – Reasoning for Conservation Area Mitigation Measures

To the west is the back wall of the store. No drawings have been provided but it is reasonable to assume that this will be the wall which hosts all the refrigeration units and other noisy machinery. This is not even mentioned, never mind risk assessed. It is clear this that will be extremely noisy and therefore detrimental to the cemetery.

The noise forecast to be generated by the supermarket is well above that which would be acceptable for a private garden, and this would be worsened during delivery times.

It is essential to place a holding objection on this application for this reason until a second Acoustic Design Statement & Noise Impact Assessment is carried out to assess audio impacts of the proposals on the cemetery and make recommendations on mitigating measures.

Appendix 2 - Tesco Letter

We act on behalf of Tesco Stores Limited. Tesco trade from a popular supermarket in Saffron Walden which opened in 1993. As such, Tesco has invested heavily in creating this facility and continues to invest today. The company is one of the biggest employers in the town.

Our objections to the planning application focus on the following considerations:

1. There is a lack of adequate reasoning and evidence in the approach to the retail impact assessment such that it has not been demonstrated that there will not be a *“significant adverse impact”* on the vitality and viability of the town centre;
2. Without a compliant approach to the assessment of a sequentially preferable town centre opportunity, the sequential test cannot be met; and
3. That there is a breach of an important development plan policy relating to the loss of employment land and premises.

An Inadequate ‘Assessment’ of Retail Impact

Whilst the scale of the proposed foodstore falls below the default national threshold of 2,500m² threshold *“requiring”* a thorough retail assessment to be undertaken, it does not render the issue of retail impact immaterial. Permission can still be refused on the ground that there is a likelihood of a *“significant adverse impact”* on the vitality and viability of the town centre. The applicant’s agent, Rapleys, have sought to undertake a very limited (and far from ‘proportionate’) assessment of the proposal’s effects on trade in Saffron Walden town centre.

Rapleys’ so-called ‘proportionate’ assessment is inadequate and fails to address matters necessary to come to a rational conclusion. It relies upon a very limited number of health check indicators to provide a broad-brush qualitative description of the classes of retailing in Saffron Walden town centre. The assessment fails to set out the likely impacts of the proposal on existing centres and facilities which is the advised approach in the NPPG and is consistent with an Inspector’s finding¹ that *“Health check indicators are an ‘indication’ and nothing more – they are not a cumulative formula or calculation and they should not be taken in isolation. Rather, a rounded assessment and a measure of judgement is required...”*. Rapleys’ conclusion that *“...the likely level of trade diversion from these facilities and the associated quantitative impact, may not be of a level which would constitute a significant adverse impact...”* therefore not only fails to arrive at the necessary conclusion but is unsubstantiated by necessary quantitative evidence and robust qualitative reasoning. The assessment is therefore inadequate for the Council to determine whether the proposal will not lead to a *“...significant adverse impact on the town centre”*.

As a precursor to an attempt to undertake a retail impact assessment of the proposal, a form of capacity assessment has been undertaken.

However, there is a fundamental difference between the retail (trading) impact of a specific proposal and a capacity analysis or assessment. The former identifies the sources of available catchment area expenditure that the new store will attract and how that expenditure will be diverted from existing stores allowing the total diversion from

each town centre to be aggregated, and in the context of knowledge of the health of respective centres, can draw conclusions as to the severity of the impact on each centre usually at a time two years after the proposal might open. The latter identifies whether there might be a quantitative need for the proposal. It starts with the same knowledge of available catchment area expenditure. But it does not then track existing and projected spending patterns. Instead, it considers existing provision and how it would trade at a 'benchmark' or company average position. Any commitments are similarly considered. An efficiency or growth factor is often applied to existing stores' turnover as a first claim on available spend (particularly for those located in town centres). The respective totals are grown to an assessment year. The "*available capacity*" is any positive value that then emerges. By applying a benchmark trading density, a floorspace quantum is generated. Capacity assessment is a broad-brush tool designed to test whether there is, or is not, equilibrium in the supply of retail floorspace in an area. Its use is for plan making - establishing whether unmet needs exist - rather than in assessing the effects arising from new proposals.

It is apparent to us that the applicant has not even carried out a proper capacity-based analysis. Rather, what has been undertaken is merely a comparison of available expenditure against the company average benchmark turnover of the proposed store. Those figures are then set out with the finding that "*...the proposed turnover represents circa. 12% of the total expenditure within the agreed catchment area*". The conclusion in the following sentence stating "*...there is ample capacity to accommodate the proposed development, as there will be £78.78m - £83.34m remaining for other convenience retailers*" (paragraph 6.23) does not follow. It totally misrepresents the whole purpose of any kind of retail impact assessment. Even a capacity analysis model, in assessing the amount of expenditure that might be available to support another store, would see matters in light of what might be "*remaining*" to support new development but certainly never the opposite. It can be of no use to the local planning authority in decision-making on this application.

Indeed, quite the opposite. It gives a wholly misleading suggestion of acceptability where nothing of the kind has been demonstrated.

The applicant claims that the proposed store will be highly effective in clawing back local spending from within the local area (as defined by zone 1 of the Councils 2018 Retail Study) by “...*negating the need (in part) to travel to facilities elsewhere*”. An erroneous and un evidenced assumption is made that “...*residents are more likely to drive from further afield to visit the proposed store and other retail facilities in Saffron Walden*” (paragraph 3.14). This assessment of retail expenditure within the catchment area is not substantiated by any proper evidence. Nevertheless, we see it as highly unlikely that the proposed Lidl store will claw back a significant amount of trade given the existing very high (92%) trade retention rate of convenience goods from the same local area as derived by the Councils retail advisor (Pegasus). Whilst Rapleys acknowledge that Lidl stores typically “...*serve an area that broadly equates to a 0–5-minute drive-time of the site*” (paragraph 3.4), the nearest Lidl store is almost 15km from the proposal site in Haverhill (broadly equivalent to a 20-25 minute drive time). Thus it is highly unlikely that inflow from outside the catchment will make up a meaningful proportion of the store’s turnover. Therefore retention of convenience goods expenditure should not be seen as a benefit of the proposed development.

Failure to Produce a Robust Sequential Assessment

The applicant’s sequential assessment fails to give adequate consideration to potential opportunities in the town centre. The starting point of the exercise should be the town centre not the application site. That is the correct approach to the sequential test as set out in paragraph 86 of the NPPF which explains that “*Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered*”.

The Retail Statement on behalf of the applicant explains that “...*the proposal has been strategically located to compete with existing out of centre retail facilities in the Borough namely Aldi*” (paragraph 7.4) and that the application site is “...*the only sustainable location outside of the Town Centre which can meet the applicant’s retail requirements*”.

However the sequential assessment does not operate on the basis of a particular operator’s “*requirement*” to “*compete*” with other retailers. Amongst other matters that was thoroughly clarified in the Aldergate judgment. It identified the “*critical importance*” that the sequential assessment cannot “...*be interpreted as envisaging that the requirement or preference of an individual retailer’s trading style, commercial attitudes, site preferences, competitive preferences whether against itself or greater competition should dictate what sites are ‘suitable’ or ‘available’ subject only to a degree of flexibility*” (paragraph 38) (our emphasis).

The Retail Statement on behalf of the applicant has only considered vacant town centre buildings, whereas potential opportunities for the redevelopment of town centre sites have been inappropriately ignored. We are aware of a 0.5ha site - Emson Close/Rose and Crown Walk – which appears to be large enough to accommodate a discount foodstore. The applicant should be required to consider this as part of their assessment, not least because the site has been identified as being suitable for “...*a large anchor unit/s which would help draw custom into this part of the town centre*” by Carter Jonas in an “*Assessment of Development Opportunity Sites*” Report for Uttlesford District Council

in 2012 (and we see no reason why that position should not remain valid). Whilst the applicant subsequently refers (in their letter of 18 February) in very broad-brush terms to sites identified in the draft Neighbourhood Plans, there is no attempt to review the Crown Walk site individually or in any detail.

The principle of the sequential approach is to attempt to focus development in the town centre ie the 'town centre first' principle. In achieving this, applying a degree of flexibility to the proposed development is very important. The NPPF requires that "Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale". The normal site area requirement of discount foodstores without flexibility is from 0.5 hectares, see for instance Lidl's recent applications in Watton, Newport (Wales) and Shieldfield, and Aldi's recent application in Petersfield. One would therefore expect, in respect of the need to demonstrate flexibility, for this to reduce this at least marginally. Yet the applicants agent is proposing that sequential assessment is based on a much larger site area of 0.9 hectares. In that regard, whilst we agree with Rapleys that the store can be properly disaggregated from the applications other components (so that is not a justification for the excessive scale suggested) the 'flexibility' over 'format' that is sought in the application of sequential testing cannot arise because the application site itself has particular characteristics that cause its land take to be greater. Such factors are to be ignored. The inclusion, for example, of the shared access road is therefore inappropriate to the assessment of alternative sites (see paragraph 5.15).

For the aforementioned reasons, the application fails to meet the requirements of the sequential test as set out in paragraphs 86-87 of the NPPF.

Harmful Conflict with the Development Plan

The proposed development would be located on a site which forms part of an allocated 'key employment area' as listed under Policy SW6 of the Local Plan and thus the applicant must demonstrate that the proposal complies with policy E2 'safeguarding employment land'. This requires the area to be "...safeguarded from redevelopment or change of use to other land uses". The existing building has a lawful B-class use. It forms part of a wider employment area, Shire Hill Industrial Estate, which is reported to be a much in-demand site for predominantly traditional industrial occupiers. The proposed development does not provide for employment uses in the sense set out in the development plan.

The overall scale of the proposed redevelopment exceeds the 1ha threshold under limb (a) of policy E2, and thus the applicant must demonstrate that "...the employment use has been abandoned or the present use harms the character or amenities of the surrounding area". As the proposed development comprises non-employment uses, the proposal would be in conflict with the policy unless the above criteria can be satisfied. That conflict is misinterpreted by the applicant's agent, Rapleys. Their letter (18 February) claims that there would only be "...slight conflict from a policy perspective due to the introduction of C2 and C3 uses". However, it is not possible for there to only be 'slight' conflict; the conflict is direct, thus the proposal fails to comply with policy E2 of the development plan.

We can see no evidence, or likelihood, of harm to the character or amenities of the surrounding area arising from the lawful or previous use of the application site. Neither can we identify any meaningful evidence that the site has been *'abandoned'*. Tests have been established by the Courts that assess whether a use has been abandoned, see for example in *Trustees of Castell-y-Mynach Estate v Taff-Ely BC*, [1985]. Rapleys assert (in their letter of 18 February) that *"...the site has been vacated in September 2017. Accordingly, the site has been abandoned and not been in active use for almost 3.5 years"*. However, the test of abandonment is more stringent than simply the period of non-use, and thus there are other critical factors including the owner's intent, that need to be thoroughly reviewed.

That the applicant relies on marketing evidence to demonstrate that the site is no longer fit for purpose for employment use suggests there may be an intent to keep it available for industrial purposes. Whilst the Planning Statement refers to a *"submitted marketing note"* (paragraph 9.7) this has not (yet) been made publicly available. Notwithstanding this, reliance on marketing is misplaced, both because there is no reference to any requirement to market the site and/or premises within policy E2 or its reasoned justification, and that it is far from an effective tool in decision making on such matters. Accordingly, the applicant's assertion that *"Through marketing of the site by the administrators and their selling agent, there has been little demand for Industrial use class in this area and therefore the site is falling into disrepair"* (paragraph 9.7) should at best have no more than only very limited weight applied to it because of the limitations inherent in that process.

Rapleys' assertion is also at odds with the evidence within the Uttlesford District Employment Land Review Update (2017), which found *"With regards to employment stock within Uttlesford, premises were found to be generally small to medium sized and tightly constrained with very limited workplace stock being marketed. A particular shortage of industrial space was identified, with notable shortages of space within both Saffron Walden and Great Dunmow markets"*. (paragraph 2.4.10). This Review for the Council emphasised the importance of alleviating the *"tightness"* in the local market. As is explained in the reasoned justification to policy E2, the purpose of the policy is to ensure that there *"continue(s) to be employment opportunities available locally across Uttlesford"*. (our emphasis). The unnecessary loss of a key employment area would thereby exacerbate the existing *tightness* of employment stock in Saffron Walden. Recent inspection of Shire Hill Industrial Estate could not identify a single unoccupied unit, demonstrating a good take-up of employment stock in the local area. This is wholly contrary to the applicant's assertions that there is *'little demand'*. Local agents Cheffins² have recently reported (31 March 2021) that the units *"...were hugely in demand, leading to healthy rents of approximately £10 per sq ft being achieved. The five lettings occurred during lockdown and are illustrative of the shortage of availability in the local area"*. Bearing in mind the Council's own evidence, this breach of development Plan policy E2 is significant. It will remove land or premises for a very long period of time with the loss likely to be irreversible. The limited benefits of the scheme (see below) do not outweigh this harm to the development plan.

Limited Benefits Insufficient to Outweigh Plan Conflict

Against all of the above harms are a handful of benefits to be delivered by the scheme. These do not outweigh conflict with Policy E2 of the Local Plan, the failure to satisfy the sequential test and the absence of adequate evidence that a significant adverse trading impact does not arise. The applicant lists in their Retail Statement 'summary' a series of (2021).

1. The claimed 'shortfall' of local care facilities is overstated. A recent inspectors decision on a proposal for a care facility on the Homebase site in Saffron Walden found that "...the extent of the benefit (of the care home) is reduced by the fact that there is not in fact a substantial shortfall (in care home bed spaces) in the district now or in 2025" (paragraph 41).
2. A "...clean and contemporary design" is not a benefit of the scheme in its own right. A good design quality is necessary in itself in order to meet planning policy requirements.
3. Any economic benefits of the proposal should be considered in the context of the loss of an allocated "key employment site" which could foreseeably be brought back into traditional employment use.
4. A "...high quality landscaping plan on the perimeter of the whole site" cannot be seen as a benefit of the scheme. It is necessary to meet policy requirements.
5. The applicant's judgement that "there are no suitable or available sites – which could accommodate the development proposed – in or on the edge of the town centre" cannot be seen as a benefit of the scheme. First, because no adequate assessment of potential opportunities has taken place, and even if none were identified the outcome is not guaranteed to provide any benefit to the health of the town centre.

'benefits' which are claimed to "constitute sustainable development". These stated benefits are marginal in nature, and do not offset the conflicts with the development Plan.

Conclusions

On behalf of our client Tesco Stores Limited we have therefore demonstrated the following:

1. That there is direct conflict with policy E2 of the local Plan which seeks to "...safeguard employment land uses from redevelopment or change of use to other land-uses". The applicant has not demonstrated that either the site has been "abandoned" or "the present use harms the character or amenities of the surrounding area".
2. That there is no robust qualitative reasoning or quantitative evidence to support that proposition that there will be no "...significant adverse impact on the town centre". Therefore the proposal is not compliant with paragraph 89 of the NPPF.
3. That the applicant has failed to satisfy the requirements of the sequential test as set out in paragraphs 86-87 of the NPPF.
4. That the few identified benefits arising from the proposed development are either irrelevant or far from sufficient to outweigh the harms arising.

Permission should therefore be refused.

Appendix 3 - The applicant's Vacant Building Credit Calculation

| Vacant Building Credit Calculation | Retirement Living development. (Council affordable Housing requirement 40%) | |
|------------------------------------|---|--|
| Step 1 | Calculate the affordable housing contribution based on the total number of eligible dwellings and the affordable housing percentage (40%) required by the council's planning policy | Affordable housing contribution 49 units x 40% = 19.6 units |
| Step 2 | Calculate the amount of existing floorspace, if any, as a proportion of the floorspace provided by the development: <i>E/P x 100 (where E = existing floorspace and P = proposed floorspace)</i> | 8,851 sqm / 4,422.9 sqm x 100 = 200 % |
| Step 3 | Calculate the number of AH credit: Step 1 AH units x Step 2 percentage | 19.6 units x 200% = 39 units |
| Step 4 | Deduct the AH credit from the policy compliant affordable housing contribution, <i>Step 1 AH number - Step 2 AH number</i> | 19.6 units - 39 units = -19 units (0 affordable dwellings can be delivered) |

Appendix 4 - Pegasus initial retail review

LPA Ref: UTT/20/2007/FUL
8 April 2021 | NP | P21-0694



PLANNING APPLICATION FOR PROPOSAL BY ENDURANCE ESTATES FOR ERECTION OF A DISCOUNT FOODSTORE AND A CARE HOME AND RETIREMENT LIVING APARTMENTS

RETAIL IMPACT ASSESSMENT REVIEW

LAND SOUTH OF RADWINTER ROAD (FORMER PRINTPACK SITE) SAFFRON WALDEN

ON BEHALF OF UTTLESFORD DISTRICT COUNCIL

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

Prepared by: **Nicky Parsons**



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DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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1.0 Introduction

- 1.1 Uttlesford District Council (UDC) instructed Pegasus Group to undertake a review of the Retail Statement by Rapleys on behalf of Endurance Estates for their proposed development site at Land South Of Radwinter Road (former Printpack Site) Saffron Walden. This report provides the details of that review and our recommendations to UDC. For the avoidance of any doubt, this report only considers the retail aspect of the proposal.

2.0 Background

- 2.1 In August 2020, Rapleys (on behalf of Endurance Estates) submitted a planning application to UDC for:

"Demolition of existing buildings and erection of a discount foodstore, a 70-bed care home and 49 no. retirement living apartments with access, car parking, landscaping and associated works."

Details

- 2.2 The application was registered on 12 August 2020 and has the reference UTT/20/2007/FUL.
- 2.3 The discount foodstore element of the scheme is understood to be for Lidl UK. The retail element of the scheme is summarised as follows:
- 2,178 sqm gross internal area (the applicant has confirmed that the GEA is 2,274 sqm)
 - 1,410 sqm net sales area
 - A food:non food split of 80:20
- 2.4 The retail element does not meet the threshold identified in the Framework that triggers the need for retail impact assessment and there is no lower threshold set by UDC. Notwithstanding this, the Council asked for and the applicant agreed to the provision of a retail assessment for this proposal, and this was included with the application.

2.5 The applicant provided this information as a Retail Statement that was prepared in accordance with a scoping note that was sent to and agreed by UDC prior to the submission of the application.

2.6 This review has considered the Retail Statement submitted with the application and the scoping note that it was based on.

Site

2.7 It is agreed between the Council and the applicant that the application site is in an out-of-centre location. We do not dispute this.

2.8 It is described by the applicant as being 1.6km to the east of Saffron Walden Town Centre. As the proposals map does not confirm the location of the primary shopping area and the new Local Plan is still in preparation, we have reviewed the distance provided against the retail provision identifiable on local online maps and find it to be a fair description.

2.9 The application site is within reasonable cycling distance of the town and a c.20-minute walk. There is a large residential population immediately around the site that is within easy walking distance of it. It is also accessible by multiple bus routes with bus stops nearby on Radwinter Road. It is noted that the application site almost next door to an existing Tesco store that is located further to the east.

2.10 We consider that the site is in an accessible location.

3.0 Planning policy position

3.1 The National Planning Policy Framework (2019) advises at paragraph 85 that:

"Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation."

3.2 It goes on to set out the matters that planning policies should cover.

3.3 It confirms at paragraph 86 that LPAs *'should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan.'* That is the case with the retail element of this application and the applicant has included a sequential assessment within the supporting information for this application.

3.4 The sequential approach is confirmed as being town centre locations first, then edge of centre locations; *'and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.'*

3.5 It confirms at paragraph 87 that when *'considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.'*

3.6 Paragraph 89 sets the threshold for the need for an impact assessment as 2,500 sqm of gross floorspace unless there is a locally set threshold. There is no such locally set threshold in UDC – either adopted or emerging.

3.7 The paragraph goes on to explain that the assessment should cover impact on existing, committed or planned investment in a centre or centres in the catchment area. It also requires it to cover the impact of the proposal on the

vitality and viability of town centres, 'including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme)'.

- 3.8 It confirms at paragraph 90 that 'Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 89, it should be refused'.
- 3.9 The Local Plan was adopted in 2005 and the Council is at the early stages of preparing its replacement. For the purposes of this review, we have taken into account the policies of the Framework and the guidance for those policies given the age of the Plan.
- 3.10 For the purposes of this exercise, it is necessary to note that the application site is not within the town centre and is not identified for retail use.

4.0 Sequential Test

- 4.1 In accordance with national planning practice guidance (2b-011-20190722), the applicant agreed the scope of the sequential test work in advance with the Council by way of exchange of emails during April and May 2020. This resulted in the agreement of the catchment area. It was also agreed that the sequential test should be limited to Saffron Walden Town Centre and that a floorspace tolerance of +/-10% would be used to demonstrate flexibility. We consider this to be a reasonable approach.
- 4.2 The applicant requested confirmation of any specific sites to be considered and no such sites were identified by the Council.
- 4.3 The applicant's sequential site assessment has reviewed both Saffron Walden Town Centre and areas at the edge of this centre for alternative sites. This exercise was based on desktop analysis in light of the restrictions imposed by the pandemic at the time of preparing this work. This revealed just two possible sites. We consider that these sites are both large enough and

appropriately located (in geographic terms) to accommodate the retail element of this proposal. However, both sites involve the loss of important assets for the town centre (a car park and an area of open space) and that the loss of either will undermine the vitality, viability and character of this historic town. The applicant advises that it is not aware that these sites are available for development, however the availability of these sites would not overcome the suitability issues we have raised above.

- 4.4 As the restrictions associated with the pandemic are easing, it is recommended that the Council ask the applicant to undertake a site visit to confirm that there are no other alternative sites that were not obvious from their desk-based review. Clarification of this will enable the Council to conclude whether or not the checklist set out in the NPPG¹ has been complied with and that the sequential test has been passed.

5.0 Retail Impact

- 5.1 As noted above, the proposed floorspace of this retail unit does not trigger the need for an impact assessment (as confirmed at paragraph 89 of the Framework). However, the Council has requested, and the applicant has agreed to the provision of such an exercise. The parties have agreed the catchment area of the store and the matters to be considered in the impact assessment. We have no cause to dispute these agreements.

- 5.2 The retail floorspace is summarised at paragraph 6.2 of the statement and it is noted that the figures quoted are marginally less than those provided on both the application form and at paragraph 3.2 of the statement. The variances are identified below for ease of reference.

¹ ID ref: 2b-011-20190722

| | Application form | Paragraph 3.2 | Paragraph 6.2 |
|-----------------------|------------------|---------------|---------------|
| GIA | 2,178 sqm | 2,178 sqm | 2,175 sqm |
| Net Sales | 1,410 sqm | 1,410 sqm | 1,347 sqm |
| Food Sales | N/A | 1,128 sqm | 1,078 sqm |
| Non-food Sales | N/A | 282 sqm | 269 sqm |

5.3 For the purposes of this exercise, we have relied on the larger figures and we stress again the marginal differences involved.

5.4 The NPPG provides a checklist² of steps to be taken when applying the impact test. We have used this to inform our review.

Establish the state of existing centres

5.5 The main centre within the catchment area is Saffron Walden Town Centre. This is the focus of the applicant's assessment and we agree this to be appropriate and proportionate in this location and having regard to the proposal. The health of the centre is explained at paragraphs 6.11 – 6.21 of the applicant's statement with reference to various desk-top information sources and based on publications produced before the current pandemic and the changes to the Use Classes Order. It does not discuss whether the health of the town centre is increasing or declining.

5.6 The pandemic has caused some high-profile retailers to cease trading and shopping behaviours to change. The applicant should be asked to review the conclusions reached and consider the implications of the work of Saffron Walden BID and how this has assisted in the health of the town, along with the measures identified at paragraph 2.69 of the Council Retail Study Update, 2018. We consider that such an update by the applicant will assist officers in demonstrating that a robust analysis of the health of the centre has been carried out and ensure that the indicators identified in PPG ID : 2b-006-20190722 are adequately taken into account.

² ID ref: 2b-018-20190722

- 5.7 We have not been made aware of any further investments that have taken place in Saffron Walden or planned investments that would help to strengthen the health of the town centre. The Council should clarify whether such proposals exist and ask the applicant to take these into account when considering the impact of this proposal.

Time Frame

- 5.8 The applicant has agreed the time frame with the Council as part of the scoping exercise. We note that the design year is not clarified, and that the turnover of the store is identified from the year 2020 when the store is unlikely to be trading until at least 2022. The Council should ask the applicant to revisit this and clarify whether the time frame identified is appropriate.

No development scenario

- 5.9 The applicant has provided headline information regarding retail expenditure in the catchment area. It does not provide the turnover for key locations within the catchment area or how this is predicted to change over time, without the development proposal. As the applicant has offered to provide a retail impact assessment it should be asked to provide this information.
- 5.10 Since the application was submitted, Experian published an updated retail briefing note in October 2020 (No.18). This took into account the impact of the current pandemic on the retail industry and the likely increase in the pace of change once the pandemic passes. Food retail sales have increased significantly during the pandemic as has online shopping – both inevitable consequences of lockdown.
- 5.11 Food shopping behaviour has also changed with more people embracing home delivery and/or click and collect. The long-term predictions for retail impact are therefore increasingly difficult and are likely to remain so in the short term.

- 5.12 The applicant should be asked to provide an update note to reflect this and consider the implications for the conclusions reached in the original assessment, especially in terms of the proportion of expenditure allocated to Special Forms of Trading.

Turnover and trade draw

- 5.13 The information used in evaluating the impact is set out at appendix 4 of the applicant's statement. The turnover figures for Lidl are based on the 2019 Retail Rankings and this has subsequently been superseded by the 2020 version. The applicant should be asked to update these figures and the subsequent proportion of available retail expenditure that this relates to.
- 5.14 Pegasus Group uses GlobalData for its sales density information for grocers and we have provided this below by way of comparison. Our data suggests higher turnover for the store, based on 2020 prices and the applicant should be asked to consider and respond to this.

| | Sales Densities (£/sqm) | Floorspace (sqm) | Turnover (£m) |
|-----------------------------|-------------------------|------------------------|---------------|
| Convenience Goods (ex VAT) | 10991 | 1410 | £15.50 |
| Convenience Goods (inc VAT) | 11439 | 1410 | £16.13 |
| Comparison Goods (inc VAT) | 5063 | 282 | £1.43 |
| Comparison Goods (ex VAT) | 6067.2 | 282 | £1.71 |
| | | Total (ex VAT) | £16.93 |
| | | Total (inc VAT) | £17.84 |

2020 prices

- 5.15 The applicant's work does not identify the existing destination of convenience and comparison goods expenditure within the catchment area. This information can, however, be found at appendix 7 of the Council's updated Retail Study. It advises that the convenience turnover in Saffron Walden is £70.93m (at 2015 prices) and breaks this down into the relevant stores that exist.

- 5.16 Paragraph 6.26 of the applicant's statement covers the issue of trade diversion and notes that trade will be drawn from the existing Tesco and Aldi stores (identified in the Council's Study as having just over 57%³ of existing market share). We would agree with that assumption. There is no subsequent calculation to explain the potential level of diversion to reinforce the claim that *'the likely level of trade diversion from these facilities and the associated quantitative impact, may not be of a level which would constitute a significant adverse impact, given the small-scale nature of the Lidl foodstore and its trading characteristics'*.
- 5.17 The Lidl offer is a direct competitor to Aldi and Tesco has been repositioning its offer to clawback customers from these discount foodstores. The Tesco store is also virtually next door to the application site. It is our opinion that trade diversion from both stores is likely. The Council may take the view that impact on these stores will not undermine the health of the town centre and therefore may not be concerned about the extent of trade diversion. That is a planning judgement for the Council to make.
- 5.18 Turning to the town centre, we agree that turnover for the store is less likely to be drawn from Waitrose (reported as having just over 35% of the market share in the Council's Study). We also consider that the potential to draw more from the small independent stores in the centre is minimal as these offer a different retail offer to that provided by stores like Lidl. The Council should ask the applicant to estimate the likely level of trade draw and conclude on the overall impact having regard to the available expenditure as well as the increasing popularity of shopping locally started before and accelerated as a direct result of the pandemic (as noted in Experian's Retail Planner Briefing Note 18).
- 5.19 The applicant should also be asked to comment on whether the proposed store will increase the current convenience trade retention in the catchment area of 92% and if so, where this additional trade will be drawn from.

³ Appendix 7 of the 2018 Update

- 5.20 Impact on comparison goods retailers is not assessed by the applicant. However, the nature of the comparison offer at Lidl is one that is based on impulse purchases rather than conscious diversions from an existing retail destination. Although that still provides some impact, we consider that any such impact would be minimal due to the scale of comparison goods to be offered at this store. It is also worthy of note that the Council's Retail Study notes that a significant proportion of the comparison goods expenditure is spent outside of the catchment area. Notwithstanding this, the Council may wish to consider controlling the proportion of comparison goods that can be sold from this store.

The need for finer grain analysis

- 5.21 The guidance refers to the need to consider a range of plausible scenarios when assessing the impact on existing centres and facilities. We consider that this is appropriately considered in the matters raised earlier and that there is no need for additional consideration or a finer grain analysis.

Quantitative and Qualitative Analysis

- 5.22 The applicant's statement has considered the qualitative issues in terms of the retail offer of this proposal against the offer currently available elsewhere. However, the statement has not gone on to consider the full range of qualitative issues such as the ease of accessibility of alternative destinations or the store environment. We have already identified above the issues with the quantitative analysis. The extent to which further work is necessary is a matter of planning judgement for the Council, keeping in mind that this is not a proposal that triggers the need for retail assessment.
- 5.23 We note that the applicant's retail statement does not confirm the design year for the scheme and that predicted turnover information is provided for 2020 onwards for a five year period. The first year of trading for this store is likely to be 2022 meaning that the design year is likely to be 2023 at the earliest. The Council may wish to clarify this with the applicant and seek an update to

the trading period assessed.

- 5.24 As matters currently stand, the evidence has not been provided to support the assumptions made by the applicant. The Council should consider requesting updated information to address the issues identified above.

6.0 Summary and Conclusions

- 6.1 The applicant has provided a Retail Statement to support the retail element of its proposal at the application site. That retail element is a Lidl store with a GIA of 2,178 sqm. This is below the trigger for a retail assessment identified by the Framework and there is no locally set threshold in place.
- 6.2 The applicant agreed the scope of the Retail Statement with the Council prior to submission and that has been taken into account in our review. As has the fact that a retail assessment is not required for this proposal.
- 6.3 The retail element of the proposal is a main town centre use, and the application site is in an out-of-centre location that is not allocated for this use – these are facts that are agreed between the applicant and the Council. As such, it is required that the applicant demonstrate that the sequential test has been passed. We have not been able to conclude that this has been passed given the age of the information provided and the desk-top nature of the exercise undertaken. We would recommend further work be undertaken in this regard so that the applicant can demonstrate compliance with the sequential test.
- 6.4 A form of retail assessment has been provided. It summarises the findings of the Council's Retail Study that identified capacity for additional convenience goods floorspace within the Saffron Walden area. It does not undertake the same summary for comparison goods floorspace. This is something that the Council could request but the reality is that the proportion of comparison goods retailing proposed is relatively small and it is unlikely that such an exercise will reveal any issues of significance to the determination of this application.

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- 6.5 The Council's Retail Study identifies that convenience goods expenditure in Saffron Walden is mainly directed to three foodstores: Tesco, Aldi and Waitrose. Collectively, they account for 92.4% of the market share. It is inevitable, therefore, that there will be an element of trade diversion from these stores to the new Lidl store. We agree with the applicant that a proportion of the turnover for the new Lidl store will be drawn from Tesco and Aldi. These are similarly located outside of the town centre and have surface level car parks as well as offering a similar retail offer (the Aldi store in particular). We also agree with the applicant that the draw from Waitrose is likely to be less as this has a different retail offer. We also agree that the trade draw from smaller, independent convenience stores in the town is likely to be minimal.
- 6.6 The applicant has not provided any evidence to demonstrate the scale of diversion and the consequential impact on sales densities for those stores/locations. It is therefore not possible to identify what the impact is or the implications of that impact. The Council should explore this further with the applicant and request that this be provided to ensure a robust retail assessment is provided.
- 6.7 We recommend that the Council seek further information from the applicant regarding the implications of the pandemic and new information that has been published. This should be combined with a site visit by the applicant to confirm the health of Saffron Walden town centre and the implication of investment proposals identified in the Council's Retail Study and any arising since the applicant's study was completed. This, we feel, will assist the Council in undertaking a robust assessment of the implications of the proposal for the vitality and viability of the Saffron Walden town centre.

Appendix 5 - Pegasus retail review update

LPA Ref: UTT/20/2007/FUL
15 September 2021 | NP | P21-0694



PLANNING APPLICATION FOR PROPOSAL BY ENDURANCE ESTATES FOR ERECTION OF A DISCOUNT FOODSTORE AND A CARE HOME AND RETIREMENT LIVING APARTMENTS

RETAIL IMPACT ASSESSMENT REVIEW - UPDATE

LAND SOUTH OF RADWINTER ROAD (FORMER PRINTPACK SITE) SAFFRON WALDEN

ON BEHALF OF UTTLESFORD DISTRICT COUNCIL

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

Prepared by: Nicky Parsons



Pegasus Group

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DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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Document Ref: UTT/20/2007/FUL (NP) (P21-0694) (Retail Impact Assessment Review Update) (Saffron Walden) (Former Printpack Site) (Land South of Radwinter Road) (P21-0694) (NP) (P21-0694) (Saffron Walden) (Former Printpack Site) (Land South of Radwinter Road) (P21-0694) (NP) (P21-0694)

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1.0 Introduction

1.1 I write further to my report dated 8 April 2021. Since issuing that report I have been provided with a copy of the applicant's response to my report (by Rapleys, dated May 2021), their update to the sequential assessment work (by Rapleys, dated 4 August 2021) and a letter of objection on behalf of Tesco Stores Ltd (by Martin Robeson Planning Practice, dated 4 June 2021 and referred to as 'the Tesco letter'). I have been asked by the Council to review all of these documents and update my previous advice set out in my report dated 8 April 2021. I have provided this below and in doing so have taken into account the revised NPPF that was published in July 2021. For the avoidance of any doubt, all references to the NPPF in my updated advice relate to the July 2021 version of the NPPF.

2.0 Health Check

- 2.1 There is now additional information provided in respect of the health check and whilst the applicant has not fully explained the trading context of the town, I do not dispute that Saffron Walden is a healthy town centre. I note that the draft Neighbourhood Plan for Saffron Walden describes the town as,

"A fine example of a vibrant market town, Saffron Walden town centre hosts over 200 independent shops, restaurants and cafés, together with many well-known national retailers, cafés and restaurants. The market on Tuesdays and Saturdays draws locals and visitors to the town. The town has three mid-sized supermarkets (Tesco, Waitrose and Aldi) and several smaller convenience size stores." (paragraph 6.1.4)

- 2.2 The information that the Council has available to it as part of the emerging Local Plan evidence base and the information being prepared to support the Neighbourhood Plan for the town all point to a 'vibrant' town that is not reliant on one form of retail offer.

- 2.3 Recommendation to the Council: you will need to form a view as to whether the applicant has provided a proportionate assessment given that it does not exceed the impact threshold. My view is that it has albeit that I would have done more to explain the health of the town centre by reference to material that you already have available.

3.0 Retail Impact Assessment

- 3.1 As has been mentioned by numerous parties involved in this application (including myself), the scheme that is before the Council for consideration does not meet the threshold for the automatic requirement to provide an impact assessment. That threshold is 2,500 sqm (para 90 of the NPPF), and all parties (including Tesco) agree that the scheme does not meet this threshold. This is an important starting point for the Council in its consideration of the information that has been provided by the applicant.
- 3.2 My review of the information provided by the applicant for this submission (as updated) is that it still does not provide a thorough assessment of the retail impact of the scheme but does provide sufficient information for the Council to form a view on the likely consequences of this proposal for the town centre.
- 3.3 The crux of the impact assessment is Waitrose, as that is the key town centre convenience store. I note from Table 5a of the Council's retail study that it commands 35.4% of the main food good market in Saffron Walden and is the most popular store in Zone 1a and also commands 30.73% of top up shopping trips from this zone. In terms of the trade draw figures, it is only identified to contribute 13% of the proposed store's trade (£1.66m in 2026). This is significantly lower than the 43% or £5.50m from Tesco (commands 31% of main food shopping trips) and 44% £5.64m from Aldi (26% of main food shopping trips). I have indicated that the trade drawn was broadly reasonable having regard to the nature of the offer and the location of the proposal.
- 3.4 Even if you take an extreme position and suggest that the level of trade diversion from Waitrose is closer to £3.32m, this will result in a % impact on the Waitrose of around 10.7%. This store is significantly overtrading (stated to be 238% when compared to benchmark levels), so that level of impact is unlikely to result in any closure of the store. Again, I reiterate the view that the applicant's stated location of trade draw is broadly reasonable, and I mention the doubling of impact on Waitrose simply as a way of demonstrating that there is scope for the trade draw to alter without adverse impact. Waitrose would continue to be a key anchor and draw to the centre and would still

command a large level of convenience goods visits and trade well. The Waitrose also benefits from the linked trips being undertaken to other uses in the centre.

- 3.5 The impact on this store is not the only consideration, the test is the impact on trade and turnover within the centre as a whole. When this is calculated (£3.57m diversion from a centre trading at £98.86m in 2026) the impact is around 3.5% (and only 3.7% if the higher figures from scenario 6c of the applicant's updated work are used). Given the overall health of the centre (as evidence by the Council's own work for the emerging Local Plan), the provision of convenience goods and the assessment that convenience is not the mainstay of the centre, my view is that the Lidl would not result on a significant adverse impact on the trade and turnover of Saffron Walden as a whole.
- 3.6 Recommendation to the Council: your report recommending your decision on this application will need to identify whether you believe the information submitted by the applicant is proportionate. It is my view that you have sufficient information to form an opinion on the likely impact of the proposal on Saffron Walden. My opinion is that there will not be significant adverse impact, but it is important that you review the information that you have available (including but not limited to my advice) and form your own reasoned view on this matter.

4.0 Sequential Assessment

Updated NPPF

- 4.1 Paragraph 87 of the NPPF retains the requirement for local planning authorities to apply the sequential test to proposals such as this. Paragraph 88 requires preference to be given to accessible sites and my original report has covered this point. The same paragraph retains the requirement for flexibility to be applied when searching for alternative sites. The Tesco letter raises concerns about the approach that the applicant has taken on this point and additional work has been provided by the applicant to address this. I discuss this below.

Revised search parameter

- 4.2 The applicant has revised the search parameters to 0.5ha and concluded that no alternative sites exist in a sequentially preferable location. The applicant's agent has undertaken a visit of the centre to confirm this. I am aware that the applicant has also asked the Council in the past to confirm the existence of any alternative sites and believe that no such sites were identified by the Council.
- 4.3 Recommendation to the Council: you should cross-check the evidence presented by the applicant with any identified sites existing or emerging through the Local Plan process, including any put forward as part of the Council's recent Call for Sites exercise (I am not aware of any). Should any sites be apparent, you should ask the applicant to assess these sites. Your report recommending your decision on this application will need to explain that this process has been undertaken and the outcome of this.

Reappraisal of alternative sites

- 4.4 The applicant's agent has reappraised the alternative sites that were previously assessed against the revised site search parameter of 0.5ha. They have advised that their conclusions remain the same. My previous comments regarding the suitability of these alternative sites remain unaltered by this

revised parameter.

- 4.5 Recommendation to the Council: you will need to be satisfied that the applicant's review of these alternative sites and the opinion that I have provided on them are both acceptable. You will need to discuss this in your report recommending your decision. You should summarise the actions that you have undertaken to assess the robustness of the applicant's case and your view on whether the test has been passed.

Additional site appraised

- 4.6 The applicant's agent has appraised the site (Emson Close/Rose and Crown Walk) that was suggested in the Tesco letter. This is a site that was previously proposed for commercial development in the now-withdrawn emerging Local Plan and a plan of the site is reproduced below for ease of reference.



Map reproduced from eLP

- 4.7 The site has an area of 0.5ha (the minimum size for the site search), is of irregular shape and includes a variety of properties and uses. It is also located 'behind' the town centre, albeit between the retail core and one of the main town centre car parks (the Common).

- 4.8 It is noted that the Tesco letter refers to a previous report prepared by Carter Jonas that considered development opportunities in Saffron Walden and specifically appraised this site. The link to that document is provided for ease of reference. It should be noted that the quote provided in the letter regarding the site being identified for "...a large anchor unit/s which would help draw custom into this part of the town centre" is not taken from this report and it is unclear where this is from. If and when quoting parts of the Tesco letter, you should make this clear to the decision-maker.
[https://www.uttlesford.gov.uk/media/1701/Carter-Jonas-Report-On-Town-Centres/pdf/Carter Joanas Report on Town Centres Nov2012.pdf?m=635110346580300000](https://www.uttlesford.gov.uk/media/1701/Carter-Jonas-Report-On-Town-Centres/pdf/Carter_Joanas_Report_on_Town_Centres_Nov2012.pdf?m=635110346580300000)
- 4.9 The report does acknowledge that Saffron Walden *'is an attractive market town with an interesting variety of small traders and is probably underrepresented in terms of national retailers as compared to comparable towns.* To some this is part of its attractiveness. There is generally a fairly low level of vacant retail units and when a unit becomes available it is usually taken up fairly quickly. There is perhaps a shortage of larger units which might attract more national retailers to the town.'
- 4.10 In terms of the assessment of this site, the report acknowledges that the site provides important pedestrian links to the centre as well as car parking provision for both the public and businesses in the centre. It refers to the poor visibility of parts of the site and that this increases the importance of the pedestrian flow that exists.
- 4.11 It comments that it would take a particularly valuable scheme to justify redevelopment of Emson Close. It notes that a large store (no size suggested) could be accommodated on the car park but would be 'invisible to a large proportion of the shopping public and therefore the viability is questionable'. It also notes that it might provide a suitable site for a discount food retailer but the lack of directly associated car parking will detract from its attractiveness.
- 4.12 In terms of the Rose & Crown Walk part of the site, it notes that "The car parks

adjacent to Rose & Crown Walk might also be attractive to a discount retailer particularly if some parking can be directly associated with it but are otherwise too isolated from the town centre to be attractive for retail development other than as part of an improved Rose & Crown Walk".

- 4.13 It considers that the retail development potential of the site relies on creating strong pedestrian links with attractive public spaces and provide a range of retail units with residential above to create a viable development.
- 4.14 The report concludes that there are limited opportunities for retail development in Saffron Walden and that this site is not straightforward.
- 4.15 These findings are important aspects when considering the suitability and viability of the site.
- 4.16 It is noted that this site is within the conservation area and is immediately adjacent to several Listed Buildings of various grades. The conservation area was reviewed by the Council in 2018 and did not propose any boundary changes. This historic context is an important aspect when reviewing the suitability of the site for a large discount foodstore.
- 4.17 The applicant's agent has reviewed this site the letter dated 4 August 2021 and concludes that the site would not be suitable as it would involve the demolition of 22 commercial buildings and the redevelopment of two town centre car parks, with limited opportunities to provide these elsewhere. It also adds that the loss of this parking would 'likely affect the vitality and viability of Saffron Walden Town Centre by not providing suitable car parking to attract people to the centre '. I agree with this statement. It also points to the irregular shape of the site and the impact this will have on the ability to create a suitable development that would make a viable proposition for Lidl or any other discount retailer. The inability to provide a safe area for HGV deliveries is identified as a significant constraint, although a plan identifying the possible options for HGV access has not been provided.

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- 4.18 The applicant's agent does not provide any evidence to reinforce these points, but I consider that is self-evident that the site is constrained – as indeed is acknowledged by the Council's own report on this site. I return to this in my recommendations below.
- 4.19 The applicant's agent does not touch on the suitability of a large floorplan building occupying this space and the ability to create pedestrian flow to the town centre. I consider that both points are important considerations when assessing the suitability of this site. The irregular shape of the site means that it will be difficult to create the sort of development that was envisaged in the report quoted by Tesco. It would also be out of character with the historic environment, not to mention the potential for consequential adverse impact on surrounding Listed Buildings.
- 4.20 In my opinion, the irregular shape of the site coupled with its poor road frontage and proximity to built form means that it will not provide a suitable and/or viable development.
- 4.21 Recommendation to the Council: you will need to evaluate the updated information provided by the applicant and consider whether it provides sufficient justification to reject this as a sequentially preferable site. I do not dispute any of the conclusions reached by the applicant's agent based on the information provided and the findings of the 2012 report quoted in the Tesco letter. You may also wish to consider the impact of the loss of the parking facilities, pedestrian routes, and smaller retail units at this site (as a result of this development) on the vitality and viability of the town centre and whether the impact of this would be offset by the proposed development.
- 4.22 In terms of availability, the applicant's agent notes that the site is in 8 separate ownerships with almost full occupation across the site and only one property being actively marketed. The agent concludes that the site is not reasonably available. I have noted that the site is not identified on the Council's interactive map of sites put forward under the recent Call for Sites exercise, which further reinforces the opinion of the agent that the site is not reasonably available. I do not dispute the conclusion of the agent.

- 4.23 Recommendation to the Council: you will need to be satisfied that the applicant has provided sufficient evidence to demonstrate that the site is not reasonably available and justify your opinion in your recommendation.

Overall conclusion on sequential test

- 4.24 I consider that the information provided by the applicant (as supplemented) enables the Council to conclude that the sequential test has been passed. Your attention is drawn to the recommendations identified above as points to add robustness to your consideration of this aspect of your assessment of the proposal.

5.0 Conclusions

5.1 It is my overall opinion that the information submitted by the agent on behalf of the applicant provides sufficient information to conclude that the sequential test has been passed and that there will not be any significant adverse impact on Saffron Walden Town Centre. I also consider that the information provided is proportionate to the nature of the proposal. It is possible to ask for further information to reinforce the opinion reached by the applicant agent's and to upgrade the retail impact work to a full retail impact assessment. However, I do not believe that such requests would be proportionate or lead you to a different conclusion.

5.2

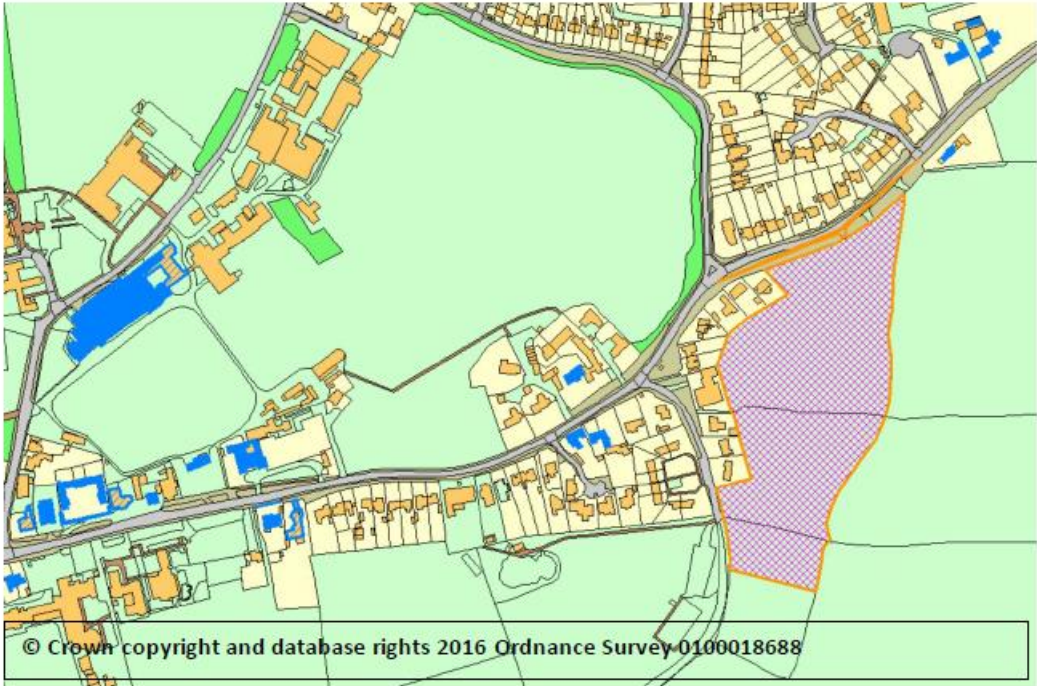
5.3 I have outlined a number of recommendations for your review and consideration as it is important that the Council demonstrates that it has reached its own view based on the information provided. It must do this to comply with the policies of the NPPF and the associated guidance.

ITEM NUMBER:

REFERENCE NUMBER: UTT/21/1755/DFO

**LOCATION: Land to the South of Braintree
Road, Felsted**

SITE LOCATION PLAN:



Organisation: Uttlesford District Council
Department: Planning
Date: 06 AUGUST 2021

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Organisation: Uttlesford District Council Date: 6 August 2021

PROPOSAL: Details following outline approval UTT/18/3529/OP (approved under appeal reference APP/C1570/W/19/3234739) for the erection of up to 30 no. Dwellings with associated roads and infrastructure - details of appearance, landscaping, layout and scale.

APPLICANT: New Homes Braintree Road Ltd.

AGENT: Mr Nigel Tedder

EXPIRY DATE: 01.09.2021 (extension of time agreed to 05.11.2021).

CASE OFFICER: Clive Theobald

NOTATION: Outside Development Limits / adjacent to Conservation Area.

1. RECOMMENDATION: APPROVAL WITH CONDITIONS

1.2 CONDITIONS:

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

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

1.2.2 The dwellings for the proposed development shall not be occupied until such time as the associated vehicle parking areas indicated on the approved plans have been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

1.2.3 Cycle parking shall be provided for any dwelling without a garage in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking in the interest of highway safety and amenity in accordance with ULP Policies GEN1 and GEN8 of the Uttlesford Local Plan (adopted 2005).

1.2.4 Prior to dwelling occupation all of the dwellings shall be provided with electric vehicle charging points. The charging points shall be fully wired and connected, ready for first use and retained for occupant use thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

1.2.5 A Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newts during the construction phase.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

1.2.6 The applicant's submitted Arboricultural Report (Marlow Consulting Ltd, March 2021) recommends that tree T20, albeit falling outside of the red line application site, be felled, albeit that this tree has been found to have potential to support roosting bats in the Ecological Appraisal (Aspect Ecology, December 2015). This tree shall therefore be retained as part of the implemented development scheme and shall not be felled in the interest of bat protection whereby the applicant has confirmed in an email to the local planning authority dated 16 September 2021 that the tree will be retained.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

2.0 DESCRIPTION OF THE SITE

2.1 The site is located on the southern side of Braintree Road on the eastern edge of Felsted village. The site itself is irregular in shape, relatively level and comprises approximately 2.67 ha. in area.

2.2 The site is vacant of any built form and remains as open grassland last

used for agriculture. Extension vegetation in the form of hedgerows consisting of a mixture of shrubs and bushes together with a variety of tree species are located along the external boundaries of the site. Three distinctive Oak trees are located centrally within the northern half of the site.

2.3 The site currently has a single gated vehicular access point off Braintree Road that is used to provide access for farm vehicles. In addition, two public rights of way intersect the site that provide pedestrian access linking Jollyboys Lane (North) situated to the immediate west to open countryside to the east.

2.4 Residential dwellings comprising a variety of building forms, sizes and scale are located to the north of the site along the north side of Braintree Road and also along the south side of Braintree Road as a curved linear grain to then extend down the east side of Jollyboys Lane (North) to include Abbeyfield House, an assisted living residence. Playing fields consisting of sports pitches, a multi surface facility and an equipped area of local play are located to the south-west of the site, whilst arable agricultural land lies to the south and east of the site.

3.0 PROPOSAL

3.1 This reserved matters application seeks approval of details of Scale, Layout, Appearance and Landscaping (the reserved matters) following the grant of outline application UTT/18/3529/OP in principle with Access at appeal under appeal reference APP/C1570/W/19/3234739 for the erection of up to 30 no. dwellings with associated roads and infrastructure.

3.2 The proposed scheme has been the subject of design revisions since the application receipt, following discussions with the Local Planning Authority in relation to the proposed site layout following various comments received with the latest proposed site layout drawing for consideration and as finalised for this Committee Report being Drwg. No. 021-969-002-D issued on 5 October 2021 showing changes to various plot positions, a slightly re-configured spine access road alignment and a slight reorientation of the east-west spur drives on their 'axis' leading off the spine road to take into account the existing PROW alignment through the site as confirmed by Essex County Council as Local Highway Authority in their revised consultation response for this reserved matters application.

3.3 The fixed 30 no. dwelling scheme as proposed for this reserved matters application includes and re-affirms a 40% on-site affordable housing element, equating to 12 no. affordable dwellings consistent with the requirements of the Heads of Terms for the completed Section 106 Agreement for the approved outline application UTT/18/3529/OP.

4. ENVIRONMENTAL IMPACT ASSESSMENT

4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANTS CASE

5.1 The application is accompanied by the following reports/statements to inform this reserved matters application proposal:

- Design and Access Statement
- Arboricultural Report – Marlow Consulting Ltd.
- Landscaping Proposals, including Landscape Masterplan (James Blake Associates)
- Drainage Strategy and SuDS report (Walker Associates)

5.2 The application is also accompanied by a covering supporting letter in which the design principles which inform the submission of this reserved matters application are set out before going onto explain how each of the specific reserved matters have been addressed and also details relating to drainage.

5.3 The covering letter states the following:

- The design principles for the development are outlined within the Design and Access Statement and clearly demonstrate how the proposal is landscape led. The detailed drawings which make up this application show how these aspirational principles have been applied to bolster the unique character of this bespoke development for 30 dwellings on Land South of Braintree Road in Felsted.
- The basic layout is derived from that of the original indicative proposal which was originally submitted on 27th December 2018 and this has remained constant throughout the planning process despite the slight amendments made to the outline application during the consultation phase, and the indicative layout shown at the approved outline application stage has therefore been carried through into this reserved matters application;
- With the design layout submitted following on from the indicative proposal submitted at the outline planning stage this application has been led by the existing landscape. The design responds to the existing landscape opportunities to guide both the settings of the dwellings around the two existing public footpaths and the landscaped public open space set around the existing three mature Oak trees. This approach both maintains and enhances the natural environment by delivering a high quality feel throughout with improved access to the surrounding countryside beyond;
- The provision of two dedicated areas of public open space allows the green infrastructure to remain embedded within the heart of the design and integrates with the existing footpath networks to encourage walking and cycling as an appealing form of exercise/ alternative mode of transport;
- The affordable housing is also of a high quality tenure blind design providing a diverse range of building types, including the provision of a single storey bungalow which will yield an informed mix of accommodation sizes responding to local needs and demands.

6. RELEVANT SITE HISTORY

6.1 UTT/16/0287/OP: Outline application for up to 55 dwellings, means of access and associated works, with all other matters relating to Scale, Layout, Appearance and Landscaping at Land to the South of Braintree

Road, Felsted refused on 28 July 2016 and dismissed at appeal due to an inappropriate form of development which would be at odds with the prevailing pattern of development in Felsted village, due to loss of best and most versatile agricultural land, as the proposed development would result in detrimental harm to the character and setting of the adjacent conservation area and as no mechanism existed to secure Section 106 contributions to make the development acceptable in planning terms.

6.2 UTT/18/3529/OP: Outline application for residential development of up to 30 no. dwellings with associated roads and infrastructure with all matters reserved except Access at Land to the South of Braintree Road, Felsted allowed on appeal 15 January 2020 against a failure by Uttlesford District Council to give notice within the prescribed period of a decision on an application for outline planning permission (non-determination).

6.3 The salient points made by the Planning Inspector in his appeal decision letter in relation to the planning merits of the revised proposed housing scheme were as follows:

- The main issues identified were the effects of the development upon the character and appearance of the rural area and the Blackwater Estuary Special Protection Area (RAMS);
- The emerging Felsted Neighbourhood Plan which had been independently examined and which had been confirmed as meeting the requirements that allowed it to proceed to a local referendum subject to specified modifications being made was at a stage that attracted only moderate weight to the planning issues under consideration;
- Whilst the appeal site was itself considered to be inherently rural in character and appearance and reading as part of the countryside around Felsted, the proposal would nonetheless be experienced against a backdrop heavily influenced by existing built development when viewed from various public vantage points and was therefore considered visually contained.
- In comparison with the 'up to 55' dwelling outline scheme refused and dismissed on appeal under UTT/16/0287/OP as referenced above, the Inspector made the following comments at paragraph 14 in terms of the reduced density of the up to 30 dwelling outline scheme now before him for UTT/18/3529/OP:

“With respect to the proposal before me, it is still the case that a single point of access is proposed. However, a significantly reduced number of dwellings is planned. Thus, as illustrated upon the indicative site plan submitted, a low density form of development is proposed that would incorporate notable areas of open space and would be respectful of the site’s edge-of-village setting. Whilst full details of the scheme’s layout would only become apparent at reserved matters stage, I am satisfied that the development of up to 30 dwellings in this location could integrate appropriately with the existing edge of Felsted so as to appear as a logical and well planned extension to the village”.

- The Inspector was satisfied that the proposal as indicated would respect the setting of the adjacent conservation area given the contained nature of the site and would not have an adverse impact

on the significance of nearby listed buildings.

- The Inspector was satisfied that the site was within a sustainable location close to a range of facilities and services offered within Felsted village and was also served by bus stops along Braintree Road offering services to larger destinations in the locality whereby the village's range of existing facilities and services were considered commensurate with the scale of development under consideration with the submitted proposal.
- Noting the Council's lack of a 5 year housing land supply which represented a significant shortfall whereby the delivery of 30 no. additional units within the district would make an important contribution towards the overall housing land supply position within the district, together with an offered 40% level of affordable housing within the proposed scheme, both benefits which were afforded substantial weight, the Inspector concluded in the planning balance that;

“Having considered the benefits and adverse impacts of the scheme before me, I conclude that the adverse impact that I have identified to the character and appearance of the area and the policy conflicts would not significantly and demonstrably outweigh the proposal's substantial benefits when assessed against the Framework's policies taken as a whole. The presumption in favour of sustainable development, as set out in the Framework, applies. Notwithstanding the conflict with saved Policies S7 and ENV5, there are material considerations that indicate that the proposal should be determined otherwise than in accordance with the development plan in this case”.

- The allowed appeal was subject to a Section 106 Agreement to cover the following Heads of Terms to make the development acceptable in planning terms:
 - 1 Provision of 40% on-site affordable housing comprising a mix of affordable rented and shared ownership properties
 - 2 Sustainable drainage scheme
 - 3 Provision of Public Open Space
 - 4 Education contributions towards primary education and early years and childcare
 - 5 Highway contribution towards safety enhancement and cycle parking improvements within Felsted village
 - 6 Residential Travel Information Packs
 - 7 Tariff contribution towards Blackwater Estuary RAMS recreational mitigation strategy

The S106 agreement was completed on 11 November 2019.

7. CONSULTATION RESPONSES:

Felsted Parish Council

(Original comments dated 18 June 2021):

- 7.1 Felsted Parish Council opposed this development and continues to believe that in conjunction with other unsupported but approved developments, it

will have an unacceptable cumulative impact on our Parish in conflict with the (now) Made Neighbourhood Plan (FNP) which supports an additional 63 dwellings towards UDC's 5 Year Housing Land Supply. It was also refused by UDC due to its conflict with the (then) emerging FNP but was subsequently allowed on Appeal.

Accepting that the development will take place, we have no specific comments to make regarding the details of appearance, landscaping, layout and scale.

However, we query whether there is an anomaly with the identification of a sycamore tree that will need to be felled. The diagram in the arboriculture report - appendix 6 - shows a tree reference T6, but we believe the photograph in Figure 3 on page 10 identifies an incorrect T5 tree.

We would also request that as a condition of approval of this DFO application that all associated parking of construction workers vehicles and all deliveries are on-site and that no parking of construction site workers is permitted in the Parish owned car park that serves the parish playing field off Jollyboys Lane North or on the wide highways verge at the front of the site in Braintree Road.

There should also be no site access permitted via Jollyboys Lane North, which is a single track road with no pavements or passing places serving as access to the parish playing field and children's play area, sheltered and supported housing and independent living homes. Consequently, this narrow and unpaved road is in constant use by elderly and infirm pedestrians, parents with pushchairs and young children".

(Addendum Felsted Parish Council comments dated 21 June 2021):

- 7.2 I have been asked to contact you to request an amendment to FPC's response to UTT/21/1755/DFO - Land To The South Of Braintree Road. The Parish Council would like to point out that Jollyboys Lane North is classified as a "byway" and is not part of the highways network and this should add weight to its request that UDC apply a condition restricting its use from being a potential means of access to the site. Please let me know if you need any further information.

(Further Felsted Parish Council Comments dated 7 September 2021 on revised application drawings received)

- 7.3 Felsted Parish Council would like to submit the further comment below (in italics) in response to application UTT/21/1755/DFO:

The recent submission of a "Revised Block Plan" by the applicant caused Felsted Parish Council to reassess the full application and it was noted that the dwellings in the DFO had increased in mass by some 30% when compared to the "Allowed Appeal" application which we feel is disingenuous to the process of Inspector approval.

There is no way to know if the Inspector would have approved these larger dwellings and so by definition the appeal allowed by the Inspector is not this application. As such it should be refused.

With the increased mass of the dwellings, including increases in the number of bedrooms and with many of the garages incorporating second story accommodation, further intensifying mass and capacity, the DFO application is inconsistent with the Allowed Appeal application plan and a revised plan of a scale more consistent with the Allowed Appeal should be sought.

ECC Highways

(Revised comments dated 8 October 2021):

- 7.4 'Initial comments were made by the highway authority to the current reserved matters application UTT/21/1755/DFO concerning the layout of the spine road, public rights of way and the approved access position. These comments have now been addressed.

From a highway and transportation perspective, the impact of the proposal as defined in drawing number 2021-969-002 Rev D is acceptable to the Highway Authority subject to highway conditions.

Local Lead Flood Authority (LLFA)

(Revised comments dated 19 August 2021):

Lead Local Flood Authority position:

- 7.5 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission for planning application UTT/21/1755/DFO.

We have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposal is implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the FRA and the documents submitted with this application are implemented as agreed.

Place Services (Heritage)

- 7.6 The application site is located adjacent to the Felsted Conservation Area which abuts the north-western boundary of the site. To the north-east is the designated heritage asset of Buckcroft, Grade II listed (list entry number: 1146801).

It is understood that this application follows on from the recently approved under appeal, APP/C1570/W/19/3234739 and therefore this forms the baseline from which to assess the proposal. The Inspector commented that

the *'proposal would respect the CA's setting and not result in a loss of heritage significance'*; also no harm was identified to the adjacent listed building.

From the submitted documents, the proposed layout differs from that approved at appeal and I do not consider this new site layout to be as successful or sympathetic than previous. However, I do not consider the proposal to result in harm to the significance of the adjacent heritage assets following the recently approved appeal. Therefore, I raise no objection to the proposed layout.

With regard to the proposed scale, appearance and landscaping, the submitted details are considered acceptable.

Place Services (Ecology)

(Revised comments):

- 7.7 No objections following confirmation by the applicant that Tree T20 which could have bat roost potential is to be retained as part of the implementation of the development.

Manchester Airports Group (MAG)

- 7.8 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict aerodrome Safeguarding criteria. It has no aerodrome safeguarding objections to the proposal.

Essex Police

- 7.9 BDC RPL90 (viii) states - Designs and layouts shall promote a safe and secure environment, crime reduction and prevention and shall encourage the related objective of enhancing personal safety.

Whilst there are no apparent concerns with the layout to comment further, we would require the finer detail such as the proposed lighting, boundary treatments and physical security measures.

We would welcome the opportunity to consult on this development to assist the developer demonstrate their compliance with this policy by achieving a Secured by Design Homes award.

Uttlesford District Council Housing Enabling Officer

- 7.10 The delivery of affordable housing is one of the Councils' corporate priorities and will be negotiated on all sites for housing. The Council's policy requires 40% on all schemes over 0.5 ha or 15 or more units.

The affordable housing provision on this site will attract the 40% policy requirement as the site is up to 30 properties. This amounts to 12 affordable housing units and it is expected that these properties will be delivered by the Council's preferred Registered Providers.

It is also the Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair user (building regulations, Part M, Category 3

homes) as well as 5% of all properties to be bungalows delivered as 1- and 2-bedroom homes. This would amount to two bungalows across the whole site delivered as one affordable bungalow and one open market bungalow and I note that the application meets this requirement.

The affordable housing provision proposed within the application is acceptable and homes should meet the following standards: 1 bed property house 2 people, 2 bed properties house 4 persons, 3 bed properties house 5 persons and 4 bed properties house 6 persons. Compliance with the NDSS is recommended.

I do question the contribution which the proposed mix for the market housing will make to the identified need. The Felsted Neighbourhood Plan made in February 2020 identifies a need for smaller homes to come forward in the parish during the plan period of 2018-33 whereas the proposed market housing consists of only 4- and 5-bedroom properties.

Uttlesford District Council Principle Urban Design Officer

7.11 I have set out my comments in the Building for a Healthy Life assessment for the applicant to respond to as far as they feel able to. They do appear to have responded to many of the points, which is positive and appreciated, but there is only so far the scheme can be judged when looking at text rather than a drawing, but overall it seems to be moving in the right direction.

(Re. active street frontage); the comment was about how the public right of way to the east of the site can be provided with some overlooking to aid security and safety. This could be achieved with a few windows – it doesn't need to be a whole active street frontage. The comment was in response (as I recall) to a house which turns a blank facade to the PROW. I think a window or two in this elevation would provide overlooking and resolve the issue.

Uttlesford District Council Landscape Officer

7.12 The submitted detailed planting proposals and existing tree protection plan are considered satisfactory. The provision of native species mixed hedging along the western boundary of the site is appropriate.

Uttlesford District Council Environmental Health Officer

7.13 Noise:

The application site is outside aircraft and outside other transportation noise significance contours and therefore traditional construction will provide suitable protection for internal noise. The development is at a similar distance to the recreation and MUGA play area as existing dwellings and therefore I do not consider this represents an agent of change issue.

Air Quality:

The site is also outside the Air Quality Management Zone and below the unit threshold for an AQ assessment; an electric vehicle charging point

condition is however recommended.

Contaminated Land:

A Phase 1 land contamination condition is recommended. A Construction Environmental Management Plan condition (CEMP) is also recommended to control potential adverse impacts during the construction phase of the development.

I therefore have no objection to the application subject to appropriate consent conditions as recommended.

8. REPRESENTATIONS

Representations have been received from a number of neighbouring residents, including a detailed letter of objection received from a resident group calling itself “The Western Boundary Collective” (to include all residents at Abbeyfield House), and the following observations have generally been made:

- The principle of residential development at this edge of village location is still considered unacceptable in terms of its environmental impact;
- The housing layout submitted for this reserved matters application does not accord with the housing layout indicatively shown at outline submission stage;
- The site represents overdevelopment both in principle (higher site density than surrounding approved housing schemes by comparison) and in detail (site density has increased by 27.5% when compared to the outline scheme);
- The size and massing of the dwellings and garages, including ridge heights, have increased compared to the outline approval;
- The housing mix has changed from the housing mix indicated at outline stage and now comprises larger market dwellings whereby the Felsted NP identifies that more affordable market dwellings should be provided, such as for retirement downsizing;
- The design of the site layout does not follow design guidance as set out in the Essex Design Guide for developments up to 13 dwellings per ha;
- The development has extended further towards the southern, western and northern site boundaries compared to the outline scheme;
- The submitted details do not respect the privacy, outlook, and sense of enclosure of existing residents.
- A 15m green buffer zone should be afforded to the existing residential properties which line the site along its western boundary to protect residential amenity (including Abbeyfield House) taking into account lessons learnt from analysing the other three main approved/proposed housing schemes in the immediate area of the site. This will also ensure that the three “green corridors” running west to east through the site have a western edge to connect them;
- Affordable housing element appears at odds with the market provision in terms of preferential site layout
- Absence of a refuse collection strategy.
- Need for a Construction Management Plan

9. POLICIES

9.1 National Policies

National Planning Policy Framework (NPPF) Rev July 2021

9.2 Uttlesford District Local Plan 2005

ULP Policy GEN2 – Design
ULP Policy GEN8 – Vehicle Parking Standards
ULP Policy H10 – Housing Mix

9.3 Supplementary Planning Document/Guidance

Felsted Neighbourhood Plan (made 25 February 2020)

FEL/HN1 – Meeting Housing Needs
FEL/HN7 – Housing Mix
FEL/ICH1 – High Quality Design

Interim Climate Change Planning Policy (Uttlesford District Council, 2021)

10 CONSIDERATION AND ASSESSMENT:

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

- 1) Scale (ULP Policies GEN2 and GEN8 and FEL/ICH1);**
- 2) Layout (ULP Policies GEN2 and GEN8 and FEL/ICH1);**
- 3) Appearance (ULP Policies GEN2 and GEN8 and FEL/ICH1);**
- 4) Landscaping (ULP Policies GEN2, GEN7 and ENV3);**
- 5) Housing Mix (ULP Policy H10 and FEL/HN7).**

Whether the scale of the proposed development is acceptable (ULP Policies GEN2 and GEN8 and FEL/ICH1)

10.2 The proposed housing scheme the subject of this reserved matters application is for a residential development comprising 30 no. dwellings. Therefore, the scheme as now submitted for detailed consideration is within the scale parameters of the proposed development indicated and approved at outline application stage under UTT/18/3529/OP at appeal, albeit that the reserved matters application as submitted for detailed approval seeks the maximum quantum of 30 no. dwellings rather than “up to 30 dwellings” as with the outline approved application.

10.3 As previously referenced in this report, the Planning Inspector at appeal in granting planning permission in principle for the residential development of this greenfield site under UTT/18/3529/OP assessed that the development of up to 30 dwellings at this greenfield location could be integrated successfully at this eastern edge of Felsted so as to appear as a logical and planned extension to the village. This favourable quantum of dwellings for the site should be considered favourably when compared to the “up to 55 dwelling” scheme refused for this site under UTT/16/0287/OP which was regarded by a previous planning inspector as representing site

overdevelopment.

- 10.4 The dwellings shown for this reserved matters application are at either two storey or single storey scale with no inclusion of 2½ storey height dwellings which would be inappropriate for this edge of village location given its sensitivity to change, a factor which has been recognised by the applicant. The scale of development as shown for this reserved matters application is therefore considered acceptable as a fixed 30 no. dwelling scheme.

Whether the layout of the proposed development is acceptable (ULP Policies GEN2 and GEN8 and FEL/ICH1)

- 10.5 The site layout shown for this reserved matters application has a site density of 11.2 dwellings per hectare by simple density calculation and therefore represents a low density housing development, notwithstanding that there are variances in building form as shown on the layout from the indicative site layout for the approved scheme. However, it should be emphasised that the indicative scheme shown at outline stage under approved application UTT/18/3529/OP demonstrated how “up to” 30 dwellings could successfully be accommodated at the site in terms of future detailed site layout and the layout as now shown for this reserved matters application seeks to build on this indicative site layout.
- 10.6 It is accepted that the footprint of the market dwellings for the current reserved matters application have increased in size from the dwellings shown for illustrative purposes on the indicative site layout for UTT/18/3529/OP, although this is perhaps an inevitable consequence of drawing evolution from outline to reserved matters stage to reflect market trends. In this respect, the outline indicative site layout drawing should not be regarded as representing a prescriptive site layout format for any subsequent reserved matters submission, as layout was not considered at the outline stage. , This is an important planning principle.
- 10.7 The site layout for the proposed housing scheme has been revised since application submission to take into account the residential amenity concerns expressed by local residents, most notably those comprising the “Western Boundary Collective”, who back onto the site and which includes the residents of Abbeyfield House, a retirement home. The originally submitted site layout showed dwellings, including at two storey, closely abutting the “arched” western boundary of the site. In response to these amenity concerns, the site layout now shows an approximate 5m bandwidth clearance around the inside of the site with flank-on dwellings shown for Plots 11, 17, 18 and 24 whereby the dwelling for Plot 18 adjacent to Abbeyfield House is now shown in the form of a bungalow to reduce its residential impact on this residential home and to improve the outlook of this well-regarded local facility.
- 10.8 The request for a 15m “green buffer zone” around this western site boundary as requested by the “Western Boundary Collective” has been noted who state that in providing this buffer zone width would make the site layout more akin to the indicative site layout shown for the approved outline application scheme and would also link better with the “green” corridors through the middle of the site (PROW) and towards the top end of the site (Public Open Space area). However, it is considered that such a buffer zone request is excessive in site layout terms given the layout changes

which have now been made and as shown on final site layout drawing 021-969-002-D issued on 5 October 2021 where the dwellings have been designed to prevent overlooking into the rear gardens of the adjacent properties. Enhanced planting is proposed along this boundary which would also help screen the new development.

10.9 The site layout as presented has been assessed by the Council's Principle Urban Design Officer who has applied Building for a Healthy Life principles to the submitted site layout using the "Traffic light sequence". The applicant has responded generally positively to the comments expressed to the design principles applied and how the site layout could be improved and these design changes have been embedded in the final site layout drawing for consideration.

10.10 All of the plots, namely for both the market dwellings and for the affordable housing units, would have Essex Design Guide compliant minimum rear garden sizes relative to their bedroom accommodation specifications, whilst similarly all of the plots would have on-plot parking provision, either in the form of garaged parking or hardstanding parking spaces compliant with Essex Parking Standards and Uttlesford Parking Standards. Additionally, there would be 0.25% visitor parking compliant provision across the site as a whole.

10.11 In terms of other layout considerations, Essex County Council Highways have confirmed that the spine service road through the site, whilst to be unadopted, would be constructed to adoptable highway standards and therefore the road would be capable of accommodating refuse vehicles whereby tracking drawings have been submitted to show that such vehicles would be able to access and egress the site satisfactorily. The refuse tracking shows the refuse vehicles route with the intention that householder refuse is collected generally from the kerbside with collection points as needed to private drives to comply with 25m 'trundle' distances.

10.12 Overall, it is considered that the proposed layout as presented for the revised site layout is acceptable. It is noted that whilst Place Services (Heritage) have commented that the site layout as shown is not considered to be as successful or as sympathetic in terms of layout as the indicative layout shown for the outline approved scheme in terms of its impact on the adjacent conservation area, that they have nonetheless not placed a heritage objection to the proposal in terms of layout (or indeed layout, appearance and landscaping).

Whether the appearance of the proposed development is acceptable (ULP Policies GEN2 and GEN8 and FEL/ICH1)

10.13 The dwellings shown for the proposed development would have a mixture of house types and styles designed within the local vernacular as shown on the submitted streetscene elevations whereby the dwellings would incorporate a mixture of detached, semi-detached and terraced houses. The style of dwellings shown and the external materials to be used are considered acceptable for this residential development and no objections are raised in terms of appearance.

Whether the proposed landscaping measures for the proposed development are acceptable (ULP Policies GEN2, GEN7 and ENV3)

10.14 The Planning Inspector in allowing the principle of residential development at this undeveloped edge of village greenfield site under ref; UTT/18/3529/OP commented upon the site's status as representing a transition between existing built form to the immediate west and agricultural land to the east, albeit that he additionally remarked that the site was nonetheless reasonably contained physically by existing mature hedgerows on its more exposed northern and eastern boundaries.

10.15 However, it is considered important in environmental and landscape terms that the proposed development is integrated as far as possible into this transitional semi-rural landscape through the implementation of a successful and strong landscaping scheme. A detailed landscaping scheme, including the submission of a Landscape Masterplan (James Blake Associates) has been submitted with the application which shows how new planting measures, including soft planting for the site's western boundary, would be introduced, together with existing hedgerow retention. The existing external boundaries would be retained through the proposal and would be reinforced with new planting whereby the eastern boundary (and arguably the most sensitive boundary) would not be transferred to individual plots but would be controlled by a management company. The three fine mature Oak tree specimens which stand towards the northern end of the site are to be retained as part of the Public Open Space feature for this part of the site extending down to the site's eastern boundary as shown on the final version of the proposed site layout plan and as to be maintained as part of the Section 106 agreement for the outline approved application. Soft landscaping treatment would also be applied to the two balancing pond areas as well as along the existing public footpath running through the middle of the site which would be retained as part of the proposal along newly created east-west service axis drives which would help to maintain a wildlife corridor.

10.16 The submitted landscaping strategy, including landscaping masterplan and tree retention details, has been examined by the Council's Landscape Officer who has commented that he is satisfied with the planting/retention strategy, commenting that the provision of native species mixed hedging along the western boundary of the site is appropriate and that the strategy is acceptable in other respects. No landscaping objections are therefore raised to the submitted proposal.

Whether the proposed housing mix is acceptable (ULP Policy H10 and FEL/HN7).

10.17 The residential development as shown for this reserved matters application comprises the following housing mix between private and social housing accommodation as indicated on final proposed site layout drawing 2021-969-002 D:

Market Dwellings:

- 1 no. x 3 bed dwelling
- 8 no. x 4 bed dwellings
- 7 no. x 5 bed dwellings
- 1 no. x 2 bed bungalow (Plot 2)
- 1 no. x 3 bed bungalow (Plot 18)

Total no. of market dwellings = 18 no.

Social Dwellings

- 4 no. x 2 bed mid terrace dwellings
- 4 no. x 3 bed end terrace dwellings
- 1 no. x 2 bed semi-detached dwelling
- 1 no. x 3 bed semi-detached dwelling
- 1 no. x 1 bed FOG unit (Flat above Garage)
- 1 no. x 2 bed bungalow (Plot 10)

Total no. of social dwellings = 12 no.

(30 no. dwellings total)

- 10.18 The Council's Housing Enabling Officer has commented that the affordable housing provision proposed within the application scheme is acceptable and meets identified local housing need for Housing Providers whereby the scheme would also comply with the 5% wheelchair adaptable standard and meet (and exceed) 5% bungalow on-site bungalow provision through the provision of three bungalows (2 no. market and 1 no. social), which is welcomed. In terms of pepper-potting, the affordable housing units for the development (namely Plots 10, 13-16, 20-21 and 26-30) are shown on the final site layout drawing as being evenly spread across the development from the front of the site onto Braintree Road close to existing bus stops (Plots 26-30) whereby pavement enhancement measures are required by condition by the outline approved scheme, the middle of the site either side of the connecting public right of way through the site (Plots 13-16 and 20-21) and at the south end of the site (Plot 10) close to the existing playground area. This evenly spread pepper-potting across the site is welcomed as it makes the affordable housing element of the scheme more integrated with the market housing and does not otherwise confine the proposed affordable housing to a single, more concentrated clustering arrangement.
- 10.19 It has been commented by the Housing Enabling Officer (as in third party representations) that the market housing element is top heavy in its bedroom accommodation weighting with a propensity for 4 and 5 bed roomed dwellings rather than say 3 bed roomed and therefore does not reflect local market demand, particularly with an identified retirement downsizing cohort within the village as referenced in the made Felsted Neighbourhood Plan. However, whilst accepting this, it should be noted that the last Housing Needs survey conducted for Felsted Parish was in 2016 and is now in need of review whereby the applicant in the absence of a newer survey has relied instead upon the latest SHLAA survey data instead showing more up to date market trends. For this reason, the market housing mix is considered acceptable.

11. EQUALITIES

Equality Act 2010

- 11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender

reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. CONCLUSION

12.1 The submitted proposal is considered acceptable in terms of Scale, Layout, Appearance and Landscaping (the reserved matters) and also in terms of housing mix.

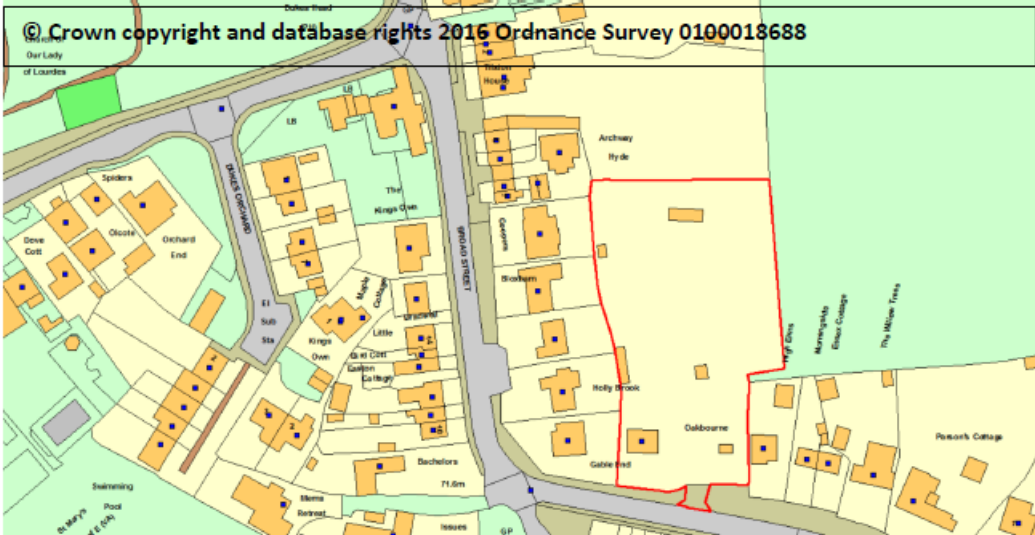
12.2 It is therefore recommended that the application be approved. It should be noted that there is not a requirement to impose planning conditions relating to archaeology, contamination/remediation and sustainable drainage as these topics are covered by pre-commencement conditions imposed on the outline permission in principle with Access under approved application UTT/18/3529/OP as are conditions relating to dwelling accessibility (Condition 14) and Construction Management (CMP) (Condition 15).

Agenda Item 7

REFERENCE NUMBER: UTT/21/1685/FUL

**LOCATION: Oakbourne, Hammonds Road,
Hatfield Broad Oak, CM22 7JN**

SITE LOCATION PLAN:



Organisation: Uttlesford District Council
Department: Planning
Date: 13OCTOBER 2021

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Organisation: Uttlesford District Council **Date:** 12th October 2021

PROPOSAL: Proposed demolition of existing outbuildings, erection of garage to serve existing dwelling and erection of 6 no. detached dwellings with associated private gardens and garages. New access road from existing public highway

APPLICANT: Mr J Millard

AGENT: Mr T Coombs

EXPIRY DATE: 13th July 2021. EOT 5th November 2021

CASE OFFICER: Mrs M Jones

NOTATION: The site is located partially within and partially outside the development limits of Hatfield Broad Oak

RECOMMENDATION: APPROVAL WITH CONDITIONS

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

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 All of the dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace
- 3 The applicant should ensure the control of nuisances during construction works to preserve the amenity of the area and avoid nuisances to neighbours:
 - a. No waste materials should be burnt on the site, instead being removed by licensed waste contractors
 - b. No dust emissions should leave the boundary of the site
 - c. Consideration should be taken to restricting the duration of noisy activities and in locating them away from the periphery of the site
 - d. Hours of works: works should only be undertaken between 0800 hours and 1800 hours on weekdays; between 0800 hours and 1300 hours on Saturdays and not at any time on Sundays and Public HolidaysIf it is predicted that the construction works are likely to cause a nuisance the applicant should apply for a prior consent application under section 61 of the Control of Pollution Act 1974. A consent enables the applicant to conduct the works without the worry of enforcement provided they comply with it. The applicant will have to submit details of any noisy works including type of plant and machinery to be used, proposed daily start and finish times, consultation with nearby residents and businesses and

duration and time scales of the works. The applicant should contact the Councils Environmental protection Team.

REASON: To protect residential amenity from the adverse impact of construction in accordance with Uttlesford Local Plan (2005) Policy GEN4

- 4 If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to the satisfaction of the Local Planning Authority to ensure that the site is made suitable for its end use.

REASON; To protect human health and the environment in accordance with Uttlesford Local Plan (2005) Policy ENV14

- 5 Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. The design and installation should conform to the Institute of Lighting Engineers Guidance Note 1 for the reduction of obtrusive light 2021. Only the details thereby approved shall be implemented. design and installation of the proposed lighting conforms

REASON: To protect the amenities of the occupiers of adjoining properties from the possible intrusion of unwanted light in accordance with Uttlesford Local Plan (2005) Policy GEN4

- 6 Prior to commencement, due to proximity of suitable habitats and the site located within an Amber Risk Zone, a Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction and post-development phase. The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Uttlesford Local Plan Policy GEN7

- 7 Prior to any works above slab level a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. As a minimum this must include: one integrated bird box per dwelling, one integrated bat box per dwelling, five tree mounted bird and bat boxes, 1 invertebrate box per new dwelling and new tree and hedgerow planting. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures
 - b) detailed designs to achieve stated objectives.

- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation and shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Uttlesford Local Plan Policy GEN7

- 8 Prior to occupation a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings or technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with Uttlesford Local Plan Policy GEN7

- 9 All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (T4 Ecology Ltd, July 2021), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species). and in accordance with Uttlesford Local Plan Policy GEN7.

- 10 Prior to occupation of any dwelling, the provision of an access formed at right angles to Hammonds Road, to include but not limited to: 6 metre shared surface carriageway width with appropriate radii and clear to

ground visibility splays with dimensions of 2.4 metres by 43 metres, in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.

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

- 11 Prior to occupation of any of the proposed dwellings, the provision of a pedestrian dropped kerb crossing point across Hammonds Road (with appropriate tactile paving if necessary) shall be provided, as shown in principle on DWG no. BRD/21/006/001-B.

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

- 12 No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1

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

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided, to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1

- 14 Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2005 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the local planning authority.

REASON: To prevent the site becoming overdeveloped and in the interests of the amenity of the occupiers of adjoining dwellings and buildings in accordance with the National Planning Policy Framework 2019, and the adopted Uttlesford Local Plan 2005 - Policy GEN2.

- 16 Infrastructure for a minimum of a single electric vehicle fast charging point shall be installed at each of the dwellings. All new parking spaces should be adaptable for electric vehicle fast charging (7-22kw) including through local electricity grid reinforcements, substation design and ducting. These shall be provided prior to occupation.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within and in accordance with thye adopted Uttlesford Local Plan Policy ENV13 (adopted 2005), and the National Planning Policy Framework 2021.

- 17 During demolition and construction robust measures must be taken to control dust and smoke clouds.

REASON: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers in accordance with Uttlesford Local Plan Policy GEN2

- 18 During construction and in perpetuity, robust measures to be taken to prevent birds being attracted to the site. No pools or ponds of water should occur/be created without permission

REASON: Flight safety – Bird strike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Bird strike to aircraft using STN in accordance with Uttlesford Local Plan Policy GEN2

- 19 All exterior lighting to be capped at the horizontal with no upward light spill.

REASON: Flight safety - to prevent distraction or confusion to pilots using STN in accordance with Uttlesford Local Plan Policy GEN2

- 20 No reflective materials to be used in the construction of these buildings. (*please liaise with STN to check).

REASON: Flight safety - to prevent ocular hazard and distraction to pilots using STN in accordance with Uttlesford Local Plan Policy GEN2

- 21 No solar photovoltaics to be used on site without first consulting with the aerodrome safeguarding authority for STN (N.B. an aviation perspective Glint & Glare assessment may be necessary).

REASON: Flight safety - to prevent ocular hazard and distraction to pilots using STN in accordance with Uttlesford Local Plan Policy GEN2

- 22 Before development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the local

planning authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

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

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Uttlesford Local Plan Policy (2005)GEN2

23

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

REASON: to ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Uttlesford Local Plan (2005) Policy GEN2

24

The window] in the east elevation of plot 1B shall be glazed with glass of obscuration level 4 or 5 of the range of glass manufactured by Pilkington plc at the date of this permission or of an equivalent standard agreed in writing by the local planning authority. Glazing of that obscuration level shall thereafter be retained in that window

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Uttlesford Local plan Policy GEN2

- 25 Other than the windows shown on the approved drawings to which this planning permission relates, no windows or other form of opening shall be inserted into the eastern elevation of the building plot 1b or inserted into the western elevations of plots 2 and 3 hereby permitted without the prior written consent of the local planning authority.

REASON: To avoid overlooking of the adjacent property in the interests of residential amenity in accordance with Uttlesford Local Plan (2005) Policy GEN2

2. DESCRIPTION OF THE SITE :

- 2.1 The rectangular site is located off Hammonds Road, Hatfield Broad Oak, to the east of the village. It accommodates a detached house and its extensive gardens to the rear
- 2.2 The site slopes up quite significantly from Hammonds Road and it is also higher than properties located on Broad Street.
- 2.3 The access is onto Hammonds Road.
- 2.4 The garden extends to the northern side of the house and abuts open land to the east and garden lands to the north. To the west are the rear gardens of the residential properties in Broad Street.

3 PROPOSALS

- 3.1 Proposed demolition of existing outbuildings, erection of garage to serve existing dwelling and erection of 4 no. detached dwellings with associated private gardens and garages, a pair of semi-detached dwellings with new access road from existing public highway. The existing access would be made wider.

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

5. APPLICANTS CASE

- 5.1 The applicant's application is supported by a Design and Access Statement, a completed biodiversity checklist, an Arboricultural Impact Assessment and an Archaeological Evaluation

6. RELEVANT SITE HISTORY

- 6.1 UTT/16/2417/OP - Outline application, with appearance, scale and landscaping reserved, for the demolition of one dwelling and outbuildings and the erection of five dwellings. Approved with conditions.

- 6.2 UTT/18/1704/OP - Outline application with all matters reserved except for access and layout, for the demolition of existing dwelling and outbuildings and the erection of 1 no. replacement dwelling and 6 no. new dwellings. Approved with conditions.

7. CONSULTATION RESPONSES:

Hatfield Broad Oak Parish Council

7.1 Comments 5th July 2021

Principle of Development.

Whilst Hatfield Broad Oak Parish Council notes that the principle of development and the new access on infill land and on land outside the village development envelope, have been established by the application UTT 16 2417 OP, it does not wish this to be seen as a precedent of automatic permission for any future applications for development outside the development limits and within areas of countryside. The discrete division between the village envelope and countryside is a distinctive feature of the setting of Hatfield Broad Oak, especially in this particular area of Broad Street/ Broad Street Green and Hammonds Road, consisting of many larger individual dwellings and a number of listed buildings, most well spaced out.

Such a development would introduce an urban element into this older area of Hatfield Broad Oak around Broad Street Green.

Access

1. The new access comes out onto Hammonds Road some 40-50 metres to the east of a blind sharp corner.

2. The access appears to have been moved to the west nearer the Broad Street corner than the access agreed under UTT/16/2417/OP and UTT/18/1704/OP, but it is difficult to find any measurements in the application documents. The move is the result of squeezing Plot 1 next to High Elms with Plots 4 and 5 behind instead of siting all the dwellings to the west side of the access. The difference in position must be only about 10 metres but will definitely shorten sight lines for vehicles approaching and exiting the access

3. Residents of Hammonds Road report concerns that the shorter sight lines due to the bend, and the speed and volume of traffic could reduce stopping distances such that it would endanger pedestrian safety.

4. At the moment few cars use the access as it serves only one dwelling, but the new access has to accommodate the extra traffic associated with five extra dwellings. As the dwellings are larger than the six already agreed (UTT 18 1704 OP) it must be assumed that there will be proportionally more cars per dwelling, more car journeys and more delivery etc vehicles, including weekly refuse lorry. The number of journeys will increase as residents have to leave the village for any but the most local services - even the GP as the main surgery, open five and a half days a week, is at Hatfield Heath.

5. The previous scheme was made up of smaller dwellings which would presumably have fewer cars per unit.

6. There is no footpath along this side of Broad Street and Hammonds Road and pedestrians must cross over the road to the footpath along Broad Street Green. Highways state that there should be a dedicated footpath into the site and a crossing point dropped kerb on Broad Street Green. This is hard to see on the site plan of this FUL application.

7. Appropriate traffic signage on Broad Street would be a good safety measure.

8. Local buses, heavy lorries, increased numbers of delivery vehicles, farm vehicles and parked cars can already cause considerable congestion in the area.

9. In view of the increase in this application of larger properties - one with 4 bedrooms and four with 5 bedrooms - it is vital that sufficient parking spaces are provided within the development for residents, deliveries etc and visitors, so that there is no need to park outside. There does not appear to be enough spaces allocated for the purpose in this application.

Highway and Pedestrian Safety

1. Parish Council and residents are agreed that Hammonds Road and Sparrow Lane are carrying increasing amounts of traffic. The lanes are already used as a cut through by e.g. commuters and parents on the school run and there has been a great increase in the amount of lorries and HGVs using the B183 Dunmow Road and B1256 at Takeley for Highwood Quarry at Dunmow and waste disposal sites. Transport contractors will always try to avoid the congestion and delays at M11 J8 and Four Ashes traffic lights. Depending on contracts and routes large amounts of lorries can use this route. Given that Stansted Airport only depends on a Court decision to begin work to create accommodation for millions more passengers the Parish Council expects many more HGVs to use the route.

2. The Parish Council has applied for a restriction on HGVs over 7.5 tonnes but such applications to Highways can take many months, even years, to be implemented as the Parish Council has found in the past.

3. At one stage 11 JKS HGVs were logged using this route with each travelling upwards of 2 return journeys per day. In one CSW session three were recorded as entering the village at excessive speeds.

4. Community Speed Watch results show that a significant number of vehicles enter the village on Hammonds Road at speeds above the required 30mph. A small recent example from a CSW session on 20 June 2021 logged in 25 minutes two cars travelling at 38 mph and one at 41mph at less than 100m distance from the proposed access.

5. Nowhere does it seem to give the dimensions for the turning circle. This is important because Uttelford DC refuse lorries have extra lifting gear at the back and are longer than usual, anything reversing out of the access or waiting outside the development close to the Hammonds Road/Broad Street corner would be a major danger to pedestrians and traffic alike.

Layout

1. The layout differs from previous applications by moving the proposed access towards the west and retaining Oakbourne itself. This allows the creation of Plot 1 on the street front between the access and High Elms.
2. Plots 2 and 3 are positioned along the access behind Broad Street and Plots 4 and 5 to the east of the access behind Plot 1.
3. The dwellings on Plots 2 and 3 are closer to the back garden boundary of the houses along Broad Street than in previous proposed layouts.

Size of dwellings

1. The proposal is for one two-storey dwelling with 4 bedrooms (Plot 1) and four two-storey dwellings with 5 bedrooms.
2. The Revised Design Access Planning and Transportation Statement references the West Essex and East Hertfordshire Strategic Housing Market Assessment July 2017 saying it 'does not specify house type or size to be delivered' para 4.18 However figures that were issued by Uttlesford DC for the withdrawn Local Plan show that the preferred size for social and affordable housing is for three bedroomed dwellings at just over 30% .
3. However, Hatfield Broad Oak has a proven need for two and three bedroomed houses. The demand is for smaller and more affordable housing of good quality to encourage younger people and the retired to remain in the village and make their contribution to our vital village community.
4. The housing mix of the previous applications have met this criteria more adequately. However, as the Revised Design, Access, Planning and Transportation Statement para 4.8 states, this decision has been taken because 'the development of the site with smaller dwellings is not economically optimal' .
5. The 4 dwellings to the rear of Oakbourne are 2 storey in height, although with the first floor in the roof, and have 5 bedrooms. These are substantial dwellings and, situated on land rising to the north and east, are likely to have the capacity to have an overbearing impact and loss of privacy on houses on Broad Street Green.

Plot 1 Eastern boundary High Elms

1. It is difficult to estimate the distance between High Elms and the proposed dwelling on Plot 1 but it seems to Parish Council to be very close, and this in an area where the street scene is of dwellings that usually have more space between them.
2. The Parish Council feel that a new property so close to High Elms would be overbearing and cause loss of light, and given that the majority of trees are to be removed would result in overlooking from the north and west
3. Hatfield Broad Oak Parish Council feel that it would result in loss of residential amenity to residents and does not meet the conditions of Policy GEN 2 i and j.

Topography and flood risk

1. The plots slope up to the north and east to the farmland to form a platform on a higher level to that on which the houses on the east side of Broad Street stand. These in turn are about a metre higher than those on the south side.
2. It is in fact part of the absorption zone above the Mus Brook. The replacement of areas of residential garden with hard surfaces will cause more frequent surface water and drainage issues.
3. The area from Broad Street/Hammonds Road corner to Dukes Head Corner has long been subject to flooding by surface water from the higher areas around and faulty drains on Broad Street and Dunmow Road. Run off from the fields here and in locations such as Cannons Lane drain into the Mus Brook.
4. In addition, removal of the majority of mature trees on the boundaries will increase the amount of surface water and run off at present absorbed by those trees.
5. The documents do not appear to include a drainage and surface water scheme which Parish Council feels is essential especially in view of the flooding in the area

Trees

1. The inclusion of Plot 1, has implications for the trees and ecology of the site. The new Arboricultural Impact Assessment and Tree Protection Plan detail the removal of many more mature trees and shrubs than the 2016 application.
2. A number of residents are unhappy about what may appear to be a wholesale removal of trees on the southeastern side of the site. This will particularly affect residents of High Elms and will open up the site to overlooking and loss of privacy and residential amenities.
3. Of course diseased, damaged, or dangerous trees must be dealt with, but the first Arboricultural Assessment included plans for the replacement with suitable trees and screening. The current Assessment does not include any plan for the replacement of any trees and hedging.
4. This is particularly important as residents were agreed in the first application (UTT 16 2417 OP) that screening must be replaced along the west boundary with the back gardens of the five dwellings in Broad Street. In this new application this must be extended to appropriate screening and replacement on the east and north side of Plot 1.

Ecology

1. As the site borders on farmland to the north and north east wildlife has been observed in the hedgerows and trees on the site. The Parish Council notes that Ecology Place Services have asked for more ecological

information to be “available for determination of this application as we note that the Extended Phase 1 Habitat Survey (Preliminary Ecological Assessment Incorporating Bat Survey Inspection) (T4ecology Ltd, March 2016) is more than five years old and therefore out of date.”

2. The Parish Council ask that this be submitted and any mitigation required should be conditioned if the proposal is agreed

Hatfield Broad Oak Parish Council has strong reservations over this application in terms of the size and design of the dwellings, especially in the addition of Plot 1 on the street frontage with Hammonds Road, harm to residential amenities and the loss of so many mature trees and screening shrubs etc.

The Parish Council requests that, if Planning Committee is minded to agree, varying conditions should be imposed in line with those suggested in the Revised Design, Access, Planning and Transportation Statement eg

- hard and soft landscaping conditions, including replacement of trees and screening and maintenance

- surface water run-off management and drainage to prevent increased flooding in Broad Street.

- work in accordance with recommendations of an enhanced ecology survey and Ecology Place Services

- the removal of permitted development rights regarding fenestration

Hatfield Broad Oak Parish Council Comments on revised plans 1st September 2021

7.2

Hatfield Broad Oak Parish Council wishes to comment on the amendment to the above application:

The proposal is to subdivide Plot 1 into Plots 1A and 1B, replacing the detached 4 bedroomed dwelling on Plot 1 with a pair of semi-detached 3 bedroomed dwellings, with a bedroom in the roof space. This design would result in a larger footprint and a more overbearing aspect.

Though hard to tell the exact dimensions, HBO PC feel that the increase in size brings the building closer to High Elms to the east of the Plot and would result in further loss of daylight and privacy, an overbearing aspect and loss of residential amenity and does not meet the conditions of Policy GEN2.

Adding an extra property would result in more cars and consequent vehicle movements, and increase the need for parking spaces for residents, visitors and deliveries and result in parking on Hammonds Road.

Hammonds Road has seen an increase in traffic and speeding as a result of being used as a cut through from the Chelmsford Road to the B183 and Takeley. There have been increased numbers of HGVs accessing Highwood Quarry and the A 120.

The planned removal of the majority of trees on the eastern boundary now screening the proposed development will result in more overlooking. The first Arboricultural Assessment included plans for the replacement of felled trees and hedges with suitable trees and screening. The current

Assessment does not include any plan for the replacement of any trees and hedging. The PC would like conditions attached to any permission to include plans for replanting with suitable native species and to ensure the plan is carried out.

HBO PC request that previous comments on this proposed are taken into account and that if the Planning Committee is minded to agree, varying conditions should be imposed in line with those suggested in the Revised Design, Access, Planning and Transportation Statement eg

- hard and soft landscaping conditions, including replacement of trees and screening and maintenance
- surface water run-off management and drainage to prevent increased flooding in Broad Street.
- work in accordance with recommendations of an enhanced ecology survey and Ecology Place Services
- the removal of permitted development rights regarding fenestration.

Essex County Council- Archaeology

7.3 No objections

Essex County Council- Ecology

7.4 No objection subject to securing biodiversity mitigation and enhancement measures

MAG Aerodrome Safeguarding

7.5 No safeguarding objection subject to conditions

Environmental Health Officers

7.6 No objections subject to conditions

Essex County Council - Highways

7.7 No objections subject to conditions.

8. REPRESENTATIONS

Representations were received from neighbouring residents, and the following observations have been made:

- Removal of trees and hedges unacceptable
- Overlooking
- Impact on wildlife
- Overshadowing
- Loss of privacy
- Inadequate parking
- Noise nuisance
- Impact on house values
- Trees being removed are not in the applicant's ownership
- Impact on character of village

- Plots 1A and 1 B will encroach on our back garden
- Intensification of parking and deliveries and traffic
- Flooding/drainage
- Highway safety
- Increase in height of properties will lead to loss of privacy
- Housing mix inappropriate. 2/3 bedroomed properties are required.

9. POLICIES

National Planning Policy Framework (2021)

Uttlesford District Local Plan 2005

S7 – Countryside
 S3 – other Settlement Boundaries
 GEN1 – Access
 GEN2 – Design
 GEN3 – Flood Protection
 GEN6 – Infrastructure Provision to Support Development
 GEN7 – Nature Conservation
 GEN8 – Vehicle Parking Standards
 H10 – Housing Mix
 GEN4 – Good Neighbourliness
 ENV2- Development affecting Listed Buildings
 ENV4- Ancient Monuments and sites of Archaeological Importance.
 H3 – Infilling with new houses
 H4 – Back land Development
 ENV14- contaminated Land

Supplementary Planning Document/Guidance

SPD2- Accessible Homes and Playspace
 Uttlesford Local Parking Standards
 Interim Climate Change Planning Policy

10 CONSIDERATION AND ASSESSMENT:

10.1 The issues to consider in the determination of this application are whether:

- The principle of development of this site for residential purposes (NPPF, ULP Policies S7 and S3, H4, and H3);
- Design and impact on neighbours amenity (ULP policies GEN2, GEN4, H10 and SPD Accessible Homes and Playspace)
- The access to the site would be appropriate, highway safety and parking provision (ULP Policies GEN1 and GEN8);
- Affordable Housing (ULP policies H9, GEN6)
- Biodiversity (ULP Policy GEN7)
- Flood risk and Drainage (ULP Policy GEN3)

The principle of development of this site for residential purposes (NPPF, ULP Policies S7 and S3, H4, and H3);

10.2 The principle of development of this site has been established under previously approved application UTT/18/1704/OP. That permission was for

outline permission, with appearance, scale and landscaping reserved, for the demolition of one dwelling and outbuildings and the erection of 1 no. replacement dwelling and six new dwellings.

This application is now for six new dwellings with Oakbourne remaining.

This revised proposal would maximise the use of the site and would have very little impact on the character of the village due to the existing screening at the front of the site (which is to remain and be enhanced) and its relationship to surrounding development. The revised NPPF (2021) still requires local planning authorities to favourably consider proposals for sustainable development. The Council still do not have a five-year land supply and it is considered that the proposal would meet the three strands of sustainability. As such the principle of the site for residential use is acceptable.

Design and impact on neighbour's amenity (ULP policies GEN2, GEN4, H10 and SPD Accessible Homes and Playspace and Interim Climate Change policy)

- 10.3 Uttlesford Local Plan (2005) Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.
- 10.4 The proposed dwellings to the west of the site have been designed so that they have no windows to their western elevations. If approved permitted development rights should be removed to prevent any further windows inserted to the western elevations to prevent overlooking. The proposed properties to the east of the site abut agricultural land
- 10.5 Representations have been received regarding the impact on amenity of High Elms, due to the loss of trees, however the only windows to the eastern elevation of plot 1B serve a staircase and can therefore be conditioned to be obscure glazed. If on the elevational drawing a line of 45° angle from the top corner of the new dwelling on plot was drawn and a further line with a 45° angle back towards the rear elevation of the neighbouring property from the end of the rear wall of proposed dwelling, these lines would not meet within any windows to the rear of High Elms. The windows to the rear elevation of plot 1B would not overlook the main sitting out area or patio.
- 10.6 The proposed built form is closer to High Elms, and therefore has the potential to result in an overbearing impact and in overshadowing. High Elms has a window to its western elevation serving a living room. This room, however, also has a window to its front elevation and, whilst there would be some overshadowing, the overshadowing would not be of such an unacceptable degree to warrant refusal of the proposal.
- 10.7 The proposal, subject to conditions, would not result in any material detrimental impact on neighbour's amenity by way of overlooking, overshadowing or overbearing impact and would comply with the aims of ULP policy GEN2
- 10.8 Due to the differences in land levels any development to the rear of the site has the potential to be very visible and have an adverse impact on the character of the rural area. The recently approved scheme consisted of predominantly two storey properties. The height of the proposed properties

have been kept to a minimum by the use of dormer windows and broadly reflect the scale of those dwellings that have previously been approved.

- 10.9 The properties facing the road at the front of the site would be no higher than the property to the east and only slightly higher than Oakbourne to the west of the sites frontage. The properties to the west of the site would now present themselves side on to the properties along Broad Street and therefore would have less impact upon the outlook of those properties
- 10.10 The scale and design of the proposed properties are acceptable.
- 10.11 Policy H10 states that all development on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties. All developments on a site of three or more homes must include an element of small two and three bed homes, which must represent a significant proportion of the total.
- 10.12 The housing mix of the individual plots for this application following representations and consultee replies has been revised and now consists of two, three bedroom, and four five bedroom dwellings. This has been changed from four five bedrooms and one four-bedroom dwelling.
- 10.13 All of the units would have private amenity spaces. The Essex Design Guide recommends that dwellings or 3 bedrooms or more should have private amenity spaces of 100sqm+. Each plot would have adequate private amenity space to accord with the requirements of the Essex Design Guide
- 10.14 Since the previous application on the site being approved, an Interim climate change Planning Policy has been adopted. The applicant has confirmed that all of the new homes will be provided with at least one installed fast charging point. The agent has stated that electric hook up points would be provided. These can be secured by a suitably worded condition. The proposed dwellings would also have air source pumps to heat them which is consistent with the Councils Interim Climate Change policy
- 10.15 The site is located lies within the boundary of the medieval town of Hatfield Broad Oak (EHER 18744). During the medieval period Hatfield Broad Oak was a major town within Essex. It contained a large Priory which is still preserved below ground as a Scheduled Monument around the Church to the west of the development area. The proposed development site lies on the edge of the medieval town and is likely to have been used for settlement, market or recreational purposes. Archaeological conditions were previously attached to planning application UTT/18/1704/OP. Those conditions have been discharged. This application is supported by a Written Scheme of Investigation and an Archaeological evaluation report. Essex County Council Historic Environment Officers have confirmed that no further conditions are required. The proposal complies with Uttlesford Local Plan (2005) policy ENV4.

The access to the site would be appropriate, highway safety and parking provision (ULP Policies GEN1 and GEN8);

- 10.16 The proposed properties are a mixture of two, three bedroom, and four five bedroom dwellings. The adopted Essex County Council parking standards require the provision for two parking spaces per dwelling for two- and three-bedroom dwellings and three parking spaces for three+ bedroomed properties and additional visitor parking spaces.
- 10.17 The proposal would comply with the required parking standards. Although, no separate visitor parking spaces are provided, the four plots at the rear of the site all have an extra parking space, above the required adopted parking standards. The proposals would comply with Policy GEN8
- 10.18 Policy GEN1 seeks to ensure development proposals would not adversely affect the local highway network and encourage sustainable transport options
- 10.19 The proposed development would be accessed from a new vehicular access that would be positioned in the same location as the existing access but would be wider. Adequate visibility splays can be achieved.
- 10.20 Future occupants would be able to walk to local services and have access to the village bus services.
- 10.21 Essex County Council highway officers have assessed the plans and have no objections subject to conditions. The proposal would comply with the aims of Uttlesford Local Plan Policy GEN1.

Affordable Housing (ULP policies H9, GEN6)

- 10.22 Policy H9 states that the Council will seek to negotiate on a site for site basis an element of affordable housing of 40% of the total provision of housing. Due to the scale and nature of the development there are no requirements for contributions towards infrastructure or for the provision of affordable housing

Biodiversity (ULP Policy GEN7);

- 10.23 Policy GEN7 and paragraph 180 of the NPPF require development proposals to aim to conserve or enhance biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species.
- 10.24 A Preliminary ecological Assessment report, a completed biodiversity checklist questionnaire and tree survey has been submitted with the application. Essex County Council ecologists have been consulted and have no objections to the proposal subject to the mitigation and enhancement measures identified in the Preliminary Ecological Appraisal Report (T4 Ecology Ltd, August 2021) being secured and implemented in full. This can be achieved by a suitably worded condition
- 10.25 The proposal would include the loss of several trees; however, the proposal includes biodiversity enhancements including one integrated bird box per dwelling, one integrated bat box per dwelling, five tree mounted bird and bat boxes, 1 invertebrate box per new dwelling and new tree and hedgerow planting. Most of the trees to be removed are apple, dead plants, u category trees (less than 10 yrs. value and therefore could be removed),

or trees that are not visible or only partially visible from a PROW and are of low quality or value.

- 10.26 As such it is considered that the proposal would not have any material detrimental impact in respect of protected species, subject to condition and accords with ULP policy GEN7.

Flood Risk and drainage (ULP Policy GEN3; NPPF)

- 10.27 Policy GEN3 requires development outside flood risk areas to not increase the risk of flooding through surface water run-off. The NPPF requires development to be steered towards areas with the lowest probability of flooding. In addition, it should be ensured that flood risk is not increased elsewhere. The site is located within Flood Zone 1, therefore is a site with the lowest risk of flooding (more than 1 in 1000 years). The proposal would comply with ULP policy GEN3.

Setting of Listed buildings (ULP Policy ENV2)

- 10.28 In considering a proposal for listed building consent, the duty imposed by section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Policy ENV2 seeks to protect the fabric, character and setting of listed buildings from development which would adversely affect them. A number of listed buildings are located near the site, including Morningside and Essex Cottage (Grade II) and The Thatched Cottage (Grade II) to the east, Ware Pond cottages (Grade II*) to the south and Rose Cottage (Grade II) to the west. The previous application was considered by Historic England, and they had no objections to the proposals. This application is not significantly different to the previously approved scheme, and it is considered that there would be no significant effect on the setting of these important heritage assets. The listed buildings do not abut the site.

11. EQUALITIES

- 11.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11.2 All of the properties will be built to Lifetime Homes Standards and therefore are capable of being occupied by persons with varying mobility. The design of the dwellings can be adapted over the lifetime of future occupants.

12. CONCLUSION

12.1 The submitted would:

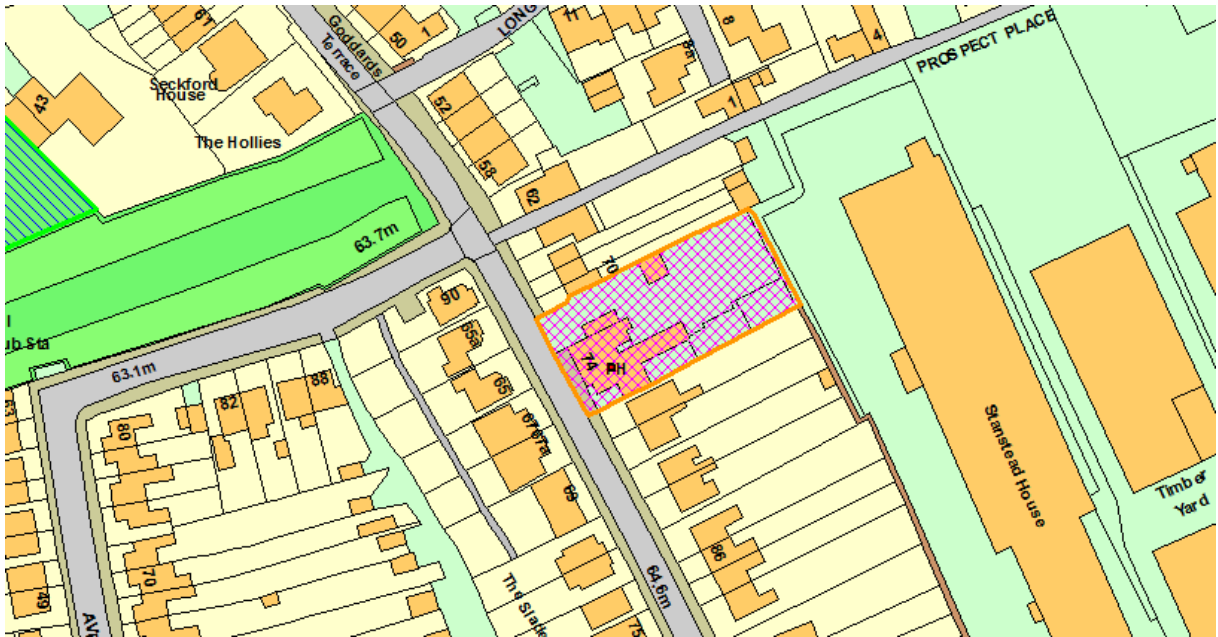
- (i) In view of the planning permission UTT/ 18/1704/OP and sustainability of the site, the principle of the development is acceptable.
- (ii) The design and scale are considered acceptable. The housing mix for the development is also considered to be acceptable. Adequate amenity space would be provided for all of the dwellings. The proposal would not result in any material detrimental impact by way of overlooking, overshadowing or overbearing impact on neighbours amenity.
- (iii) The access is considered to be acceptable and to comply with ULP policy GEN1. Adequate parking spaces are provided to meet the adopted parking standards and ULP Policy GEN8
- (iv) There is no policy requirement for the provision of Affordable housing on this site.
- (v) The application provides sufficient information and evidence to demonstrate that the proposals (subject to condition) would not adversely affect protected species. As such the proposal complies with policy GEN7
- (vi) The site is at low risk of flooding
- (vii) The proposal would not have any material detrimental impact on the setting and character of the listed buildings near to the site.

12.2 It is therefore recommended that the application be approved with conditions.

REFERENCE NUMBER: UTT/21/2629/FUL

**LOCATION: The Gate Inn, 74 Thaxted Road
Saffron Walden, CB11 3AG**

SITE LOCATION PLAN:



© Crown copyright and database rights 2021 Ordnance Survey 0100018688
Organisation: Uttlesford District Council Date: 11th October 2021

PROPOSAL: Proposed conversion of existing restaurant to provide 2 no. dwellings including part-demolition of single storey rear elements. Erection of 3 no. detached dwellings to the rear of the site, utilising existing access off Thaxted Road, with associated parking and hard and soft landscaping.

APPLICANT: Cordage 26 Ltd

AGENT: Mr Jake Russell, CPC Planning Consultants Limited

EXPIRY DATE: 29/10/2021

CASE OFFICER: Chris Tyler

NOTATION: Within Development Limits

1. RECOMMENDATION: APPROVE SUBJECT TO CONDITIONS

1.2 CONDITIONS:

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

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

1.2.2 Prior to commencement of works above slab level, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls
- Roof
- Windows
- Doors

The development must be carried out in accordance with the approved details

REASON: To ensure compatibility with the character of the area, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework. This condition is to ensure that the development is only carried out in accordance with the above details

1.2.3 Prior to the occupation of any of the proposed dwellings, the proposed private drive shall be constructed to a width of 5.5 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate dropped kerb crossing of the footway/verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety and in accordance with

ULP Policy GEN1.

- 1.2.4** No dwelling shall be occupied until the associated parking and/or turning head indicated on DWG no. 10.09 C (Titled – Proposed site plan) has been provided. The vehicle parking and turning head shall be retained in this form at all times.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interest of highway safety and that appropriate parking is provided, in accordance with ULP Policy GEN1.

- 1.2.5** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity, in accordance with ULP Policy GEN1

- 1.2.6** Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator. These packs (including tickets) are to be provided by the Developer to each dwelling free of charge.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport and in accordance with ULP Policy GEN1.

- 1.2.7** No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety and in accordance with ULP Policy GEN1

- 1.2.8** Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary.

REASON: To ensure that the future outward growth of the planting does not encroach upon the highway or interfere with the passage of users of the highway, to preserve the integrity of the highway and in the interests of highway safety and in accordance with ULP Policy GEN1.

- 1.2.9** Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway.

REASON: To enable vehicles using the access to stand clear of the footway/carriageway whilst gates are being opened and closed in the interest of highway safety and in accordance with ULP Policy GEN1.

- 1.2.10** Prior to reaching slab level of the development hereby approved, a noise scheme for the protection of the occupiers of the proposed dwellings from noise from roads and from the adjacent industrial units, shall be submitted to and approved by the Local Planning Authority. The scheme shall ensure that reasonable internal and external noise environments are achieved in accordance with the provisions of BS8233:2014 and BS4142:2014.

REASON: To ensure the future occupiers of the development do not experience significant noise disturbance in accordance with ULP Policy ENV10.

- 1.2.11** No dwellings shall be occupied until the details within the noise scheme providing protection for those dwellings has been implemented in accordance with the approved details and has been demonstrated to achieve the required noise levels to the satisfaction of the Local Planning Authority. The approved scheme shall be retained in accordance with those details thereafter.

REASON: To ensure the future occupiers of the development do not experience significant noise disturbance in accordance with ULP Policy ENV10.

- 1.2.12** Prior to the commencement of the development hereby approved a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination shall be submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 and in accordance with ULP Policy ENV14.

- 1.2.13** Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall submitted to and approved in writing by the Local Planning Authority.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 and in accordance with ULP Policy ENV14.

- 1.2.14** Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 and in accordance with ULP Policy ENV14.

- 1.2.15** Prior to the occupation of the development hereby approved, the effectiveness of the remediation scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 and in accordance with ULP Policy ENV14

- 1.2.16** The development here by approved shall be shall be carried out in accordance with the details contained in the Ecological Appraisal Report (Hampshire Ecological Services Ltd, August 2021) as already submitted with the planning

application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

- 1.2.17** Prior to reaching the slab level of the development hereby approved a Biodiversity Enhancement Layout, providing the finalised details and locations of the enhancement measures contained within the Ecological Appraisal Report (Hampshire Ecological Services Ltd., August 2021), with all integrated bird boxes facing north to south-east, all external bird boxes facing north to east and Swift boxes grouped so that there are 2-3 boxes in each location, shall be submitted to and approved in writing by the local planning authority.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

- 1.2.18** Prior to the occupation of the development hereby approved a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting plans, drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

- 1.2.19** A minimum of a single electric vehicle charging point shall be installed at each of the houses as per the approved site plan (20.77.10.09 D). These shall be provided, fully wired and connected, ready to use before first occupation.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within

and in accordance with ULP ENV13 and paragraph 107 of the NPPF.

- 1.2.20** The dwellings hereby permitted must be built in accordance with Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

- 1.2.21** Prior to commencement of development hereby approved a detailed landscaping plan and planting schedule shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved.

The planting schedule shall include specifications of species, sizes, number and percentage mix for new planting areas, including for external boundary treatments and internal means of enclosure. These details should ensure there is not impact or obstruction to the public footpath to the north of the site.

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

REASON: The planting schedule is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with ULP Policies S1 and GEN2 of the Uttlesford Local Plan (adopted 2005).

- 1.2.22** Prior to occupation of Plots 1 and 2, details of a screening fence/wall on the rear boundary of these plots shall be submitted to and approved in writing by the local planning authority.

The fence/wall must be installed thereafter in accordance with the approved details prior to occupation of Plots 1 and 2.

REASON: To screen views of habitable rooms and the private sitting out area of plot 1 and 2, thereby protecting the privacy of future occupiers, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

- 1.2.23** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Class A (enlargement of dwelling), or Class B (Additions to roof) of Part 1 of Schedule 2 shall take place without the prior written permission of the local planning authority.

REASON: To ensure the dwellings do not become overdeveloped and will provide sufficient outdoor amenity space. Overdeveloped. In accordance with ULP Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

2. DESCRIPTION OF THE SITE :

2.1 The application site relates to The Gate Inn (restaurant) located to the east of Thaxted Road in Saffron Walden. The Gate is a detached brick and flint building which has been painted and arranged over ground and first floor with a pitched slate tile roof and sash single glazed fenestration. The building has been extended to the rear to provide an additional single storey element. There is a large car park and trade garden to the rear of the property, with single storey garage outbuilding

2.2 PROPOSAL

2.3 Proposed conversion of existing restaurant to provide 2 no. dwellings including part-demolition of single storey rear elements. Erection of 3 no. detached dwellings to the rear of the site, utilising existing access off Thaxted Road, with associated parking and hard and soft landscaping.

3 ENVIRONMENTAL IMPACT ASSESSMENT

3.1 Town and Country Planning (Environmental Assessment):
The proposal has been previously screened and is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:
There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

4. APPLICANTS CASE

4.1 The applicant has provided a Design and Access Statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way. The application also included:

- Marketing Report,
- Transport Statement,
- Bat Survey,
- Ecology Appraisal,
- Biodiversity Checklist,
- Renewable Energy Statement

Saffron Walden is one of two major settlements in Uttlesford, which is a large rural district in North West Essex. Saffron Walden has excellent links to London, to the south of England, and the historic city of Cambridge to the north. The Property is currently used as an Italian Restaurant.

UTT/20/3429/FUL- Proposed conversion of existing restaurant (A3) to 2 no. dwellings (C3), including part demolition of single storey rear elements and erection of ground floor and first floor extensions. Erection of 3 no. detached dwellings to rear of site, utilising existing access of Thaxted Road, with associated parking and hard/soft landscaping – refused 04/06/2021

- The Applicant submitted the above application, however the application was refused on ecology grounds due to insufficient information or evidence to demonstrate that the proposals would not adversely affect protected species, namely bats. This was the sole reason for refusing the application.

The above application is the subject of an undetermined appeal to the Planning Inspectorate.

The Property is located within the established built-up area and Defined Settlement Boundary of Saffron Walden, a sustainable location.

The proposals comprise the erection of three dwellings and the conversion of an existing restaurant to two dwellings on a brownfield site, it will contribute to the vitality and viability of Uttlesford by generating five new households of potential consumers. Although the Gate has not served as a public house for 10 plus years and reopened as an Italian Restaurant in 2010, the removal of the Italian restaurant is discussed below in order to demonstrate that there will be no harm to the social / economic fabric of Saffron Walden as a result of the proposals.

Policy RS3 Retention of Retail and other services in Rural Areas in the Uttlesford Local Plan seeks to retain existing community facilities wherever possible. The Policy identifies what types of use can reasonably be considered a 'community facility'. These include shops, post offices, public houses, garages, doctors / dentist surgeries and village halls. The Property is currently operating as an Italian restaurant and is not therefore a community facility according to Policy RS3.

Due to the location of the site, it is also clear that the Property is not in a rural settlement because it is identified as one of the key Urban Areas at paragraph 2.2.1 of the Local Plan. The policy therefore does not apply to the site.

Notwithstanding the Property is not a community facility, and is not located in a Rural Settlement, to show best practice the Applicant has undertaken 16 months marketing of the Property as a restaurant and / or public house. Additionally, analysis is provided forthwith of the abundance of better equipped public houses located in Saffron Walden in order to demonstrate residents will not experience a shortfall in their ability to meet their day-to-day needs.

Saffron Walden has access to a far-reaching range of services including multiple convenience stores, a large number of public houses and restaurants, cafes, fuel filling stations, garages, a Post Office, and a public library.

4.2 Marketing Report

The Application is accompanied by a Marketing Report prepared by Savills.

The property has been marketed for approximately 16 months to the present date, and the Property continues to be actively marketed regardless of the current

Application. The property has been advertised via various media including Savills website, Rightmove Commercial, EG property Link, various e-campaigns and monthly property listings.

In terms of interest, there were a total of 49 enquiries, with the majority of interest speculative and was not taken further than an initial enquiry. One offer was received from a local developer in August 2020 with £440,000. The offer was rejected by the applicant as it was deemed too low a consideration to be of interest. No improvement on this offer was made.

In summary there was very limited realistic interest shown by any public house, restaurant or commercial users or any other service providers or members of the general public seeking to continue existing use or create and administer an alternative community facility.

5. RELEVANT SITE HISTORY

5.1 UTT/20/3429/FUL

Proposed conversion of existing restaurant (A3) to 2 no. dwellings (C3), including part demolition of single storey rear elements and erection of ground floor and first floor extensions. Erection of 3 no. detached dwellings to rear of site, utilising existing access of Thaxted Road, with associated parking and hard/soft landscaping.

REFUSED 2/6/2021
CURRENTLY APPEAL UNDETERMINED

REFUSAL REASONS,

The application does not provide sufficient information or evidence to demonstrate that the proposals would not adversely affect protected species, namely bats. Therefore it is not possible to fully assess the potential impacts of the development under the statutory duties contained in the 2010 Habitats Regulations. Insufficient information has been submitted in regards to protected species and as such is contrary to section ULP Policy GEN7 and section 175 of the NPPF and the statutory duties imposed on local planning authorities.

5.2 UTT/20/0371/ACV Nomination of the Gate Inn as an Asset of Community Value – REFUSED- 25/06/2020

6. CONSULTATION RESPONSES:

Saffron Walden Town Council

6.1 Objects to the proposal, a summary of the objections include:

- Loss of a community facility
- In conflict with paragraph 93 of the NPPF, retention of community facilities.
- In conflict with UDC local plan policy RS3,
- There is still significant demand for the existing use of the site,
- The proposal will result in an over development of the site,
- The Gate is the only hospitality business in the east of Saffron Walden,
- Other residential development approved in Saffron Walden will benefit the restaurant,

- The gain of 5 dwellings will not outweigh the loss of the commercial business,
- Unknown marketing of the business,
- The current business is successful,
- There is a requirement for this type of businesses,
- Small scale development like this do not significant contribute to housing delivery,
- Although UDC are preparing a new local plan this does not mean site like these should be compromised,
- Saffron Walden emerging Neighbourhood Plan has identified development site.
- The development of this site would undermine the emerging Neighbourhood Plan

The Highways Authority

6.2 No objections subject to the imposition of condition regarding:

- Width of the access,
- Provision of parking,
- Provision of cycle parking,
- Travel pack,
- Unbound materials,
- Boundary Planting,
- Gates

Place Services- Ecology

6.3 No objections subject to the imposition of condition regarding:

- Development to be in accordance with the ecology appraisal.
- Submission and approval of biodiversity enhancement layout,
- Submission and approval of lighting scheme,

UDC - Environmental Health

6.4 No objections subject to the imposition of condition regarding:

- Submission and approval of noise mitigation scheme,
- Provision of electric vehicle parking points,
- Contamination assessments.

Cadnet Gas

6.5 No objections

UK Power Networks

6.5 No objections

7. REPRESENTATIONS

Representations were received from neighbouring residents, and the following observations have been made:

- In conflict with paragraph 92 of the NPPF
- Loss of a pub/ restaurant
- Loss of business,
- Loss of employment,
- Loss of community space,
- The site is asset of community value,
- Insufficient marketing report,

- Lack of consultation,
- Removal of tree before determination,
- Increase in vehicle movement and traffic,
- Out of character with site and its surroundings,
- Overdevelopment of the site,
- Level of hard landscaping is high,
- The dwellings will not be affordable,
- Harmful impact from dust and pollution,
- Loss of privacy and overlooking,
- Impact of noise during the construction period, if approved
- There is sufficient houses already in Saffron Walden,
- Lack of environmental mitigation,
- Impact to the existing drainage system,
- Impact to ecology.

Case Officers response to the representations received,

- The loss of the business in policy terms will be considered in the following report, however it is noted the site is not in a town centre, employment safeguarding's area or rural service that requires such sequential approach to the requirement of the existing use and marketing.
- All statutory consultations have been made.
- The character, appearance, impact to neighbours and all other materials consideration will be considered in the following report.

8. POLICIES

8.1 S70(2) of The Town and Country Planning Act 1990 requires the local planning authority, in dealing with a planning application, to have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

8.2 S38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

8.3 National Policies

National Planning Framework (2021)

8.4 Uttlesford District Local Plan 2005

- S1 – Development Limits for the Main Urban Areas
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection

- GEN4 – Good Neighbourliness
- GEN5 – Light Pollution
- GEN6 – Infrastructure Provision to Support Development
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- ENV11– Noise Generators
- ENV13 – Exposure to poor air quality
- H9 – Affordable Housing
- H10 – Housing Mix

8.5 Supplementary Planning Document/Guidance

Uttlesford Local Residential Parking Standards (2013)
 Essex County Council parking Standards (2006)
 Essex Design Guide
 Uttlesford Interim Climate Change Policy (2021)

8.6 Saffron Walden Neighbourhood Plan

Following Public Consultation (Under Examination),
 Limited Weight

9 CONSIDERATION AND ASSESSMENT:

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

- A The principle of the development of this site for residential (ULP Policy S1 and the NPPF)
- B Design, Character and Appearance (S1, GEN2, NPPF)
- C External and internal space (GEN2, Technical Housing Standards 2015)
- D Neighbouring Amenity (GEN2, H4 NPPF)
- E Parking and Access (GEN1, GEN8, Uttlesford Local Parking Standards, Essex County)
- F Ecology (GEN7, NPPF)
- G Accessibility (GEN2, SPD2, NPPF)
- H Flooding (GEN3, and the NPPF)
- I Contamination, Air Quality, Noise Disturbance (ENV13, ENV14, ENV10)
- J Affordable housing (H9 & NPPF)
- K Housing mix (H10)
- L House Supply (NPPF)
- M Climate Change (UDC Interim Climate Change Policy 2021)

A The principle of the development of this site for residential (ULP Policy S1 and the NPPF)

9.2 Policy S1 states that development compatible with the settlement's character will be permitted within these boundaries. The proposal for the changes of use and conversion of the existing restaurant to two dwellings and the construction of three new dwellings. It is noted planning permission (UTT/20/3429/FUL) had been previously been refused for the development of this site due to insufficient ecology information, the principle of the development was not a refusal reason.

9.5 The application site does not form part of an asset of community value and although nominated was not considered to meet the criteria required. It is noted the application site does not form part of a town centre location (RS2) or employment safeguarding area (E2) where the retention of these services require

the submission of additional information demonstrating marketing or is no longer financially viable. Although the policies as set out in the local plan to safeguard these existing services are consistent with the aims of the NPPF the policies clearly relates to specific areas. The application site is not of a rural location where ULP Policy RS3 requires the retention of these services.

9.6 As included in objections received paragraph 93 of the NPPF does advise planning policies and decisions should guard against the loss of local facilities especially when it would reduce the community's ability to meet day to day needs. Paragraph 93 of the NPPF also advises that an integrated approach to considering the location of housing and community facilities. The site is considered to be in a sustainable location with access to a range of local services.

9.7 ULP Policy E2 (Safeguarding Employment Land) protects existing employment land from redevelopment and change of use to other land uses. This includes existing employment area over 1.0 hectares and over located in Saffron Walden. The site is below this threshold and therefore is considered compliant with this policy. A Marketing report has been submitted with the application confirming however there was very limited interest shown by any public house, restaurant or commercial use. Therefore, the viability and marketing criteria submitted by the applicant although helpful is not a requirement for the proposed development in this location. The principle of development for the change of use is considered acceptable and therefore in accordance with Policy.

B Design, Character and Appearance (S1, GEN2, NPPF)

9.8 ULP Policy GEN2 seeks quality design ensuing that the development is compatible with the scale form and layout, appearance and materials of the area. The Policy aims to protect the amenity value of the area it is set seeking high quality design.

Paragraph 130 of the NPPF stipulates that "*planning policies and decisions should ensure that developments:*

- *Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- *Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit"*

9.9 The proposal will include the retention of the main building, conversion of the building to two dwellings and erection of three further dwellings within the site. The conversion of the existing building will include the demolition of some of the existing rear extensions and erection of new ground floor and first floor extensions. However the massing and character of the front of the building contributing to the street scene will not be compromised. The external finishes of the main building will include new render and appropriate finishing materials. Plots 3, 4 and 5 include solar panels to the roof slopes, these are not considered to compromise the overall character and appearance of the development.

- 9.10** The rear of the site, is proposed 3 no detached, 3 bed Neo- Georgian homes which take their design rationale from the symmetry of the pub frontage as well as similar recent developments nearby at Long Row Close. The front elevation of the three units, when read together, has a traditional Georgian manor house aesthetic with a contemporary approach. Although the new dwellings will be viewed from Thaxted Road they will be to the rear of the existing building and would be viewed as a standalone development and would not appear intrusive or dominant in the site or surrounding area. The external finishes of the new dwellings will include red brick facing wall under a slate roof.
- 9.11** Taking into consideration the above assessment character and appearance of the proposal is considered acceptable and in accordance with ULP Policies S1, GEN2, and NPPF.

C External and internal space (GEN2, Technical Housing Standards 2015)

- 9.12** Plots 1, 2 and 4 mainly accord with the recommendations in the Essex Design Guide which advises that for three bedroom houses should include at least 100sqm of garden space and 2 bedroom houses include 50sqm of garden space.
- 9.13** Plots 3 will include 70sqm private amenity space and plot 5 will include 82sqm. The Essex Design Guide is not an adopted document, but serves as a useful guide and therefore a balanced decision on this matter should made. The site is located close to open public spaces it is considered that adequate living conditions would arise from the proposed development. As advised by the Essex Design Guide, due to the size of the gardens it is recommended that Permitted Development (PD) rights to extend the property should also be withdrawn by condition if planning permission is granted.

D Neighbouring Amenity (GEN2, H4 NPPF)

- 9.14** ULP policy GEN2 advises development will be supported if it does not have a materially adverse effect on the reasonable occupation and enjoyment of residential or sensitive properties as a result of overlooking or loss of privacy.
- 9.15** The first floor windows on the west elevations of plots 3 and 5 will serve non habitable rooms. The first floor windows side elevation windows will serve bedrooms however it is considered the orientation dwelling and positioning of the windows in relation to the neighbouring properties will ensure there is not direct overlooking or loss of privacy. Plot 4 will have approximately 22m back to back distance with Plots 1 and 2, although the distance is unlikely to result in any significant loss of privacy the rear boundary treatment may require to be higher than 1.8m to screen the views from Plot 4, a condition can be used for the provision of further information to address this concern.
- 9.16** The proposal may result in some noise impact during the construction phase, however a construction management condition should be included to help mitigate this. The continued use of the site as residential will not result in an intensification of use of significant noise increase, the proposed use of the site would be compatible with the neighbouring sites and would not have a harmful effect on the amenity of the occupants of the proposed dwellings

E Parking and Access (GEN1, GEN8, Uttlesford Local Parking Standards, Essex County)

9.17 Taking into account the comments of the Highway Authority and recommended conditions, it is considered that the proposal would not adversely affect road safety or highway capacity provided that appropriate conditions are used. Furthermore, the submitted layout demonstrates that on-plot parking provision could be made in accordance with the Council's minimum residential parking standards.

F Ecology (GEN7, NPPF)

9.18 Policy GEN7 and Paragraph 179 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Appropriate mitigation measures must be implemented to secure the long-term protection of protected species. Taking into account the comments from the Council's Ecology Consultant, it is considered that subject to conditions unlikely that the development would have significant adverse effects on any protected species or valuable habitat. It is therefore concluded that the proposal accords with the above policies.

G Accessibility (GEN2, SPD2, NPPF)

9.19 The 'Lifetime Homes' standards which were developed by the Joseph Rowntree Foundation and Habinteg Housing Association and satisfy the criteria stipulated in the SPD entitled 'Accessible Homes and Playspace', have effectively been superseded by Part M of the Building Regulations for less able occupiers. These requirements could be secured using a condition if the proposal were to be approved.

H Flooding (GEN3, and the NPPF)

9.20 Policy GEN3 contains the Local Plan policy for flooding, although this has effectively been superseded by the more detailed and up-to-date flood risk policies in the NPPF and the accompanying PPG. The SFRA confirms that the site is not in an area at risk of flooding and, as the development is for less than 10 dwellings, national policy does not require the use of a sustainable drainage system. The application site is in flood zone 1 and therefore it is concluded that the proposal would not give rise to any significant adverse effects with respect to flood risk, such that it accords with ULP Policy GEN3, and the NPPF.

I Contamination, Air Quality, Noise Disturbance (ENV13, ENV14, ENV10)

9.21 The site is inside the Saffron Walden Air Quality Management Zone but, due to its limited scope, does not require an Air Quality Assessment. In view of the scale of proposed development and comments received from the Environmental Health Officer the proposal subject to conditions for the installation of electric vehicle charging points will not result in any significant rise in harmful air quality impact. Therefore it is considered the proposal accords with ULP Policy ENV13

9.22 ULP Policy ENV14 considers the impact of contamination of the site and its impact to the proposed development. The application site may have the potential risk of contamination and therefore the UDC Environmental Health Officer has been consulted. No objections have been made subject the imposition of a planning condition for the submission contamination assessment. As such it is considered the development will not result in any harmful impact due to contamination risks and the proposal accords with ULP Policy ENV14

9.23 ULP Policy ENV10 advises development will not be permitted if the occupants would experience significant noise disturbance. To the rear of the site are a number of commercial units, also the existing building is close to the highway at the front of the site. The Council's Environmental Health Officer has recommended the use of planning condition for further noise mitigation details.

J Affordable Housing (H9 & NPPF)

9.24 Policy H9 and its preamble form the basis for seeking affordable housing provision from new residential developments. In this case, the policy indicates that the proposal need not make a contribution.

K Housing Mix (H10)

9.25 The development site is above 0.1 hectare, Policy H10 states that such a development should include a 'significant proportion of market housing comprising small properties' which are defined as 2 or 3 bed properties. The development proposes 3x 3 bedroom houses and 2x 2 bedroom housed, as such it is considered the development accords with this Policy.

L House Supply (NPPF)

9.26 The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. The Council's housing land supply currently falls short of this and is only able to demonstrate a supply of 3.11 years (Five Year Housing Land Supply update April 2020).

9.27 Therefore a balance approach should be applied in the assessment of the proposed development and whether the potential harm the development might cause 'significantly and demonstrably' outweighs the potential positive outcomes of the development as a whole.

9.28 The proposal provision of 5 dwellings carries moderate weight due to the lack of 5 year housing supply.

9.29 The development will have a modest level of economic benefits, this includes; employment during the construction, an increase in local household expenditure and the potential of contribution to local services. These economic benefits weigh in favour of the scheme.

9.30 The principle, character and appearance of the proposed dwellings is not in conflict with ULP Policies S1 and GEN2 and the NPPF.

9.31 The proposal does not result in any harm to ecology or protected habitats, the development will include further biodiversity enhancement and mitigation.

9.32 Although the proposal does result in the loss of the existing commercial use the proposal will not conflict with any employment safe guarding or loss of services/ facilities within a rural location planning policies

9.33 The dwellings will have positive contribution to housing supply of which the Council cannot demonstrate a 5 year housing supply. Overall it is considered the benefits of the scheme outweigh the any limited harm that may occur.

M Climate Change (UDC Interim Climate Change Policy 2021)

- 9.34** Following the recently adopted UDC Interim Climate Change Policy 2021 due consideration should be made by developer to demonstrate the path that their proposals take towards achieving net – zero carbon by 2030, and all the ways their proposal is working towards this in response to planning law, and also to the guidance set out in the NPPF and Planning Policy Guidance. The following sets out how the proposal meets the Policy.
- 9.35** The proposed scheme is located within Saffron Walden, a sustainable settlement with excellent access to public transport. The location of the proposed dwellings is therefore considered in accordance with Interim Policy 1(i).
- 9.36** The reuse of the existing restaurant, including retrofitting of sustainable materials internally, is considered to accord with Interim Policy 2 regarding built-heritage.
- 9.37** The construction of the proposed will be insulated, designed with low air permeability, utilising airtight membranes, controlled service penetrations and robust detailing. Double/triple glazing will reduce heat loss as well as minimise overheating due to passive solar gain in summer months.
- 9.38** Energy saving and energy efficient appliances will be installed across the development such as energy efficient light fittings, low water usage sanitary products (in accordance with Interim Policy 3), and materials with low embodied energy.
- 9.39** The Environment Agency Flood Maps for Planning demonstrate the site is located within Flood Zone 1 and therefore Interim Policy 4 is satisfied, insofar as the proposals will not increase flood risk elsewhere.
- 9.40** The Applicant is proposing each of the proposed dwellings be heated by an efficient Air Source Heat Pump to provide a sustainable alternative and sustainable alternative to gas-powered heating.
- 9.41** Each of the proposed new-build dwellings (Units 3, 4 and 5) includes photo-voltaic panels affixed to south facing roof-slopes. This will positively contribute to the energy consumption of the proposed dwellings by generating some or all of their electricity via sunlight conversion.
- 9.42** Each of the proposed dwellings is proposed to have access to Electric Vehicle (“EV”) charging points to encourage occupiers of domestic dwellings to purchase electric vehicles.
- 9.43** Secure cycle stores will be provided encouraging sustainable modes of transport.
- 9.44** The proposals have been designed in response to the Council’s Interim Climate Change Policy. Alongside the general principles outlined within this Renewable Energy Statement the Applicant is proposing to utilise the above points to improve the energy credentials of the development as a whole. Thereby robustly responding to the challenges that are presenting as a result of climate change.

10. EQUALITIES

- 10.1** Equality Act 2010

- 10.2** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 10.3** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 10.4** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

11. CONCLUSION

- 11.1** The principle of the predevelopment is not in conflict with ULP Policies S1 and GEN2 and the NPPF
- 11.2** The proposal does not conflict with any employment safe guarding or loss of services/ facilities within a town centre, rural or identified employment area (ULP Policies RS3, E2 and the NPPF).
- 11.3** The layout, scale and appearance of the development is considered appropriate in terms of the character of the site and surrounding area. The size of amenity areas and parking provisions are acceptable. The development accords with ULP Policies S7, ENV3, GEN2 GEN8 and the NPPF.
- 11.4** The submitted layout plans shows that impacts on residential amenity are likely to be insignificant and therefore accords with ULP Policies GEN2 and GEN4.
- 11.5** The proposal would not be harmful to protect/priority species subject to conditions and in accordance with ULP Policy GEN7.
- 11.6** The proposed highway access is not considered to have any harmful impact to highway safety and in accordance with ULP Policy GEN1.
- 11.7** The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. The Council's housing land supply currently falls short of this and is only able to demonstrate a supply of 3.11 years (Five Year Housing Land Supply update April 2020). The addition 5 dwellings must be regarded as a modest but positive contribution.
- 11.8** RECOMMENDATION- APPROVE SUBJECT TO CONDITIONS

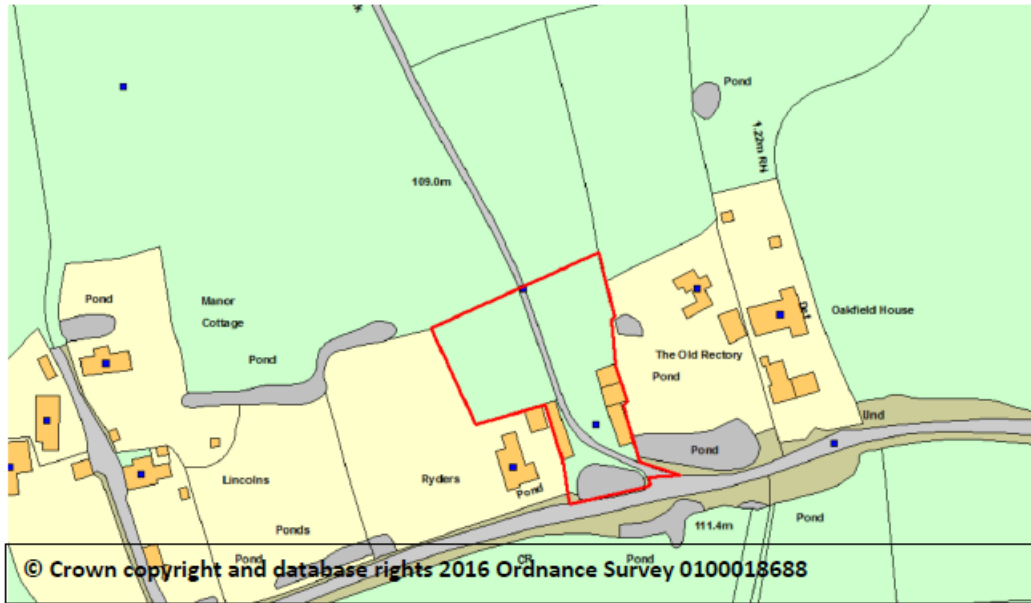
Agenda Item 9

ITEM NUMBER:

REFERENCE NUMBER: UTT/21/1994/FUL

**LOCATION: Ryders Barns, Strethall Lane,
Strethall, Essex CB11 4XJ**

SITE LOCATION PLAN:



Organisation: Uttlesford District Council
Department: Planning
Date: 15 OCTOBER 2021

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Organisation: Uttlesford District Council

PROPOSAL: Removal of existing barns and erection of 1 no. dwelling

APPLICANT: MR MICHAEL VANOLI

AGENT: MR MICHAEL VANOLI

EXPIRY DATE:

CASE OFFICER: HENRIETTA ASHUN

NOTATION: Outside development Limits
Adjacent Grade II Listed Buildings

1. RECOMMENDATION: APPROVAL WITH CONDITIONS

1.2 CONDITIONS:

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

3. Prior to commencement of the development hereby approved, details of the following hard and soft landscaping works and boundary treatments shall be submitted to and approved in writing by the local planning authority and must be maintained as such in perpetuity. Thereafter, any potential changes shall be submitted to and approved in writing by the local planning authority;

Existing and retained features
New and existing planting and trees
Hard surfaces
Boundary treatments (all boundaries of the site)

Thereafter, all hard and soft landscape works must be carried out strictly in accordance with the approved details.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping must be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the

development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works must be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority. Thereafter, any potential changes in the future shall be submitted to and approved in writing by the local planning authority.
REASON: To safeguard privacy (amenity) and to preserve the countryside character of the area, in accordance with the adopted Uttlesford Local Plan Policies S7, GEN2, and the National Planning Policy Framework (2021).

4. Prior to first occupation of the development, the existing access shall be formalised at an appropriate angle to the carriageway, with a suitable vehicular crossing of the highway verge and shall be constructed in a bound material.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner, in the interests of highway safety in accordance with the Policy GEN of the Uttlesford Local Plan (adopted 2005).

5. The proposed development shall not be occupied until such time as the vehicle parking area as indicated on DWG no. PL4(P-)04 Rev. A has been provided and shall be retained in this form at all times.

REASON: To ensure that appropriate parking is provided clear of the public footpath, in the interests of highway safety in accordance with the Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

6. The public's rights and ease of passage over public footpath no. 12 (Strethall) shall be maintained free and unobstructed at all times.

REASON: To ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with the Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

7. No demolition, conversion or alterations shall commence until a programme of historic building recording has been secured in accordance with a written scheme of investigation (WSI) to be submitted by the applicant and approved in writing by the local planning authority.

REASON: To record the in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2021).

8. No demolition, conversion or alterations shall take place until the satisfactory completion of the recording in accordance with the WSI submitted. The applicant shall submit to the local planning authority a report detailing the results of the recording programme and confirm the deposition of the archive to an appropriate depository as identified and agreed in the WSI .

REASON: To record potential archaeological remains, in accordance with the adopted Uttlesford Local Plan Policy ENV4, and the National Planning Policy Framework (2021).

9. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:
- i. Safe access to the site;
 - ii. The parking of vehicles of site operatives and visitors;
 - iii. Loading and unloading of plant and materials;
 - iv. Turning of vehicles;
 - v. Storage of plant and materials used in constructing the development;
 - vi. Wheel and underbody washing facilities.
 - vii. Timing of construction and delivery vehicles to avoid school times
i.e. 08:15 - 08:45am and 15:00 – 15:45am
 - viii. Appropriate monitoring of the surface of the byway during the construction period and repair any damage caused to the byway by vehicles associated with the development.

REASON: To ensure that the impact of construction on the by-way and surrounding network is limited and on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and in accordance with ULP Policy GEN1 of the Uttlesford Local Plan 2005 and the NPPF 2021.

10. Prior to commencement of the development hereby approved, additional drawings that show details of the approved new windows, doors, eaves, verges and cills to be used by section and elevation between 1:20 and 1:1 (as appropriate) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the works shall be constructed in accordance with the approved details and shall be maintained as such in perpetuity.

REASON: To protect and enhance the setting and significance of the designated heritage assets nearby, in accordance with the adopted Uttlesford Local Plan Policies S7, GEN2, ENV2, the Essex Design Guide, s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and the National Planning Policy Framework (2021).

11. An investigation and risk assessment to assess the nature and extent of the contamination must be submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary a remediation scheme, together with a timetable for its implementation, must be submitted to and approved in writing by the Local Planning Authority. The measures in the approved remediation scheme must then be implemented in accordance with the approved timetable. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the effectiveness of the remediation carried out must be submitted to the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to

workers, neighbours and other offsite receptors in accordance with policy ENV14 of the adopted Uttlesford Local Plan.

12. If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant shall notify in writing the Local Planning Authority without delay and work must be halted on the part of the site affected by the unexpected contamination. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with Land contamination risk management published by the Environment Agency. A written Report of the findings shall be submitted to and agreed in writing by the Local Planning Authority. Following completion of remedial measures, a Verification Report shall be prepared that demonstrates the effectiveness of the remediation carried out. Any land contamination identified, shall be remediated and verified to the satisfaction of the local planning authority to ensure that the site is made suitable for its end use.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990, in accordance with the adopted Uttlesford Local Plan Policy ENV14, and the National Planning Policy Framework (2021).

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order with or without modification), no development within Classes A to F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 of the Order shall take place without the prior written permission of the Local Planning Authority.

REASON: To prevent the site becoming overdeveloped and to protect the character of the countryside, in accordance with the adopted Uttlesford Local Plan Policies S7, GEN2, and the National Planning Policy Framework (2021)

14. No construction above ground level shall be undertaken until a scheme of noise mitigation has been submitted to and approved in writing by the Local Planning Authority. Details shall be included in the scheme of the design, layout and acoustic noise insulation performance specification of the external building envelope, having regard to the building fabric, glazing and ventilation. The scheme shall be based on insulation calculations provided in British Standard 8233:2014 and shall be designed to achieve the following noise targets: Bedrooms (23.00-07.00 hrs) 30 dB LAeq and 45 dB LAmx. Living Rooms (07.00-23.00 hrs) 35 dB LAeq The scheme as approved shall be fully implemented prior to occupation of the residential units and shall be retained thereafter and not altered without prior approval.

REASON: In the interest of the residential amenity of future occupiers of the proposed development in accordance with ULP Policy ENV10 of the adopted Local Plan. Pre-commencement condition implementation: To ensure that occupants of the resulting development are not prejudiced by aircraft noise.

15. The dwelling approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the LPA adopted SPD “Accessible Homes and Playspace”.

- 16.** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Protected Species Scoping Survey (Cambridge Ecology, September 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 17.** A Precautionary Working Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newts, nesting birds, foraging and commuting bats, Hedgehog, Common Frog and Toads, and Catmere (West) Special Roadside verge during the construction phase.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To conserve Protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

- 18.** A Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Protected Species Scoping Survey (Cambridge Ecology, September 2020).

The content of the Biodiversity Enhancement Strategy shall include the following:

- Purpose and conservation objectives for the proposed enhancement measures;
- Detailed designs to achieve stated objectives;
- Locations of proposed enhancement measures by appropriate maps and plans;
- Persons responsible for implementing the enhancement measures;
- Details of initial aftercare and long-term maintenance.

The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.

REASON: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

19. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and Policy GEN7 of the Uttlesford Local Plan (adopted 2005).

20. Before development commences details indicating the foul drainage works' exact position and course, manufacturer's specifications, type and discharge of final effluent into a specified watercourse, shall be submitted for the written approval of the local planning authority. Thereafter the approved treatment plant shall be installed in line with manufacturer's instructions and maintained and retained in perpetuity.

REASON: To protect the surrounding countryside and prevent pollution of the water environment, in accordance with ENV12 of the Uttlesford Local Plan (adopted 2005).

21. Prior to dwelling occupation the dwelling shall be provided with electric vehicle charging points. The charging points shall be fully wired and connected, ready for first use and retained for occupant use thereafter.

REASON: To encourage/support cleaner vehicle usage in accordance with the NPPF and ULP Policies ENV13 and GEN2 of the Uttlesford Local Plan (adopted 2005).

2. DESCRIPTION OF THE SITE:

- 2.1 The site is situated within a rural area on the north side of the single track lane known as Pipers Lane leading out westwards from Catmere End and comprises an irregular shaped parcel of land having an area of approximately 0.27 (ha).

- 2.2 The front section of the site is flat and glazed with a pond lying onto the frontage boundary, whilst a small grouping of old timber and corrugated roofed barns ("Ryders Barns") stand onto the site's western and eastern flank boundaries respectively with one of them having an open frontage and containing various building materials. The rear section of the site by way of comparison is open, gently undulating and set to meadow grassland with impressive views northwards across towards Strethall Church and Strethall Hall Farm situated beyond. A public right of

way comprising a well-defined track runs through the middle of the site from Piper's Lane down towards the church.

2.3 Currently the buildings are being used for storage of building materials and stage sets.

2.4 The Old Rectory, a grade II listed building set within generous grounds is situated to the immediate east containing a larger pond along the lane frontage adjacent to the pond at the front of the application site, whilst the frontage property known as Ryders Farmhouse, also a listed building is situated to the immediate west. A large eco-specified dwelling has been constructed on the former local haulage and oil storage depot known as Swans Yard. The enclave of dwellings along Pipers Lane as a whole is surrounded by extensive tree cover that visually distinguishes it from open countryside comprising agricultural land to the north and south. A number of road verges within proximity to the application site are protected for their biodiversity value.

2.5 The site has a long-established commercial use which is no longer operational.

PROPOSAL

2.6 Full planning permission is sought for the removal of existing buildings (one large barn and two smaller interconnected barns) and for the construction and use of one new dwelling at Ryders Barn. The remaining existing barn (to the west) would be retained for ancillary use associated with the new dwelling and providing a screen along this boundary.

2.7 The house comprises a four-bedroom, 2- storey dwelling with a Gross Internal Area of circa 210sqm.

2.8 The property would be L-shaped with a wing to the front and an open-fronted double-parking cart lodge/shed alongside.

- Ground floor would provide: a living room, kitchen/dinner, utility area, WC, boot room and study.
- First floor would provide: 4 bedrooms (inc. 1 x en-suite) and a family bathroom.

2.9 The existing timber building on the western boundary is to be retained as an ancillary barn to the new dwelling.

2.10 The site access is from Pipers Lane. The proposals would retain and use the existing site vehicular access.

2.11 Garden Areas: The main garden area would be to the north of the proposed dwelling and to the east of the north-south footpath. The other area would be to the west of the north-south footpath.

3. ENVIRONMENTAL IMPACT ASSESSMENT

3.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4. APPLICANTS CASE

- 4.1** To support the application, the applicant has provided the following documents;
- Design and Access Statement
 - Planning Statement
 - Ecology Survey and Report
 - Protected Species Scoping survey
 - Arboricultural impact assessment
 - Biodiversity Checklist
 - Parking/Turning Plan
- 4.2** The applicant has cited that the existing commercial use has limited potential to create local employment, and the buildings themselves are unsuited for alternative commercial use without alteration or replacement, which would become necessary in the absence of a residential scheme. Therefore, the permanent cessation of commercial activity at the site would have a significant benefit to the local community by the removal of commercial vehicles using the local rural highway network perceived as a detriment to the local amenity.
- 4.3** The applicant makes the case that the level of harm resulting to the setting of the two adjacent listed buildings is held to be ‘less than substantial harm’ and to the very low end of this spectrum.
- 4.4** The applicant has explained that the public benefits derived from the scheme are:
- (i) the heritage benefit of improving the site and making the historic relationship between the buildings clearer
 - (ii) the benefit of providing a new house
 - (iii) the redevelopment of the site, with the replacement or repair of dilapidated buildings improving the visual amenity of the area;
 - (iv) the restoration of a previously developed site;
 - (v) the removal of a potential source of disturbance, particularly as the only commercial activity which could restore the buildings would be more disturbing;
 - (vi) the quality of the scheme, in particular how it fits into the hamlet and the countryside.
- 4.5** The applicant has also referred to a number of developments which have been approved in the Countryside in close proximity to the site. Namely the following:
1. Ref. No: UTT/20/3112/FUL Demolition of existing sheds and above ground swimming pool and erection of 1 no. detached one and a half storey dwelling Land At Woodside Cottage Catmere End Littlebury Saffron Walden Essex CB11 4XG
 2. Ref. No: UTT/17/0415/FUL Proposed new dwelling Adj. 6 The Glebe Ickleton Road Elmdon CB11 4LY
- Ref. No: UTT/14/1246/FUL Erection of new dwelling with outbuilding Swans Transport, The Elms Strethall Lane Strethall Saffron Walden Essex CB11 4XJ

5. RELEVANT SITE HISTORY

- UTT/21/1172/PAQ3 - Prior Notification of change of use of agricultural building to 1 no. dwelling – Prior approval not required on 14.05.2021

- UTT/21/0384/FUL - Removal of Existing Barns and Erection of New Dwelling – Withdrawn on 18.03.2021
- UTT/14/3132/FUL - Removal of barns and the erection of 1 no. 2 storey detached dwelling – Refused on 06.05.2016 (Appeal Dismissed on the 24 December 2015)
- UTT/13/3123/FUL - 1 no. Dwelling – Withdrawn on 11.02.2014
- UTT/0309/79 - Outline application for a single dwelling - Refused on 11.06.1979
- SWR/0121/68 - Detached house – Refused on 13.06.1968

6. CONSULTATION RESPONSES

6.1 HIGHWAYS

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to conditions.

6.2 PLACE SERVICES- ECOLOGY

No objection subject to securing biodiversity mitigation and enhancement measures.

Summary

We have reviewed the documents provided with this application including the Protected Species Scoping Survey (Cambridge Ecology, September 2020), Magic Maps <https://magic.defra.gov.uk> and aerial photographs, relating to the likely impacts of the development on designated sites, protected & Priority species and habitats, and identification of proportionate mitigation and enhancement.

We are satisfied that there is sufficient ecological information available for determination.

The Protected Species Scoping Survey (Cambridge Ecology, September 2020) advises Catmere (West) Special Roadside verge a non-statutory site is situated close to the development boundary. Therefore, precautionary measures should be followed to reduce the risk of construction activities associated with the development adversely affecting the special roadside verge.

The Protected Species Scoping Survey (Cambridge Ecology, September 2020) advises there is suitable terrestrial habitat on site to support Great Crested Newt. Ponds in the local vicinity were considered to have poor potential to support breeding and the results of Natural England's rapid risk assessment indicated that, provided appropriate non-licensable mitigation measures for Great Crested Newts were followed, an offence was considered unlikely. Taking into consideration this information regarding Great Crested Newts (European Protected Species) we support the recommendation for a precautionary working method statement and recommend it is secured as part of the consent, this will provide certainty for the LPA of the likely impacts on Great Crested Newts. Furthermore, we recommend this should include details for other protected and Priority species that were identified as having potential to be on site, this includes nesting birds, foraging and commuting bats, Hedgehog, Common Frog and Toads.

This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

As the site is described as being suitability for commuting and foraging bats a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats. This must follow the Guidance Note 8 Bats and artificial lighting (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Warm-White lights should be used preferably at 2700k. This is necessary as lighting which emit an ultraviolet component or that have a blue spectral content have a high attraction effects on insects. This may lead in a reduction in prey availability for some light sensitive bat species.
- If Light columns are required, they should be as short as possible as light at a low level reduces the likelihood of any ecological impact. However, the use of cowls, hoods, reflector skirts or shields could also be used to prevent horizontal spill.
- Movement sensors and timers could be used to minimise the 'lit time'.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 170d of the National Planning Policy Framework 2019. This includes improving the condition of the pond, native hedgerow planting, new native trees, and a Meadow Mix for the grassland. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006. Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013. Submission for approval and implementation of the details below should be a condition of any planning consent.

6.3 PLACE SERVICES – ARCHAEOLOGY

No objection subject to conditions.

6.4 PLACE SERVICES – HERITAGE AND CONSERVATION

The buildings affected by this application are located within the setting of several listed buildings such as The Old Rectory, Grade II listed (list entry number: 1221591); Riders Farmhouse, Grade II listed (list entry number: 1275079) and the Grade I listed, Church of St Mary The Virgin (list entry number: 1275078). A public footpath runs through the site and when viewing the site from the north, both Riders Farmhouse and The Old Rectory are visible in conjunction with one another. Furthermore, the Church of St Mary The Virgin which is separated from the site by open fields, has views to and from the application site.

There is a lengthy application history associated with the site, most recently with pre-application discussions following Prior Approval applications for the conversion of the existing buildings which established the principle of a form of development. However, it is now understood that Prior Approval for the conversion of the existing buildings has not been granted and therefore the principle has not been established. Thus, the proposal remains widely similar to the recently refused and subsequently dismissed at appeal application Ref: APP/C1570/W/15/3129757 in December 2015.

Whilst I recognise that the applicant has engaged with the Local Planning Authority and that the design of the proposed dwelling differs from previous, I do not consider this application to have overcome previous reasons for refusal and dismissal at the previous appeal. The demolition of the existing barns and the creation of a dwelling in this location is felt to inevitably result in an impact upon the setting of the heritage assets, particularly Ryders and The Old Rectory which flank the site. The proposed dwelling will likely be visible from Ryders and highly visible from The Old Rectory given the close proximity to the garden boundary of the listed building. The Inspector in the appeal stated that the proposals would significantly harm the setting of both heritage assets, Paragraph 196 of the NPPF (2019) being relevant. Furthermore, environmental factors such as light pollution, noise, general disturbance and diurnal changes should be taken into consideration when assessing the impact upon setting.

The Inspector considered that the impact of the proposals upon the setting of the Grade I Church would be slight and I agree with this assessment.

For the reasons given above, I am unable to support this application. The proposals would, in my opinion, fail to preserve the special interest of the listed buildings, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the NPPF (2019) this level of harm, this would be less than substantial, Paragraph 196 being relevant. This level of harm concurs with that stated within the submitted Heritage Statement.

6.5 HISTORIC ENGLAND

No comment

Thank you for your letter of 18 June 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

6.6 Strethall Parish Council

With certain minor amendments, this application amounts to a resubmission of application UTT/21/0384/FUL, which was withdrawn by the applicant, and application UTT/14/3132/FUL, which was refused and then dismissed at appeal in December 2015 (APP/C1570/W/15/3129757).

These design amendments address, in a minor capacity, previous comments/objections concerning the size and scale of the building. Nevertheless, the proposal remains otherwise essentially the same as the two previous applications. Therefore, comments submitted by the Parish in respect of application UTT/21/0384/FUL, in terms of its impact on environment, ecology and the local community, must now be repeated here. It is noted that the existing dilapidated barn on this site, which this development will replace, has (supposedly) been granted planning approval for change of use (purportedly from agriculture to residential dwelling) under Class Q permitted development. However, the correctness and legality of that approval has been called into question on the grounds that the application did not comply with the requirements of Class Q permitted development: i) because the barn did not have a previous agricultural use, and ii) because the building was physically

incapable of being converted into a two-bedroom house without complete demolition and rebuilding (as submitted in Parish comments on application UTT/21/1675/PAQ3).

Furthermore, the historic buildings and conservation advice provided by Essex County Council indicates that no such change of use approval has been granted. In its letter dated 1 July 2021 Place Services Historic Environment Team advise that, "it is now understood that prior approval for the conversion of the existing building has not been granted and therefore the principle [of permitted development] has not been established." Accordingly, whilst it could have been assumed that a 4 bedroomed house might have no more impact on issues of sustainability etc. than the 2 bedroomed dwelling permitted under Class Q, if that development permitted under class Q has not actually been granted or has been granted unlawfully, then the impact of a 4-bedroom house on ecology, sustainability and the detriment to public benefit is substantial and fully additional to existing circumstances.

With this in mind, Strethall Parish submits the follow objections to this application:

1. This application considered alongside the previously refused application UTT/14/3132/FUL

As noted above, this application is fundamentally the same as that submitted in 2014 in respect of its situation, proximity to historic listed buildings, size and scale, impact upon surrounding landscape and features and its failure to provide sustainable living. All of these are matters that the Planning Inspectorate cited as reasons for the appeal to be dismissed in its decision dated 24 December 2015.

The only meaningful amendments that Strethall Parish can find are those relating to the general appearance of the building, as achieved by the use of different external materials. However, the Planning Inspector had no issue with the materials proposed in 2014, whereas the raft of concerns raised by the Inspector at that time have not been addressed in the recent application.

2. Detrimental impact on Ecology and Biodiversity

The site is situated in a unique rural setting, rich in diverse vegetation and wildlife habitat, that has remained undisturbed for many years. The current barns are unobtrusive and surrounded by mature trees, dense ivy, scrubland and established wild meadow. The natural ponds, nearby watercourses and special protected roadside verge to the south of the plot acts as a haven for flora and fauna, including endangered species of Crosswort (*Cruciata laevipes*). There are regular siting's of badgers in the vicinity and there is anecdotal evidence that the barns are used by bats for winter hibernation. It is likely that timber boarding to the barns will be used for maternal roosting in May and June. It is vital therefore that relevant surveys are undertaken. There are owls, frogs, toads, newts, water fowl and an array of mammals all in abundance within very close proximity.

The surrounding area is within a chalk stream environment, feeding into the Cam and Ouse, that is unique in the world. More specifically, and with reference to the UDC Minor Development Biodiversity Validation Checklist, the Parish would advise the following:

- i) There is a Special Roadside Verge within 100m of the proposed development.
- ii) There are badger sets within approximately 200m of the development and anecdotal evidence of bat roosts within the existing barns.
- iii) The barns proposed for demolition are pre-1914 buildings (showing on an OS map dated 1897) and within 400m of both woodland and water.
- iv) The barns are immediately adjacent to woodland and water.
- v) The development will require the felling, removal or lopping of: woodland; field hedgerows; old and veteran trees; mature trees with holes, cracks or cavities; mature trees covered with ivy.
- vi) The development is within 50m of woodland and meadow grassland.
- vii) The proposals include the demolition of a building where bats are known to be present

3. Detrimental impact on local infrastructure and failure to meet requirements for sustainable living. The concerns of the Planning Inspectorate raised in 2015 regarding sustainability are still relevant.

The public road that serves this part of Strethall is a narrow single vehicle width country lane that is a 'no through road'. There is limited turning capacity at the end of the lane, approx. 150 metres further on from the proposed development. Delivery vehicles for Ryders and The Old Rectory (including supermarket deliveries) must continue to the end of Strethall Lane in order to use this turning space or otherwise reverse their vehicles back to the junction at Catmere End. Because of access restrictions the same will apply for future deliveries to the proposed development. Dog walkers parking their cars at the end turning space exacerbate the situation.

Heating oil deliveries to 3 properties in Strethall have been refused because of this problem. The application refers to the use of home deliveries by supermarket operators - these will only add to the problem.

There is no public footpath, no street lighting, no mains drainage, no natural gas, no bus service and no local facilities such as convenience store or pub in Strethall.

In its report in 2015 the Planning Inspectorate referred to the inadequacy of a bus service that ran only once a day on two days per week. This service has since been discontinued and replaced with a very limited 'dial a bus' service. It is not surprising that the Inspectorate stated that the proposed dwelling would be isolated and "would rely on the car to a large extent."

It must be concluded therefore, that the following comments of the Planning Inspectorate in 2015 still hold true:

"The proposal would result in environmental harm and would not be socially sustainable";

"The benefits....and the energy saving measures proposed do not alter the generally unsustainable nature of the proposed development";

"Those weights in favour [of using a previously developed site] are not sufficient to outweigh the significant and great weights I give to the harms."

The lack of public benefit that derives from the scheme

The Application rightly refers to "a balancing exercise in which great weight is given to the 'less than substantial harm' to Ryders and The Old Rectory through effects on their setting." However, the applicant continues, "that weight must reflect this harm being at the low end of the spectrum."

Strethall Parish disputes this assertion; the revised Planning Policy Guidance (PPG), which helps to apply the policies of the NPPF, is clear that the terms of 'substantial harm' and 'less than substantial harm' should be considered as categories of harm rather than a specific description of harm level.

The PPG states that within each category of harm the extent of harm may vary dependent upon the effect on heritage assets. In a court judgement of 2019 it was decided that even limited or negligible harm was sufficient to fall in the category of 'less than substantial harm'.

Given the comments of the Planning Inspector therefore, as referred to in point 2 above, it is clear that within the category 'less than substantial harm' the effect of the proposed development on Ryders and The Old Rectory is actually at the very high end of the spectrum.

Given the above, the public benefits of the proposed scheme would need to be very substantial in order to out-weigh the harm described by the Planning Inspector. Strethall Parish disputes the benefits referred to in the application under paragraph 50 of the Planning Statement and addresses each in turn as follows:

i) Making the "historic relationship between the buildings clearer" means erecting an imposing and overbearing structure between two listed buildings, which already sit perfectly within a character setting. The development proposed does not provide heritage benefit and, as the Planning Inspector has made clear, the effect on the listed buildings can only be detrimental.

ii) In this instance, the benefit of providing a new house will only fall to the landowner and will not provide benefit to the community. There are many potential 'windfall' sites in more appropriate and sustainable locations. A 'windfall' site would be expected to provide many more dwellings than a single house in order to justify and out-weigh the harm described by the Planning Inspector.

iii) The current vernacular timber barns, which date back to the 19th century, actually enhance the historic setting in which the listed buildings are situated. Allowing historic farm buildings to fall into disrepair, and then allege that they spoil the visual amenity - so that planning approval might be granted for 'attractive' new housing in their place - does not provide public benefit in the long term.

iv) These timber barns, used for farm storage dating back to before 1897, yet unused for either agricultural or commercial purposes during the last 40 years, cannot be considered a 'previously developed' site.

v) The occupants of neighbouring properties can testify that movements to/from the existing dilapidated barn have been negligible since the previous planning application in 2014. It was also apparent that materials stored in the barn had been there for a considerable period of time. The term 'commercial use' cannot be attributed to the occasional or historic storage of timber, tiles and the like within a dilapidated 19th century agricultural barn. The daily comings and goings associated with a large residence would create far more disturbance than a timber barn that hasn't been put to proper use for the last 10 years.

vi) The size and scale of the proposal does not fit well into the hamlet and the countryside compared with the old timber barn that it would replace.

5. Conclusion Stretthall Parish considers that the comments of the Planning Inspectorate, when dismissing the appeal in 2015, still apply today. This development is wholly out of keeping with the nature and character of the surroundings - notably, the listed buildings referenced previously. Public benefits that derive from the scheme are negligible and any that can be identified are significantly out-weighted by the harms described within this submission and by the Planning Inspectorate.

6.7 Call in from Cllr Neil Gregory

- Access
- Overlooking
- Overdevelopment
- Not in accordance with extant local plan.

7. REPRESENTATIONS

Representations were received from neighbouring residents, and the following observations have been made:

- Misleading statements
- Sensitive site
- Not subject to commercial activity
- Inaccurate plans
- Impact on historic buildings development curtilage
- Not a sustainable location
- No amenities
- Protected species on the site
- Negative urbanising effect
- Drain on water resource
- No community benefits
- Appeal decision still stands
- Deliberately misleading application process
- Overbearing
- Out of scale
- Detrimental to character of the area
- Loss of visual amenity
- Removal of trees no space for playing
- Substantial danger to historic hamlet
- Construction traffic
- Impact on narrow footpath
- Proximity of two ponds makes realignment of footpath difficult
- Historic route
- Flooding

8. POLICIES

8.1 National Policies

- National Planning Policy Framework 2021 (NPPF)

8.2 Uttlesford District Local Plan 2005

- S7 – The Countryside
- GEN1 – Access

- GEN2 – Design
- GEN4 – Good Neighbourliness
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- H1 – Housing Development
- ENV2 – Development affecting Listed Buildings
- ENV14 – Contaminated Land

8.3 SPD 2 Accessible Homes and Playspace

Other Material Considerations

- The Essex Design Guide
- Essex County Council Parking Standards
- UDC “Interim Climate Change Planning Policy” document

9 CONSIDERATION AND ASSESSMENT:

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

- A. Principle of development
- B. Housing land supply
- C. Heritage
- D. Design and amenity
- E. Highways
- F. Ecology and trees
- G. Other material considerations

A Principle of Development

9.2 The property would be somewhat isolated however it would replace a dilapidated large barn building (which has no protection) with a building of outstanding design and provides a very much needed family home.

9.3 *Countryside*

The application site lies beyond the Development Limits on land classed as countryside where policies are generally restrictive. Policy S7 looks to protect the countryside for its own sake by limiting development to that which needs to be there or is appropriate to a rural area. Policy S7 was subject to a Framework Compatibility Assessment (July 2012), concluding that it was consistent with the NPPF.

9.4 The National Planning Policy Framework (NPPF 2021) applies a presumption in favour of sustainable development. Development will only be permitted if the appearance of the development protects or enhances the particular character of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. In any case, paragraph 80 of the NPPF seeks to avoid isolated homes in the countryside unless there are special circumstances. In this regard, housing site should be within or adjacent to existing settlements to prevent sporadic development in the countryside.

9.5 As such the development should be assessed against the three strands of sustainable development (social, economic and environmental).

- 9.6** Social: This relates to 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.
- 9.7** Recent case law Braintree DC v SSCLG [2018] EWCA Civ. 610 which considers the definition of an isolated dwelling, and gives further clarification to its definition. The development whilst not being within any defined development boundary, is not considered to be an isolated dwelling due to the adjoining nature of the dwelling to the boundary line, as well as the location of other dwellings either side and opposite it.
- 9.8** Uttlesford must be viewed in the context of being a rural district affording limited access, albeit the site is accessible. A bus stop is located less than a mile away from the application site, which can be accessed via road or public footpath, with routes to surrounding villages of Littlebury, Newport and Saffron Walden. Littlebury is located circa 2 miles away and provides amenities. Saffron Walden town is located circa 4 miles away. Audley End railway station is located circa 3 miles away. Furthermore, planning permission was granted for a house in close proximity to the site (UTT/14/1246/FUL- Erection of new dwelling with outbuilding Swans Transport, The Elms Strethall Lane Strethall Saffron Walden Essex CB11 4XJ).
- 9.9** The development would provide one new dwelling which is of importance, as the Council is unable to demonstrate a deliverable 5-year supply of housing land.
- 9.10** Economic: The development will deliver a moderate economic role by the creation of small -scale employment during the construction phase and the occupier(s) of the houses would contribute to the local economy in the long term, as such there would be some limited, positive economic benefit. The proposed development will also have a direct beneficial impact on the local economy and economic development in terms of the proposed self-build, sustainable construction and sourcing of local materials.
- 9.11** Environmental: The site is outside of the development limits however it is noted however that the site is already built up and comprises previously developed land. A new build development would not result in harm to the character and appearance of the open countryside nor would it result in an erosion to the countryside rural appearance.
- 9.12** The proposed development would result in a built-up form adjacent to an existing settlement which would have a minimal impact on the character, appearance and open form of the countryside.
- 9.13** Paragraph 11 of the NPPF considers the presumption of sustainable development, this includes where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (this includes where five year housing supply cannot be delivered) permission should be granted unless “ *i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed 7 ; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*”.
- 9.14** Therefore, a balance approach should be applied in the assessment of the proposed development and whether the potential harm the development might cause ‘significantly and demonstrably’ outweighs the potential positive outcomes of

the development as a whole. The scheme does provide for a single dwelling house, and would replace existing structures on the site which would provide a modest level of economic benefit. This weighs in favour of the development. The location of the site is in relative proximity to amenities and services; nevertheless, it is outside of the development boundary, and some distance away from the nearest Town Centre, and thus having a neutral benefit/impact. The scale and massing of the property with its 'barn style' appearance and spacious garden would limit any potential harm on the open character of the countryside. Therefore, any harm caused on the open character and appearance of the countryside would be limited and can be mitigated against.

- 9.15** In conclusion, the limited potential harm would be outweighed by the positive outcomes of the development as demonstrated above.
- 9.16** *Brownfield Site*
Paragraph 119 of the NPPF states: "*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land*".
- 9.17** The above demonstrates that brownfield land should indeed be promoted in meeting the needs for homes, however this should not conflict with other policies in the Framework. It was established by a recent Judicial Review request of the that the UTT/21/1172/PAQ3 was wrongfully issued as the site is not solely used for agricultural purposes as the site has a lawful use for the storage of building materials and stage furniture as per planning permission UTT/0672/92. This has been acceptable by UDC and thereby application UTT/21/1172/PAQ3 cannot be lawfully implemented but has identified that the application site is in fact brownfield land, which can in fact be lawfully used for more intense Class B8 storage distribution.
- 9.18** The dwelling would be sited on land which is currently occupied by a permanent structures. More specifically, the footprint of the existing buildings found on the east side of the site, which comprises the existing buildings running north-south will be demolished and replaced with the proposed development.
- 9.19** At present, the structures abut the eastern boundary. The proposals increase the separation from the eastern boundary with a set -in of approximately 1m.
- 9.20** **Planning History**
Following the refusal of the 'previous planning application' UTT/14/3132/FUL and subsequent appeal, the following changes have been made:
- Rural 'barn like' appearance
 - Reduced domestic appearance
 - Reduced form (the footprint has been reduced by 31 m2)
 - Height reduction (the height has been lowered by 1m)
 - The floorspace has been reduced (the floorspace has been reduced by 48.5 square metres)
 - Shuttering system (ground floor and first floor windows)

The appeal decision and Inspectors comments will be referred to in this report.

The table below demonstrates the key changes within each planning application relevant to the proposed development:

| | Original Barn (pre 1992) | Existing Barn (post 1992) | UTT/13/3123 /FUL Withdrawn) | UTT/14/3132 /FUL Refused & Dismissed) | UTT/21/0384 /FUL (withdrawn) | UTT/21/1994/ FUL (Current proposal) |
|---------------------------------|--------------------------|---------------------------|-----------------------------|---------------------------------------|------------------------------|-------------------------------------|
| Footprint (excl. car port) (m2) | 217 m2 | 147 | 190 | 144 | 125.5 | 113 m2 |
| Height (m) | 5.7 m | 5.7 m | 7.8 m | 7.6 m | 7.1 m | 6.6 m |
| Gross Internal Floor Area (m2) | | | 335 m2 | 265 m2 | 234.5 m2 | 216.5 m2 |

The proposed development differs to the appeal scheme in terms of its dimensions.

When comparing the existing barn (which has been reduced since 1992) to the new proposed house, it provides an indication of the key differences as follows:

- The footprint is reduced by 34 m2
- The height is increased by 0.9 m

| | Existing Barn | Proposed new dwelling |
|-----------|---------------|-----------------------|
| Footprint | 147 | 113 |
| Height | 5.7 | 6.6 |

It is considered that the planning history and appeal decision are a material consideration in the determination of this planning application. It is considered that the proposed development is differs from the previous planning refusal and appeal decision.

B Housing Land Supply

9.21 The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. The Council's housing land supply currently falls short. As identified in the most recent housing trajectory document, Housing Trajectory 1 April 20101 (January 2021), the Council's housing land supply is currently 3.11 years of supply. For the present time, the Council is therefore unable to demonstrate a deliverable 5 year supply of housing land. As such the relevant planning policies relating to housing delivery are considered to be out-of-date and the tilted balance of paragraph 11 of the NPPF must be applied.

9.22 It should be observed that at the time of the appeal decision the Council had a 5-year housing supply, therefore the titled balance in favour of housing did not apply. The Inspector stated: "*The Council says that it has a five year supply of deliverable housing sites and on this basis there is no need for the proposal to help address any shortfall in the supply of housing*". Therefore, this change in circumstances is a material consideration as is the fact that the site is now deemed to be brownfield land.

9.23 The applicant is also seeks a self-build programme, where specialist and sub-contractor trades are called upon when required, and where possible these would be locally-based contractors throughout the construction process. The Government supports the self-build and custom housebuilding sector and considers it has an important role to play in boosting housing supply. The relevant Planning Practice Guidance, 'Self-build and custom housebuilding' states in paragraph 16a that "self-

build or custom build helps to diversify the housing market and increase consumer choice”.

- 9.24** The proposed development would contribute to the provision of housing in the district where there is an evident need, and the balance is tilted in favour of the provision of housing.

C Heritage

- 9.25** The buildings affected by this application are located within the setting of several listed buildings such as The Old Rectory, Grade II listed (list entry number: 1221591); Riders Farmhouse, Grade II listed (list entry number: 1275079) and the Grade I listed, Church of St Mary The Virgin (list entry number: 1275078). A public footpath runs through the site and when viewing the site from the north, both Riders Farmhouse and The Old Rectory are visible in conjunction with one another. Furthermore, the Church of St Mary The Virgin which is separated from the site by open fields, has views to and from the application site.
- 9.26** Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *“In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.*
- 9.27** The Heritage Officer considered that the proposed development would result in an impact upon the setting of the heritage assets, particularly Ryders and The Old Rectory which flank the site. With regards to the impact to the setting of the listed buildings, the proposed dwelling will be between circa 27m-37m from the listed buildings. Currently, the existing dilapidated structures are considered to detract from the listed buildings.
- 9.28** The Inspector considered the previously refused scheme would harm the setting of the nearby listed buildings by reason of its height and bulk. The Inspector stated *“Because the proposed dwelling would be much higher than the retained barn it is likely that it would be visible from Ryders and from its garden to some extent. The proposal would be large in comparison to that listed building and would have a generally dominant effect. For these reasons the proposal would significantly harm the setting of Ryders”.*
- 9.29** The Inspectors statement above is no longer applicable to the proposed scheme. The proposed dwelling has been reduced in height by 1m, from 7.6m to 6.6m high and it is only marginally higher than the existing barn by 0.9m.
- 9.30** The Inspector also noted *“The bulk of the proposed dwelling would also be particularly apparent in close proximity to the garden boundary of the listed building”.* This bulk has now been reduced.
- 9.31** The Inspector does conclude that the proposed dwelling would unacceptably harm the character and appearance of the area, however he stated *“I give significant weight to that harm in view of the size and visibility of the proposal in comparison to the existing barns”.* The size and visibility of the harm have since been reduced, therefore it is considered that the Inspectors concerns are overcome through the submission of this new planning application.
- 9.32** It is also observed that the Heritage officer considers that environmental factors

such as light pollution, noise, general disturbance and diurnal changes should be taken into consideration when assessing the impact upon setting. It is considered these have been mitigated against through the proposal and use of conditions to ensure light pollution is minimised and the design of the fenestration and shutters. The noise would not be dissimilar to the existing residential properties in the vicinity.

9.33 The Heritage Officer has stated that they do not support the application, on the basis that the proposals *“in their opinion, fail to preserve the special interest of the listed buildings, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. With regards to the NPPF (2021) this level of harm, this would be less than substantial. Paragraph 196 being relevant”*.

9.34 *Less than substantial harm*

Paragraph 201 of the NPPF states *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.

9.35 The applicant has put forward the following wider public benefits of the proposal:

- (i) the heritage benefit of improving the site and making the historic relationship between the buildings clearer
- (ii) the benefit of providing a new house
- (iii) the redevelopment of the site, with the replacement or repair of dilapidated buildings improving the visual amenity of the area;
- (iv) the restoration of a previously developed site;
- (v) the removal of a potential source of disturbance, particularly as the only commercial activity which could restore the buildings would be more disturbing;
- (vi) the quality of the scheme, in particular how it fits into the hamlet and the countryside.

9.36 As such, the evident ‘less than substantial harm’ must be balanced against the benefits. It is considered the provision of a family dwelling house and the restoration of a brownfield site would constitute wider public benefits in terms of its contribution to housing supply, economic benefits (direct and indirect) and overall contribution to sustainable development of this brownfield site.

9.37 On balance, it is considered that the need for the development and public benefits would outweigh the less than substantial harm to the heritage assets. No heritage objections are therefore raised under ULP Policy ENV2 and in accordance with the NPPF. Conditions are recommended prior to the commencement of the development regarding external finishes and fenestration details, should planning permission be granted.

D Design & Amenity

9.38 Policy GEN2 states that development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.

- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;
- b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;
- c) It provides an environment, which meets the reasonable needs of all potential users.

- d) It helps to reduce the potential for crime;
- e) It helps to minimise water and energy consumption;
- f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.
- g) It helps to reduce waste production and encourages recycling and reuse.
- h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.
- i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

- 9.39** Paragraph 126 of the NPPF states that “*the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities*”.
- 9.40** The design quality of the proposal should be duly considered in the overall planning balance. The house is designed to be an agricultural building/rural barn with traditional detailing, to echo the sites original use and the character of the area, with a contemporary element. The fenestration has limited glass, timber shutters and screens. The materials proposed include timber frames, vertical boarding and a shallow roof pitch (zinc or tern coated metal standing seam finish).
- 9.41** Pipers Lane is not considered to have an established building line, however the property is set back from Ryders to follow the existing local stagger.
- 9.42** The actual bulk and mass has been substantially reduced from the previously refused planning application ref. UTT/14/3132/FUL. The ridge line has been lowered and would appear subservient to the Ryders and The Old Rectory. The footprint is smaller than the existing footprint and has also been reduced compared to the previously refused scheme ref. UTT/14/3132/FUL.
- 9.43** The applicant has proposed the following sustainability measures:
- Ground source heat pump
 - Rainwater harvesting system (for use by WC)
 - High-performance double-glazed windows and doors, with draught resistant seals (allowing larger openings to maximise the amount of natural daylight and thus reducing the dependence on artificial lighting)
 - Insulation levels proposed will exceed those detailed in the current Approved Documents Part L and will be in line with Passivhaus standards
 - Waste water heat recovery system (for bathroom hot water appliances)
 - Dual flush units (for WCs)
 - Electrical Charging Point(s)
 - Sustainable construction
 - Materials -locally sourced, where possible

This would be in line with the Interim Climate Change Policy (2021).

- 9.44** As noted above, the footprint of the proposed development is smaller than the existing structures to be demolished. The overall height has been increased marginally by 0.9m, but remains subservient in the local and immediate context. The overall scale, layout and massing of the proposed development is considered acceptable. In addition, the muted colours and bespoke timber framed structure provide mitigation. The applicant has gone beyond the standard sustainable

measures for a single dwellinghouse and is seeking to provide an exemplar scheme. Overall, it is considered that the design of the scheme is of a high standard and conditions are recommended to ensure the build of the scheme remains as such in accordance with Local Plan Policy GEN2, the NPPF and the Interim Climate Change Policy (2021).

Standard of accommodation

- 9.45** The proposed dwelling is self-contained and exceeds the Nationally Described Space Standards (NDSS). The garden area(s) also exceed standards minimum requirements of Essex Design for 3 bedroom plus homes.
- 9.46** The proposed house will have a triple aspect. All habitable rooms will have access to a window and natural ventilation. The applicant seeks to maximise the potential for natural ventilation and reduce solar gain to prevent over heating in summer months and light pollution to the surrounding area. A refuse storage area is proposed near to the single-storey element to the south of the Cart Shed. It is considered that the proposed development would provide a high standard of accommodation for future occupiers.
- 9.47 Amenity**
Policy GEN2 of the Local Plan states seeks to ensure that design of new development would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.
- 9.48** On the western elevation facing Ryders there is a single first floor bedroom window set in from the side boundary by approximately 16 metres, and 28m from Ryders side flank wall. The ground floor fenestration facing west would be screened by the existing structure to be retained on site, and the neighbouring garage which abuts the western boundary of the application site. Other fenestration is positioned on north and south elevations, away from neighbouring occupiers.
- 9.49** On the eastern elevation facing The Old Refectory, no windows are proposed. The building would be set in 1m from the boundary which is an improvement on the current situation where the existing structure straddles the boundary. The proposed house would be circa 37 m away from the nearest side flank wall of The Old Rectory. The proposed internal layout and the position of first floor window would avoid openings directed towards or close to the neighbouring houses.
- 9.50** It is considered that the extensive separation distances afforded are sufficient to prevent any undue loss of amenity by way of overlooking, loss of privacy or a loss of daylight or sunlight. Furthermore, the proposed development at 6.7m high has been reduced in height from the previous refusal/appeal dismissal, which in turn would minimise any impact.
- 9.51** A lighting scheme has been sought which will ensure any potential light pollution would be controlled. The fenestration has been designed with timber shutters and screens to reduce any risk of light pollution and contribute to the aesthetics. It is considered that this feature would further mitigate any potential impacts regarding light pollution. It is recommended that the detail of the fenestration and associated mechanisms be submitted and approved.
- 9.52** Given that the adjoining properties are in residential use, it is not considered that the proposed house would cause any detriment in terms of noise and disturbance.

More so it is considered that the proposed use is an improvement on the lawful commercial use of the site.

- 9.53** Therefore, it is unlikely that the proposed development would directly detract from the amenities of the neighbouring occupiers. Overall, the scheme complies with Policies GEN2 and GEN4 of the Local Plan.

E Highways

- 9.54** A public path runs via this access northwards through the site and adjoining farmland to connect with Strethall Church. This public right of way would be maintained and unaltered.
- 9.55** Access to the site shall remain as existing and the proposed parking will not be on the existing footpath, to ensure no obstruction occurs.
- 9.56** 3 parking spaces are proposed within the site comprising 2 cart lodge parking bays and 1 external space within the site.
- 9.57** The highways authority has reviewed the application and raise no objections subject to conditions which ensure that public footpath no. 12 (Strethall) is maintained free and unobstructed at all times; the existing access is formalised; and the parking area is provided.
- 9.58** The proposal therefore accords with ULP Policies H4, GEN1 and GEN8 of the Uttlesford Local Plan 2005 and the NPPF 2021, the Essex Parking Standards (2009) and the Uttlesford Residential Parking Standards (2013).

F Ecology, Trees, Landscaping

- 9.59** Policy ENV3 (open spaces and trees) seeks to ensure that trees and open spaces are not lost unless the need for development outweighs their amenity value.
- 9.60** The applicant has submitted landscape proposals with the application. The proposals would include for new boundary treatment; native hedging with an alternating line of single native trees replicating the current vegetative pattern on the eastern boundary. The parcel of land to the west will be retained as a wildflower meadow. The mature native planting to the site boundaries are proposed to be retained, with additional planting. The area immediately in front of the building will be hard surfaced comprising loose gravel, although the details are recommended to be secured by condition.
- 9.61** As part of the withdrawn application, UTT/21/0384/FUL, UDC's Tree and Landscape Officer was consulted and raised no objection to the proposed 'no-dig' method of construction due to the close proximity of a tree located in the boundary of The Old Rectory.
- 9.62** It is considered that the landscaping proposals would contribute to the high-quality design. A robust hard and soft landscaping scheme has been recommended to be submitted and approved by the LPA to protect the open character of the countryside, enhance the proposed development and safeguard and protect the amenities of the neighbouring occupiers.
- 9.63** The NPPF no longer has a presumption in favour of sustainable development where ecology will be unduly harmed. Paragraph 175 (a) states "*if significant harm to biodiversity resulting from a development cannot be avoided (through locating on*

an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused..."

- 9.64** The applicant proposed the following biodiversity measures: landscaping proposed seeks to attract bees, butterflies, pollinators and consumers of insects. The northern and eastern boundaries will also have native hedging which will act as a screen for the site and provide an ecological link between areas along the site boundary.
- 9.65** The application was supported by an ecological report. The Ecology Officer raises no objections subject to conditions mitigating and securing biodiversity enhancement measures.
- 9.66** Subject to the referenced conditions in their consultation response, the proposal accords with ULP Policy GEN7 of the Uttlesford Local Plan 2005 and the NPPF 2021.

G Other Matters

9.67 Archaeology

Policy ENV4 seeks to ensure development proposals preserve and enhance sites of known and potential archaeological interest and their settings. ECC Archaeology have reviewed the application and request conditions that the existing structures should be recorded prior to demolition/conversion as they form part of barn associated with the historic farmstead of Riders/ Parsonage Farm. As such conditions are recommended.

9.68 Contamination

Due to the existing and previous use of the site, a condition has been recommended to ensure that investigation and risk assessment is carried out to assess the nature and extent of the contamination. Furthermore, if any unidentified contamination is identified during construction works shall cease and the LPA must be notified.

- 9.69** Subject to these conditions, the proposal is considered to accord with ULP Policies ENV11 and ENV14 of the Uttlesford Local Plan 2005 and the NPPF 2021.

10. EQUALITIES Equalities Act 2010

- 10.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11. CONCLUSION

- 11.1** **A** The presumption in favour of sustainable development applies under paragraph 11(d) of the NPPF as material policies of the development plan are out of date. The proposal would provide a much needed home on a brownfield site.
- B** The proposed development would contribute to housing supply in the district which would weigh in favour of the development.
- C** The development would be acceptable in terms of its assessed impact upon the setting of the adjacent grade II listed buildings subject to appropriate conditions, including the approval of external materials (NPPF, ULP Policy ENV2).
- D** The proposal would provide a high standard of design and layout subject to conditions and is not considered to unduly detract from the amenities of the adjoining occupiers (GEN2, GEN4, NPPF).
- E** The development would be acceptable in terms of highway safety and against adopted UDC parking standards subject to highway conditions (ULP Policies GEN1 and GEN8).
- F** The development would be acceptable in terms of ecological impacts on protected and priority species subject to appropriate mitigation and biodiversity enhancement measures conditions. The impact on trees is considered acceptable and the landscaping is well considered and appropriate for the site (ULP Policy GEN7, ENV3, NPPF).
- G** The proposal would have an acceptable impact on archaeology and would not cause any undue contamination subject to conditions (Policy ENV4 and ENV14).
- 11.2** It is therefore in consideration of all the material considerations it is recommended that the application be approved subject to conditions.

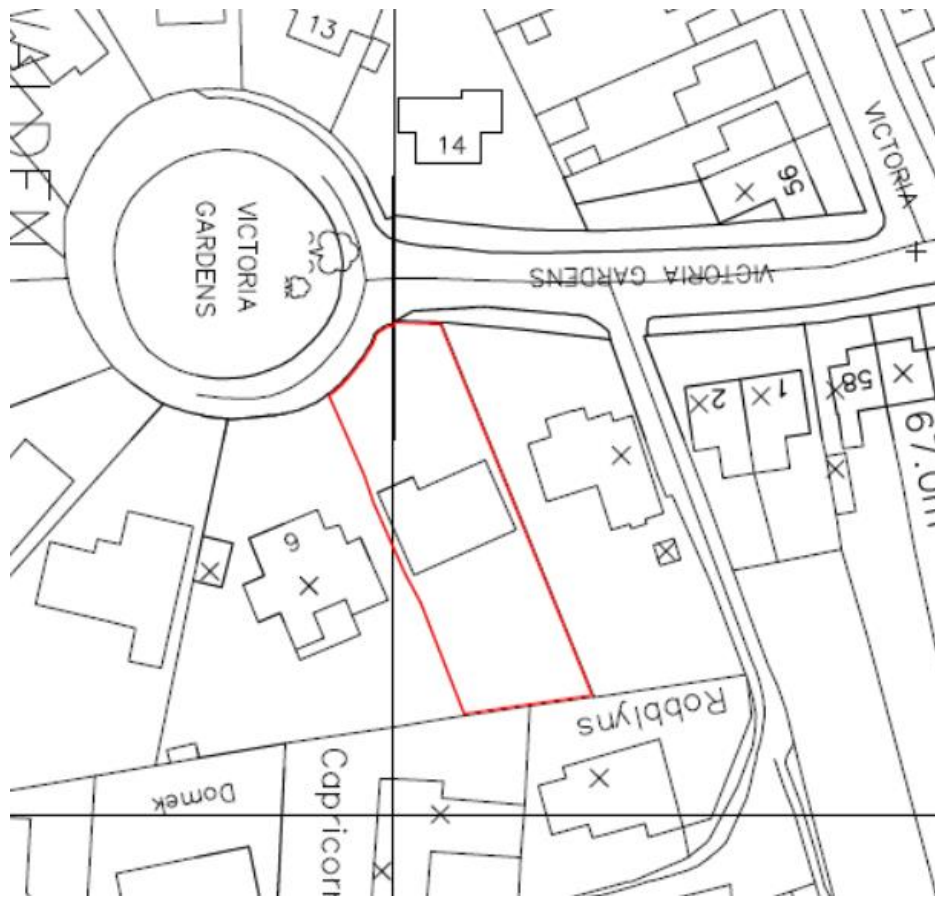
Agenda Item 10

ITEM NUMBER:

REFERENCE NUMBER: UTT/21/2273/HHF

LOCATION: Jalna, 4 Victoria Gardens, Saffron Walden.

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 27/10/2021

| | |
|----------------------|---|
| PROPOSAL: | Replacement roof and alterations to allow rooms in loft space, two storey rear extension and enlargement of raised terrace. |
| APPLICANT: | Neil Harvey and Helen Swain (Member of Staff) |
| AGENT: | N/A |
| EXPIRY DATE: | Extension of time 27 October 2021 |
| CASE OFFICER: | Tim Bloomfield |
| NOTATION: | Within Development Limits (Saffron Walden) |

1. RECOMMENDATION: Approve with Conditions

1.2 CONDITIONS:

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

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

- 1.2.2** The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies.

- 1.2.3** Prior to any works commencing, details of the following external finishes (including samples and/or photographs as appropriate) must be submitted to and approved in writing by the local planning authority:

- Walls
- Roof
- Windows
- Doors

The development must be carried out in accordance with the approved details.

REASON: To ensure compatibility with the character of the area, in accordance with Policy S3 and Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

- 1.2.4** The [first floor bathroom window the rear elevation of the dwelling hereby permitted] must be glazed with obscure glass prior to occupation of the dwelling

and thereafter retained. The window must be non-opening unless the parts which can be opened are more than 1.7 metres above the floor of the room in which the window is installed.

REASON: To prevent a harmful lack of privacy for the occupants of the neighbouring property, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework.

2. DESCRIPTION OF THE SITE:

2.1 The site comprises a detached bungalow on a medium sized plot within an established residential area. Victoria Gardens is a small cul-de-sac of approx. 14 houses off Victoria Avenue. The character of the surrounding area is a mix of 1 and 2 storey dwellings of varied sizes and designs.

2.2 PROPOSAL:

2.3 Planning permission is sought for a replacement roof and alterations to allow rooms in loft space, two storey rear extension and enlargement of raised terrace.

3. ENVIRONMENTAL IMPACT ASSESSMENT:

3.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

4. APPLICANTS CASE:

4.1 The application includes the following documents:

- Application Form
- Floorplans and Elevations
- Supporting Statement
- Amended plans and supporting documents - 7/9/21

5. RELEVANT SITE HISTORY

5.1 There is no relevant recorded planning history for the site.

6. CONSULTATION RESPONSES:

6.1 Saffron Walden Town Council – No Objection

The application was not consulted to any statutory or non-statutory authorities.

7. REPRESENTATIONS

Neighbours were notified of the application by letter. The following objections to the application have been received;

- loss of amenity due to overlooking,
- loss of light and loss of privacy compounded by differences in ground levels.
- Concerns have also been raised to the excessive height and bulk of the design and the overbearing impact of the proposed roof extensions due to the increased height in order to provide first floor accommodation.

8. POLICIES

8.1 National Policies

National Planning Policy Framework

8.2 Uttlesford District Local Plan 2005

Relevant development plan policies and material considerations:

Uttlesford Local Plan (2005):

- GEN2 – Design
- H8 – Home Extensions
- S1 – Development Limits for the Main Urban Areas
- GEN4 – Good Neighbourliness
- GEN5 – Light Pollution
- GEN8 – Vehicle Parking Standards

8.3 Supplementary Planning Document/Guidance

- 8.4**
- SPD – Home Extensions (2005)
 - Essex Design Guide

9 CONSIDERATION AND ASSESSMENT:

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

A The principle of the development of this site for residential (ULP Policy S1 and the NPPF)

B Design, Character and Appearance (S1, GEN2, NPPF)

C Neighbouring Amenity (GEN2, GEN4 NPPF)

D Parking (GEN8, Uttlesford Local Parking Standards, Essex County)

9.2 Policy S1 states that development compatible with the settlement's character will be permitted within these boundaries. Policy GEN2, amongst other criteria, requires that development is compatible with the scale, form, layout, appearance and materials of surrounding buildings. Policy H8 states that extensions will be permitted if the following criteria apply:

- a) Their scale, design and external materials respect those of the original building;

- b) There would be no material overlooking or overshadowing of nearby properties;
- c) Development would not have an overbearing impact on neighbouring properties.

Supplementary Planning Document – Home Extensions states that extensions should not be higher or larger than the original house and furthermore, where the house has been extended a number of times it may reach a point where new extensions will exceed what is reasonable.

- 9.3** The proposal relates to a replacement roof and alterations to the existing bungalow to create 4 bedrooms and 3 bathrooms in the roofspace with a two storey rear extension and enlargement of the rear raised terrace. The proposals involve an increase in the height of the existing hipped roof by approx. 1m to provide a first floor and no objections are raised in principle or in the context of the design and character of the surrounding development. Many of the adjacent properties are 2 storey or chalet-style designs with rooms in the roof and there are many examples of 2 storey dwellings in the wider surrounding area.
- 9.4** In order to provide a first floor with sufficient headroom it is necessary to raise the height of the roof by approx. 1m. The addition of a first floor to a single storey dwelling may be acceptable in principle, having regard to the impact on the character of the surrounding area. In this case the main concern is the impact on the amenities of the adjoining properties in terms of overlooking and loss of privacy.
- 9.5** Although the distance between No.4 and the single storey dwellings to the rear, Capricorn and Robblyns, is approx. 25m the rear garden slopes down and the application site is at a higher level than the single storey dwellings at the rear. In addition, the properties at the rear have relatively small rear gardens. The existing rear boundary fence and general lack of existing screening would not satisfactorily mitigate the potential loss of amenity to the surrounding properties.
- 9.6** It is also proposed to extend the existing raised terrace into the rear garden by approximately 1m. As No.4 is at a higher level than the single storey dwellings at the rear the extended terrace will have a greater impact than if the ground levels were the same. However it is considered that the impact would not be significant given the existence of the existing terrace and the relatively small increase in its size. Therefore the proposed development is acceptable in this respect.

Design

- 9.7** The existing bungalow dates from the mid-1950's and there is no record of any previous extensions. It is of modest size and the existing accommodation comprises three bedrooms with separate kitchen and dining room, shower room and WC. The design incorporates a fully hipped roof, brick elevations and integral garage.
- 9.8** The bungalow occupies a medium size plot set back from Victoria Gardens and is situated between two detached properties - Nos. 3 and 6, Victoria Gardens - both of which have first floor accommodation. In order to create additional headroom to provide rooms in the roof space it is proposed to increase the height of the existing roof by approx. 1 metre.

- 9.9** The character of the surrounding area is a mix of 2 storey and 1.5 storey dwellings situated on medium sized plots set back from the road frontage. Although there are other single storey dwellings in the surrounding area, notably to the rear of the application site, the prevailing character of the surrounding area is predominantly 2 storey dwellings of various designs.
- 9.10** The distance between Nos.4 and 3 is 5.4m at the front reducing to 4.7m at the rear. The distance between No. 6 and No.4 is 5.7m at the front reducing to 4m at the rear. No. 6 also has a raised terrace at the rear, but No. 3 is at a lower level and has a patio/sitting out area between the flank wall and the side boundary with No.4
- 9.11** No objections are raised to the proposed design of the front elevation which incorporates a small dormer and rooflight which complements the adjoining properties in terms of scale and design and is generally compatible with the street scene. The proposed ridge height is similar to No 3 and there is a reasonable gap on each side. The proposed hipped roof will assist in minimising the visual impact on the street scene. The north elevation facing No 6 will be closer to the side boundary and has a greater mass of roof at first floor level but the overall impact on the amenities of the surrounding area is generally considered to be acceptable.
- 9.12** The proposed design will increase the overall height of the dwelling in relation to No. 3, which is situated at a lower level. Although the separation between the properties would not change the difference in levels would be likely to increase the impact on the amenities of No.3, in particular the use of the patio area between the flank wall and the side boundary.
- 9.13** The applicant maintains that the additions will improve the appearance of the property which at present is out of character with the other properties in the area. In terms of materials it is proposed to use natural slate and light coloured rendered walls. The proposal involves changing the existing brick finish to painted render. It is proposed to use natural slate for the roof in place of concrete tiles which would reflect the materials used in Victoria Gardens.
- 9.14** The applicant maintains that the proposed increase in the height of the roof reflects the mixed character of the surrounding development in Victoria Gardens. The properties on either side are either 2 storey or 1.5 storey houses with accommodation at first floor level and the existing bungalow could be regarded as being out of character with its immediate neighbours. The proposed ridge height is comparable with No. 3 but slightly higher than the ridge height of No. 6. In addition there are large gaps between the properties - 5.4m between No. 3 and No. 4 and a similar gap distance between No. 4 and No. 6.

Residential Amenities

- 9.15** Representations have been received from a number of local residents who would be most directly affected by the proposed development, in particular Nos 3 and 6 Victoria Gardens and the adjoining properties at the rear, Capricorn and Robblyns.
- 9.16** The proposals involve the addition of first floor windows to the proposed bedrooms and bathroom on the rear elevation. The distance between these windows and the 3 single storey dwellings at the rear is more than 25m. It is acknowledged that the proposed first floor windows in the rear elevation where there are no windows at present will result in some additional overlooking compared with the current situation. However it is argued that the development complies with the relevant guidance in the Essex Design Guide. No. 3 has first floor windows at the rear and

permission was granted in 2003 at No. 6 for an extension including first floor windows at the rear.

9.17 The design has been amended to address the concerns raised by local residents in an effort to reduce the impact on the adjoining properties. The revisions include moving the position of the first floor rear gable walls to line through with the existing rear wall, reducing the size of the first floor bedroom windows, adding high level rooflights on the internal slopes of the bedroom roofs and lowering the eaves and ridge height of the rear gables.

9.18 The applicant has made the following additional points regarding the impact on residential amenities:

"1) The position of the rear bedroom windows are the same as would be allowed under permitted development.

2) Any overlooking can easily be solved by appropriate planting on either side of the boundaries with Capricorn and Robblyns. The photos taken from the ladder show that the properties are already well screened.

3) The Applicant also wants privacy so is planning to plant suitable trees and hedges to protect their own privacy. A landscaping condition may be appropriate

4) We have produced a site plan showing the floor plan of Capricorn from a previous application where we were the Architects and it can be seen that their main private garden area is on the south side which is well screened on all sides. It can be seen from the high level photographs that there are no overlooking issues into this area of garden.

5) This garden area is adjacent to the boundary of No. 6 and not the application site.

6) As you know the distances between the properties at the rear are in excess of 25m in accordance with the Essex Design guidance."

9.19 With regard to daylight and sunlight a solar study drawing has been submitted demonstrating only a minor increase in shadow length across No. 3 when comparing the existing situation with the proposed. It is claimed that there would be no overshadowing in the summer during the afternoons and the shadow line does not extend to the rear of No. 3.

9.20 Due to the orientation and the space between the properties, it is claimed that there will be no reduction in daylight to No. 3 and No. 6. The proposals satisfy the 45 degree rule in the supplementary planning document for home extensions.

Comparison with permitted development

9.21 It is relevant to consider how the dwelling could be extended under permitted development rights without requiring planning permission. The property has not previously been extended and therefore has full permitted development rights.

9.22 The fallback position is that under Class B of the GPDO it would be possible to extend the existing hipped roof without planning permission by increasing the height

of the side walls to the ridge to create a gable. This could potentially involve a more bulky and less attractive form of development which would have a greater impact on the neighbouring properties than proposed in the current application. It would also be possible to add a large dormer extension to the rear roof slope including first floor windows at the rear without the need for permission.

Parking

9.23

Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning guidance 'Vehicle Parking Standards'.

The adopted Council parking standards recommended at least 2 vehicle spaces for dwellings consisting of two or three bedroom dwellings and three spaces for a four or more bedroom dwelling house along with additional visitor parking. The proposals would result in 4 bedrooms in total. There is sufficient space on the hard standing area towards the front of the dwelling for three off street parking spaces.

10. EQUALITIES

10.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11. CONCLUSION

The existing bungalow is situated in an area of mixed character where there is a variety of house types including 2 storey, 1.5 storey and single storey dwellings. Whilst there may be no objections in principle to the proposed extensions to provide a first floor it is necessary to take account of the impact of the development on the character and appearance of the area and the residential amenities of adjoining properties, in particular the raising of the roof height. Objections have been received to the proposals from local residents and the applicant has addressed these concerns.

The applicant maintains that the proposals will improve the appearance of the house without detriment to the amenity of the neighbouring properties. Amended plans have been submitted to reduce the impact on amenity and having regard to the relevant policies and guidance (GEN2, H8, EDG) and what could be carried out as permitted development, it is concluded that the revised proposals are acceptable.

Committee: Planning
Date: 27 October 2021
Title: Report of the Review of The Planning Service
Author: Nigel Brown
Development Manager

Summary

1. The Council commissioned a review of the planning service in 2020 from the East of England LGA. This work was addressed in three strands, the first two addressing the preparations for the development of a local plan. The third strand effectively addressed the Council's development management service. This report relates to the third strand review and its subsequent report. The review of the development management service was undertaken by two Associates of the East of England LGA in late 2020 and early 2021.
2. The finalised report East of England LGA, Fit for Purpose Local Planning Authority and Development Management Improvement Plan, August 2021 is appended to this report as Appendix 1

Recommendations

3. Planning Committee is recommended to receive and consider the report

Financial Implications

4. The report makes a number of recommendations which may have financial implications for future budgets. In setting the budget for 2021-22 the Council agreed growth of £240,000 for the planning service and £140,000 for the legal service in order to facilitate implementation of any recommendations arising from the review

Situation

5. The Scrutiny Committee considered the matter at the meeting on Thursday, 7 October. During the Chair's summary of the discussion, he said it was important that residents received the best possible service in the future, and there needed to be clarity on who would take responsibility for the delivery of the service. There also needed to be an understanding of how the recommendations would be implemented.
6. Cabinet considered the matter on 19 October 2021 it made the following recommendations.

- a. receive and consider the report, together with any comments or recommendations from the Scrutiny Committee.
 - b. note the improvement actions implemented to date.
 - c. approve the recommendations of the report, as amended if agreed under (a) above, for implementation towards an improved planning management service.
 - d. acknowledge the recommendations directed to the Cabinet and its Executive Members and requests the Chief Executive and the Leader to bring forward proposals to address these recommendations.
 - e. consider any consequential resource implications as part of consideration of the Council budget for 2022-23.
 - f. require a progress report to Cabinet on implementation of the recommendations no later than six months from this meeting; and
 - g. refer the report to the Planning Committee for its information and consideration.
7. For information on the background to the report the report to Cabinet is appended as Appendix 2

Background Papers

- a. East of England LGA, Fit for Purpose Local Planning Authority and Development Management Improvement Plan, August 2021
- b. Report to Scrutiny Committee 7 October 2021
- c. Report to Cabinet 19 October 2021



**Uttlesford District Council
Local Planning Authority Peer Review**

**Fit for Purpose Local Planning Authority and
Development Management Improvement Plan**

August 2021

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1. Executive summary and recommendations

1.1 Introduction

The East of England Local Government Association (EELGA) was appointed by Uttlesford District Council to undertake a peer review of the Council as the Local Planning Authority (LPA). The assignment was undertaken by EELGA Associates Malcolm Sharp and Simon Smith.

The brief was to formulate a strategy and operational development plan to ensure the LPA is fit for the purpose of fulfilling its statutory and regulatory obligations plus delivering against the vision and objectives of Uttlesford's Corporate Plan. The focus of this report is on the Development Management part of the Planning Service, but the report also makes reference to other aspects of the Council acting as a local planning authority.

The Planning Service is widely acknowledged to be an underperforming service. This is demonstrated in terms of planning policy activities through two failed Local Plans, and in terms of Development Management activities through the quality of development outcomes and bottom quartile performance against the Government's three key performance indicators.

From this baseline, achieving the Corporate Plan goal to 'deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities' will require significant transformative change.

1.2. LPA Transformation Strategy

The strategic interventions outlined in the report are focussed on assisting Uttlesford to:

- Develop an LPA governance regime that is fit for purpose
- Create an outstanding planning and place-making capability with the right capacity and leadership to deliver quality outcomes with and for the district's communities,

and apply this regime to

- Reorientate the Council as an LPA from reactive planning to proactive, positive planning activities - for better place making
- Achieve 'better than policy' development outcomes.

A strong combination of member and officer leadership will be key to delivering this strategy. Therefore, the Council will need to address gaps in the member and officer governance regimes.

1.3. Corporate Context

Elected in May 2019, the new administration has a mandate to fulfil its election pledges and Corporate Plan vision of 'Making Uttlesford the best place to live, work and play.'

There are four strategic objectives:

- Putting residents first
- Active place-maker for our towns and villages
- Progressive custodian of our rural environment

- Championing our district.

In addition, there is a cross-party desire to see a fully functioning planning service.

As Local Plan maker, the Council committed in the Corporate Plan to:

- Increase the voice and influence of residents in planning and other Council matters
- Fix the Local Plan so it is evidence-led, puts infrastructure before new homes, is controlled by local communities and not developers, and provides homes that are affordable for local people,
- Make sure the scale of development closely relates to the identified housing need, and that the Local Plan satisfies the Planning Inspectorate,
- Under the Local Plan new housing will be built in the locations that the evidence shows are the most sustainable.

As proactive place maker, the Council also committed in the Corporate Plan to:

- Focus on strategic master planning in partnership with towns and villages to create better resident centred places to live
- Encourage positive planning that values and protects our heritage
- Implement policies which create better (low carbon) homes and neighbourhoods that meet or exceed national standards
- Implement a Community Infrastructure Levy along with S106 to deliver strategic community projects and greater local benefits from development
- Increase the number of affordable homes delivered and different tenure options including social renting
- Meet or exceed national standards for open and green spaces

To fulfil these commitments, the Council commissioned this review to ensure the LPA is:

- Fit for the purpose of serving current and future generations - by preparing a timely and sound Local Plan in accordance with its obligations
- Making defensible planning decisions
- Realising the vision and strategic objectives of the Uttlesford Corporate Plan

The output of the review sets out an LPA transformation strategy and operations plan

A pre-condition of success is that all Members, (whether political leaders, opposition leaders, or members with and without roles in plan-making and development management), plus all LPA officers, are equally committed to delivering the strategy and plan.

1.4. Institutional Context

The Council has an ambition to ensure its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and realising its Corporate Plan vision and objectives. These are respectively to make Uttlesford the best place to live, work and play and be an 'active place-maker for our towns and villages.'

The Planning Service is widely acknowledged to be an underperforming service. This is reflected on the planning policy side through two failed Local Plans, as mentioned above, and on the

Development Management side through bottom quartile performance against the Government's three Key Performance Indicators for timely and quality of decision making and the quality of development outcomes.

From this baseline, the Corporate Plan goal to 'deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities' will require significant commitment to transformation, including capacity and capability assessment.

Previous reviews have focussed on specific parts of the planning service. They have mainly identified symptoms, as opposed to diagnosing causes, and made prescriptions at the operational level. The prescriptions have not been universally implemented due in part to lack of new resources and managerial and staff ownership.

The failure to act on the recommendations of previous reviews demonstrates that transformational change sought by the Council requires LPA wide ownership of recommendations, effective allocations and utilisation of Member, staff, and stakeholders' resources with focussed political and corporate management leadership.

The EELGA peer review has been able to provide a comprehensive review of the LPA as a whole and the elements within it. This has enabled the review to diagnose the institutional context and operational practices and identify links between them.

This, together with deliberative discussions with LPA staff, has informed and built ownership of recommendations to address the root causes of underperformance and promote continuous service improvement.

1.5. Financial Context

Full details of the financial context are shown in **Appendix 2** – Officer Growth Bid for 2021/2022 and Approved Budget for 2021-22.

1.6. Recommendations

Eight recommendations are made within this review, the most important is considered to be Recommendation 6 regarding Political Leadership and Corporate Management Board.

The recommendations reflect the findings of the review which are set out in detail within the report and each recommendation signposts to the relevant report section for ease of reference.

The strategic interventions and recommendations are grouped to reflect the key areas for improvement, under three core themes

- A. Recommendations for council leadership
- B. Recommendations to improve the Development Management process
- C. Recommendations for action by Members

Appendix 1 outlines the eight recommendations and required actions

The recommendations in the report are:

Recommendation 1 - All Councillors and Members of the Planning Committee

- All Member training to build an understanding of the mutual benefits of good Member and officer relationships and the Code of Conduct
- Before sitting on the Planning Committee, Members need to undertake mandatory training on planning matters and attend annual refresher courses. Members need to be encouraged to read the National Planning Policy Framework and observe a nationally recognised best practice LPA Planning Committee at work.

Recommendation 2 - All Councillors

- To ensure the Council has a best practice Development Management Delegation Scheme and protocol for Member involvement in pre-application processes
 - see sections 6.14 – 6.17 of the main report
- To ensure all Members receive training in the to be updated delegation scheme, and pre-application processes

Recommendation 3 - All Councillors

- To update the call-in protocol to include a gateway process based on material planning considerations to ensure the Planning Committee's time is used effectively
 - see sections 6.18 – 6.20 of the main report
- To ensure all Members receive training in the updated call-in process

Recommendation 4 - Members of the Planning Committee

- To review Planning Committee procedures, timing, and practices
 - see sections 6.21 – 6.28 of the main report

Recommendation 5 – Service Leadership

- The service will require reinvigorated, effective leadership and direction to deliver an operational development plan.
- This will require establishing new service operating procedures and practices exemplified as service pathways in accordance with a detailed action plan and programme.
- The pathways are detailed in the report as:
 - Customer interface and enquiry pathway (section 7.2)
 - Place making pathway (section 7.6)
 - Development Management pathway (section 7.10)
 - S106 Agreement pathway (section 7.11)
 - Enforcement pathway (section 7.13)
 - Member development management pathway (section 6.3)

Recommendation 6 - Political Leadership and Corporate Management Board (CMB)

- This recommendation is the **most important** of the review.
- To develop the capabilities and capacities required to deliver the strategy, the political leadership (dominant regime) and the Corporate Management Board (subordinate regime) will need to:
 - Arrive at a shared commitment to the relevant corporate priorities and
 - Align their respective governance arrangements with those required to deliver them.

Recommendation 7 - Chief Executive and Council

- The Chief Executive and CMB to advise the political leadership and opposition leaders on investment required – in management, officers, and tools – as a pre-condition of delivering the transformation strategy and action plan.
- Some requirements are highlighted in the Budget and Growth Bid (Appendix 2) with priorities for:
 - The appointment of a Development Management Transformation Manager (Fixed term contract) and arrangements for overseeing the new proposed service pathways and performance management systems over the longer term.
 - The appointment of 2 Principal Development Case Managers
 - Enhanced urban design capacity including the production of a local design guide and appropriate masterplans/design codes
 - Enhanced legal service capacities to support Local Plan making and Development Management most notably in negotiating and drafting (deliverable and enforceable) S106 Agreements
 - The production of a developers' contribution guidance document and appointment of a 106/CIL delivery officer
 - The Chief Executive and CMB to advise the political leadership and opposition leaders on a detailed action plan and programme to put in place and operate enhanced service pathways for:
 - Customer interface and enquiry pathway (section 7.2)
 - Place making pathway (section 7.6)
 - Development Management pathway (section 7.10)
 - S106 Agreement pathway (section 7.11)
 - Enforcement pathway (section 7.13)
 - Member development management pathway (section 6.3).

Recommendation 8 - Chief Executive

- The Chief Executive should review the leadership requirements for delivering and sustaining an improved planning service, including succession planning for the Director of Public Services in anticipation of his retirement.
- The starting points for defining the job purposes and person specification are framed by the administration's political priority to be a place making LPA, the requirements for managerial leadership and delivery of the LPA transformation strategy and action plan.
- The Chief Executive should consider how best to ensure the Corporate Management Board has appropriate and sufficient planning advice and guidance to secure corporate ownership and direction in line with RTPI guidance.

2. Review background

- 2.1 The brief for the East of England Local Government Association Peer Review Team was to formulate a strategy and operational development plan to ensure the LPA is fit for the purposes of fulfilling its statutory and regulatory obligations and Corporate Plan vision and objectives.
- 2.2 The proposal envisaged the strategy and operational development plan would draw together recommendations arising from this review and other recent and current reviews to develop the LPA as one characterised by:

- *Community leadership:* Members – as community leaders – have professional support required to understand and mediate in an objective manner on conflicts between:
 - Government imperatives for and local resistance to development
 - different community interests
 - market interests and community wants
 - meeting the needs of the present whilst providing for future generations
- *Strategic governance:* Members and the Corporate Management Team share and keep up to date their vision and corporate priorities for the LPA and the outcomes required to realise the vision. Ensure the LPA fulfils its statutory and regulatory obligations and performance targets and maintain strategic oversight of the LPA’s resources including funding (Council funding, external income, and grants), people, IT and discretionary budgets, planning and infrastructure partnerships and service delivery models.
- *Strategic partnerships:* Gives effective political leadership and senior management priority to work with national and sub regional partners and Government agencies to identify and address sub regional physical and service infrastructure deficits and requirements
- *Plan making:* The LPA has capacities and competences to formulate a vision and strategic objectives for the future of Uttlesford and turn this vision into a timely, sound Local Plan which provides for identified housing, employment, transport, and infrastructure needs designed to contribute towards a net zero carbon future and net gains in natural capital
- *Place making:* The LPA has the capacities and competences to be a place making LPA which acts in partnership - with existing communities, the district’s Town and Parish Councils, neighbour LPAs, developers, and service providers - to promote, negotiate and deliver quality development and places with supporting and timely infrastructure and services
- *Service excellence:* The LPA managers and staff share a commitment to service excellence where the LPA’s activities are specified, procured, structured, resourced and managed to deliver:
 - responsive community leadership
 - effective strategic partnerships
 - sound plan making
 - quality place making
 - continuous improvement in governance, service operations, and culture.

These activities are defined through:

- service plan goals and KPIs
- service practices and procedures
- resource allocations
- performance management and culture.

The latter characterised through:

- behavioural norms
- rules and distinctive practices, for example:
 - team working

- matrix management
- openness
- accountability
- knowledge acquisition and transfer
- informing innovation and adoption of best practices.

Corporate Plan and Policy Context

2.3 In May 2019, a new administration was elected with stated aims to:

- ‘Fix the Local Plan so it is evidence-led, puts infrastructure before new homes, is controlled by local communities and not developers, and provides homes that are affordable for local people,
- Make sure the scale of development closely relates to the identified housing need, and that the Local Plan satisfies the Planning Inspectorate,
- Under the Local Plan new housing will be built in the locations that the evidence shows are the most sustainable.’

2.4 The new Council has subsequently adopted a Corporate Plan with a vision of ‘Making Uttlesford the best place to live, work and play,’ and four strategic objectives:

- Putting residents first
- Active place-maker for our towns and villages
- Progressive custodian of our rural environment
- Championing our district

2.5 The Council is concerned to ensure that its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and realising its Corporate Plan vision and strategic objectives.

2.6 This review has involved two interrelated work streams. The first was concerned with the LPA’s role in Local Plan making.

This commenced with the Peer Review Team giving advice on whether to repair or withdraw the submitted Local Plan. Following a decision to withdraw the plan, the work stream continued with advice and inputs to help the LPA make the best possible start to preparing a new Local Plan and its delivery. The new Local Plan governance arrangements are being refreshed as work on the Local Plan is progressed. The Peer Review Team have concluded that, notwithstanding two failed plans, the Local Plan policy team is relatively well staffed compared to similar LPAs and has a budget sufficient to procure external specialist inputs necessary to secure a ‘sound’ Local Plan.

The second workstream was concerned with the LPA’s role in Development Management which includes handling planning applications, decision making, S106 planning obligations agreements, appeals, monitoring, and enforcement. The latter workstream is the primary concern of this report which commences with an analysis of the wider institutional and governance context.

3. Institutional Context

3.1 The Council has an ambition to ensure its role as the LPA is fit for the purpose of serving current and future generations by preparing a timely and sound Local Plan in accordance with its obligations, making defensible planning decisions, and realising its Corporate Plan vision and objectives. These

are respectively to make Uttlesford the best place to live, work and play and be an ‘active place-maker for our towns and villages.’

3.2 The Planning Service is widely acknowledged to be an underperforming service. This is reflected on the planning policy side through two failed Local Plans and on the Development Management side through bottom quartile performance against the Government’s three Key Performance Indicators for timely and quality of decision making and the quality of development outcomes. From this baseline, the Corporate Plan goal to ‘deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities’ will require transformative capacity.

3.3 Previous reviews have focussed on specific parts of the planning service. They have mainly identified symptoms, as opposed to diagnosing causes, and made prescriptions at the operational level. The prescriptions have not been universally implemented due in part to lack of new resources and managerial and staff ownership.

This failure to act on the recommendations of previous reviews demonstrates that transformational change sought by the Council requires LPA wide ownership of recommendations, effective allocations and utilisation of Member, staff, and stakeholders’ resources with focussed political and corporate management leadership.

The EELGA peer review has been privileged to provide a comprehensive review of the LPA as a whole and the elements within it. This has enabled the review to diagnose the institutional context and operational practices and identify links between them.

This together with deliberative discussions with LPA staff has informed and built ownership of prescriptions to address the root causes of underperformance and promote continuous service improvement.

3.4 To understand the institutional context we begin with two helpful definitions:

Institutions are defined by ‘patterns of human action and relationships that persist and reproduce themselves over time independently of the identity of the biological individuals performing within them.’

Governance is defined as ‘those mechanisms by which the behavioural regularities that constitute institutions are maintained and enforced.’

3.5 These definitions point to the rigidity, predictability and path dependency of institutions which are reinforced by governance mechanisms. These mechanisms comprise externally imposed governance regimes comprising rules, standard operating practices and compliance procedures. For example, LPAs are the subject of Government rules and operating practices for Local Plan making and Development Management.

The compliance procedures for Local Plan making are exercised through examinations by independent Inspectors and modifications and for Development Management through Key Performance Indicators, the appeals system, and Secretary of State’s power to call in applications.

3.6 Whilst highly bounded governance regimes predetermine behaviours, local authorities produce widely different service outcomes. These differences arise where actors, as institutional entrepreneurs, manipulate and combine governance possibilities to create new capacities to make a

difference. Institutional entrepreneurs, reflect on choices, learn from mistakes, and exert transformative power.

Such transformative power can be observed in the top two performing local authorities in a government initiative, the Local Public Service Agreement. This agreement required local authorities to deliver stretching targets for several service areas over three years in exchange for reward monies. These local authorities were found to share five governance characteristics which were absent in the two lowest performing local authorities. By comparing the Council against these characteristics, it is possible to identify and make proposals to address gaps in the Council's transformative capacities to establish a fit for purposes LPA.

Vision and Creating Public Value: Leader and Cabinet

| High performing local authorities | Uttlesford District Council |
|--|--|
| Priority to a specific vision and public value goals | <ul style="list-style-type: none"> Corporate Plan vision to be 'active place maker for our towns and villages' Corporate Plan public value goal to, 'deliver an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all our communities.' |

Vision and Creating Public Value: Corporate Management Team

| High performing local authorities | Uttlesford District Council |
|---|---|
| In full alignment with Leader and Cabinet vision and public value goals | <ul style="list-style-type: none"> Client for EELGA Peer Review to prepare development plan to realise vision and public value goals |

Rules: Leader and Cabinet

| High performing local authorities | Uttlesford District Council |
|--|--|
| Commitment to invest to create transformative capacity as required | <ul style="list-style-type: none"> Commitment to invest to create transformative capacity as required |

Rules: Corporate Management Team

| High performing local authorities | Uttlesford District Council |
|---|--|
| CMT and Service Leaders' commitment to focussed, entrepreneurial allocation and delivery of resources | <ul style="list-style-type: none"> CMT has administered and adjudicated on Growth Bids (£240k allocation to Planning Service and £144k for Planning Solicitors) continued dependency on embedded procedures would delay delivery of resources |

Standard Operating Procedures: Leader and Cabinet

| High performing local authorities | Uttlesford District Council |
|---|---|
| Commitment to innovations in governance to create transformative capacity | <ul style="list-style-type: none"> Corporate Plan priorities to change operating procedures to build planning and place-making capabilities and capacities |

Standard Operating Procedures: Corporate Management Team

| High performing local authorities | Uttlesford District Council |
|---|--|
| Crisp, entrepreneurial delivery of political priorities | <p>CMT has overseen:</p> <ul style="list-style-type: none"> Local Plan: Local Development Scheme and Statement of Community Involvement to inform programme for submission (2023) and adoption (2024) CMT to demonstrate entrepreneurial delivery of transformation plan measures: <ul style="list-style-type: none"> Policy tools and governance mechanisms needed to do the job Service pathways for: <ul style="list-style-type: none"> Customer interface and enquiries Place making (pre-applications) Development Management S106 agreements Enforcement Member development LPA: Build capabilities and capacities to create public value envisaged in the Corporate Plan |

Compliance Procedures: Leader and Cabinet

| High performing local authorities | Uttlesford District Council |
|--|--|
| Highest political commitment to Performance Management System (PMS) to deliver vision and public value goals | <ul style="list-style-type: none"> Governance regime and PMS required to drive development of 'outstanding planning and place-making capability' with the 'right capacity to create quality outcomes' |

Compliance Procedures: Corporate Management Team

| High performing local authorities | Uttlesford District Council |
|--|--|
| Top team proactive focus on Performance System Management priority targets, strongly | <ul style="list-style-type: none"> CMT and service managers proactive focus on new Local Plan but no evidence that PMS is being used as a tool to drive |

| | |
|---|---|
| enforced through 'star chamber' reviews by the Leader, Portfolio Holder and Chief Executive | improvement of the Development Management service from bottom quartile of Government's KPIs |
|---|---|

Cultural Norms: Leader and Cabinet

| High performing local authorities | Uttlesford District Council |
|---|---|
| Council and its contributing partners and stakeholders as one team with collective responsibility to deliver shared goals | <ul style="list-style-type: none"> ▪ Council giving disproportionate attention to: i) Parochial voices as opposed to balancing the collective interests of the district. ii) Stakeholders with weak transformative powers whilst remaining hesitant to engage strategically with those with such powers, Essex County Council, and land promoters |

Cultural Norms: Corporate Management Team

| High performing local authorities | Uttlesford District Council |
|--|---|
| Roles and responsibilities of partners and stakeholders clearly defined and managed through strong networks and problem-solving mechanisms | <ul style="list-style-type: none"> ▪ Weak links between LPA relevant Corporate Plan priorities and LPA operational practices ▪ Weak links between LPA partners and stakeholders |

3.7 The above comparisons show the Council Leader and Cabinet share three of the five characteristics of the Leaders and Cabinet of local authorities which have delivered significant improvements in service outcomes. These flow from the Council's Corporate Plan vision and priorities for the LPA, its collective appetite to change the LPA's standard operating procedures and critically invest 'what it takes' to deliver transformational change. Together these amount to a new governance regime with further work required to develop enforcement procedures through performance management systems and a new cultural norm for the co-production of shared goals with the stakeholders who matter most.

3.8 The comparisons show the Corporate Management Team working towards full alignment with the Leader and Cabinet's vision and public value goals. Key innovations being the new Local Plan vision for a net zero carbon future, a more comprehensive Local Plan making governance regime and extended community engagement in the new Local Plan Issues and Options stage.

3.9 The Corporate Plan agenda for transforming the Council's LPA role and effectiveness will change the Council's relationships and in turn the Council itself as these relationships and related networks create new possibilities. Some of these possibilities include networked governance with Essex County Council (in respect of master planning, education provision and infrastructure planning, funding and delivery), Town and Parish Councils (in pre-planning applications discussions), developers (in positive planning initiatives such as master planning, co-production of advance infrastructure and innovations in zero carbon development) and rural communities (in reimagining the countryside with farming, water management and environment interest groups).

4. Development Management Service and POS Enterprise Review (2018)

The Development Management service

4.1 The Development Management service is a vital part of the Council's role as the Local Planning Authority through which to implement planning policy and enable quality outcomes for sustainable development. It provides pre-planning application advice to members of the public, businesses, developers, and agents, registers planning applications, considers planning applications for compliance with the policies set out in the National Planning Policy Framework, the adopted Local Plan and relevant policy documents. It makes decisions under the officers' delegated authority and as appropriate makes recommendations to the Planning Committee for decisions. It negotiates Section 106 planning obligation agreements with developers and enforces against breaches of planning approvals, conditions, obligations and planning law in general.

4.2 The Development Management service as defined in this review comprises: Support and Registration team, the Development Management Teams (north and south), Planning Solicitors in Legal Services, the Enforcement Team, and the Planning Committee.

4.3 The Development Management Teams are led by the Development Manager and two area Development Management Team Leaders. The development management staff comprise three senior planning officers, ten career grade staff (of whom 4 are studying to qualify as planners) and agency staff. The service contracts with Essex County Council's Place Services for specialist advice on historic building conservation, landscape, ecology, and habitat matters. Essex County Council in its roles as Highways Authority and other infrastructure needs under its control. Felsted and Thaxted Parish Councils and Great Dunmow Town Councils have Neighbourhood Plans, and a further eight areas are designated.

Review method

4.4 The EELGA Development Management review was informed by:

- 1) Desk top review of Development Management's resources: funding (fee income) and budget allocations.
- 2) Desk top review of the Development Management performance management metrics and data, notably the PS1 and 2 and KPI returns.
- 3) Desk top review of previous and then current reviews. In this report we have cited, in Sections 4.5 – 4.14 below, the key recommendations of the POSE Peer Review March 2018. We have incorporated points relevant to the review objectives made in the Planning Obligations Task Group draft report and the Chadwick review into the complaint from Saffron Walden Town Council. The Planning Advisory Service Review of Major Planning Applications Process has been paused during the lockdowns.
- 4) Four rounds of engagement with stakeholders as follows:
 - i) Group meetings were held with the Support and Registration Team; Development Management Area Teams and Enforcement Team and one to one meetings were held with the Head of Development Management, the two area Team Leaders and Legal Services staff. In parallel interviews were held with representatives of two Town Councils and four land promoters / house builders. Members were engaged through a 'Members' voices' consultation and invitations to speak

directly to the review team. All meetings and consultations were conducted in confidence to enable all parties to speak freely and candidly about their experiences with the service and future requirements.

ii) In the second round, in-confidence workshops were held to enable members of the Support and Registration Team, Development Management Area Teams, Enforcement Team and Management Team to:

- Check back on the issues raised in the first round of meetings,
- Assist in framing solutions to the issues,
- Discuss how actions arising can be delivered and a positive culture towards performance management and continuous improvement be established

iii) Consultation with the service Management Team, staff, and client group to comment on the review report and proposals for the LPA transformation strategy and plan

iv) Allowance has been made for a presentation if required to an All-Member Workshop, for Members to consider and comment on the key findings and draft final transformation strategy and plan.

The POSE review 2018

4.5 In March 2018, POSE, the consultancy arm of the Planning Officers Society, having reviewed the Council's planning service, concluded

The overall view of the Review Team was that the Service was not operating to a level that is consistent with the Council's objective to provide a very good planning service (2018 POSE Section 1.7).

4.6 The POSE Review Team found 'many well motivated and competent officers committed to providing a good service to the public' (2018 POSE Section 1.6) but there was 'a problem of attracting permanent staff to the authority.... The Review Team was told that salaries were not competitive but there has not been the opportunity to test this. Recruitment of planning staff is a national problem and most authorities throughout the country rely on temporary and agency staff to a greater or lesser extent. Salaries, reputation, and the type of work can all be factors in recruitment. The Council needs to understand what factors are relevant for Uttlesford and how they can be addressed' (2018 POSE Section 1.9)

4.7 The report identified two main priorities for the Development Management service, performance management (as the overarching priority) and the roles of the Development Management Manager and Team Leaders (2018 POSE Section 1.10).

Performance management

4.8 The review reported the Council's Development Management performance against the Government's key criteria as follows:

- i) For major applications, lowest quartile,
- ii) For non- major applications, 3rd quartile, well below where a good authority would be.
- iii) The 'quality' indicator (performance at appeal), at a level where there is a risk of intervention

4.9 The report further commented,

‘More worrying is that neither staff nor Members were sufficiently aware of performance levels and the monitoring and management of performance was found to be very weak’ (2018 POSE Section 1.7).

4.10 The POSE Review Team advised the Council to:

- Review the performance management process to establish a clear set of priorities performance criteria which relate to external comparisons - nationally set criteria, national or comparator group average or upper quartile performance
- Tailor the criteria and associated performance reporting for the appropriate audience objectives: corporate, departmental, service, team or individual

4.11 The specific recommendations arising were:

- Review the performance monitoring process to ensure corporate, department and service priorities are regularly monitored at the appropriate levels and to the right timescales
- Quarterly monitoring of (Government) CLG current and proposed ‘designation’ criteria
- Regular reporting of the key performance indicators to Members

4.12 The POSE Review Team identified:

An urgent need to clarify the management responsibilities in development management. The Development Management Manager and the Team Leaders do not manage performance regularly or effectively and performance management information is not readily available.

Both Team Leaders carry a significant caseload and in this respect act as ‘senior professionals’ as well as managers. The conflict this creates between dealing with major applications, managing team and personal workloads and performance and management staff create competing priorities which are difficult to reconcile. The authority need to be much clearer on where the responsibilities lie which may involve restructuring and / revisiting roles (2018 POSE Section 1.11).

4.13 The fourth specific recommendation was to:

- Review the roles of the Development Management Manager and the Team Leader to ensure their respective management and professional roles are clarified.

4.14 The following table summarises POSE’s 2018 criteria for assessing a ‘fit for purpose’ LPA. In section 5 below we have added criteria to reflect recent developments in planning practice, made assessments of the LPA’s current performance against these benchmarks and made recommendations to match them.

POSE 2018 Review: What good looks like

1) Local Plan Making and Delivery

| |
|--|
| i) A Local Plan evidence base tested by the PAS checklist and ii) A proactive approach to the duty-to-co-operate with relevant partners |
| A comprehensive Infrastructure Delivery Plan signed off by all relevant partners. |
| Evidence of at least a 5-year housing land supply to meet OAN |
| An up to date fully NPPF compliant Local Plan reflecting corporate objectives, in place at the earliest opportunity. |

2) Development Management

| |
|---|
| A proactive approach to implementation including masterplans and/or development briefs for significant sites, regeneration schemes and proactive care for the historic environment. |
| A pre-applications service including PPAs and charges, a protocol for involving Councillors on significant cases and MOUs with key consultees. |
| A clearly expressed policy towards the use of S106 obligations setting out where they will be required, for what purpose and the necessary mechanisms to ensure delivery |
| An efficient proactive Development Management service that: i) Meets all statutory and local targets ii) Offers good customer care and consistent planning advice, iii) Uses up to date technology iv) Delivers, enables, monitors, and enforces quality outcomes |
| i) An effective scheme of delegation, ii) Mandatory training for Councillors especially those sitting on the Planning Committee iii) Clear and transparent Committee procedures iv) Clear co-ordinated professional planning advice available to Members |

3) Resources

| |
|---|
| i) A valued, motivated, and skilled officer corps, ii) Working as an integrated planning service with iii) Appropriate performance management systems and iv) Training opportunities |
| Adequate resources to deliver all the above. |

5. Summary of Findings

5.1 The Development Management case handling service is in a worse position than that reported in the Planning Officers' Society Enterprise (POSE) review 2018. For example, in the two years from 1st January 2019 to 31st December 2020, the Council was ranked 342/353 LPAs in England against the Government's KPI for speed of handling major applications. During this period 45 of 67 (67.3% against an England average of 88%) of major applications were determined within 13 weeks (10 cases) and the time agreed with applicants via PPAs and Extensions of Time (35 of 49 cases). To be the bottom performer in the top, second and third quartiles, the LPA would have had to determined

56, 61 and 65 of the applications within the above times. The performance on major applications leaves the Council close to being at risk of being 'designated' under current MHCLG criteria.

5.2 Coinciding with declining performance since the POSE review, the service has fewer officers with the expertise to handle minor and major planning applications. It currently relies on an interim to represent the Council at appeal hearings. The remaining skill base is also fragile due to continued dependence on temporary contract staff. Since the last review, the Council has succeeded in recruiting career grade staff. However, line management and support for these staff is limited as both Team Leaders, as found in the POSE review, continue to act as 'senior professionals' with heavy caseloads. A further success is the production of excellent monitoring data but there is little evidence this is used as a management tool to inform and inculcate a continuous improvement culture. Notwithstanding high caseloads and complaints from all quarters, staff to their credit remain committed to do the best they can. Recruitment of additional senior staff with proven place making experience is an urgent priority.

5.3 Members of the LPA staff interviewed for the review – across Support and Registration, Development Management (case handling), Enforcement and Legal Services - identified a service that is on the back foot engaged in reactive work and expending scarce resources addressing the symptoms of an under resourced service. Examples include:

- Making requests for amendments to planning applications (as there is insufficient time to promote better applications in the pre-application stage)
- Refusing applications due to lack of time to seek amendments
- Excessive use of extensions of time beyond the time within which the Government expects LPAs to consider planning applications
- Handling call ins from Members
- Preparing appeals, noting due to poor applications, overturns, and non-determination, the refusal rate of 19% of all applications has risen since Q1 2019 to 28%, markedly higher than the national average of 12%, and
- Enforcement against non-compliance with conditions and Section 106 obligations (in some cases due to allowing developers' Solicitors to draft the agreements in the absence of sufficient in-house Planning Solicitors).

5.4 The cumulative pressures have led to a conveyor belt culture characterised by a dominant narrative of how many cases each officer is has completed and how many cases they are handling. To operate the conveyor, staff, who in some cases have more than 70 cases, are routinely working in the evening and weekends. Their work though is too often reduced to an administrative role. The service needs to be proactively leveraging the planning system to promote better placemaking and development outcomes for the built and natural environments, community, and economic well-being.

5.5 Having considered the innovations in governance and service procedures and practices, we turn to the resources required to enable transformative change.

5.6 The Development Management service comprises 1 No. Development Management Manager, 2 No. Team Leaders and 11 No. planning officers. The latter being 10 fte after allowing for No. 2 part time and No. 4 Career Grade staff with study leave.

Staff Competencies: Development Management Applications

| | Everything Else | | Minors | | Majors | |
|-----------------------|-----------------|--------|--------|--------|--------|--------|
| | Mar 18 | Dec 20 | Mar 18 | Dec 20 | Mar 18 | Dec 20 |
| Competent experienced | 10 | 12 | 8 | 5 | 6 | 4 |
| Gaining experience | - | 1 | 1 | 4 | 1 | 1 |
| Not ready | - | - | 1 | 4 | 3 | 8 |
| | 12 | 13 | 12 | 13 | 12 | 13 |

Staff Competencies: Appeal Types

| | Written Reps | | Hearings | | Inquiries | |
|-----------------------|--------------|--------|----------|--------|-----------|--------|
| | Mar 18 | Dec 20 | Mar 18 | Dec 20 | Mar 18 | Dec 20 |
| Competent experienced | 12 | 13 | 5 | 4.5 | 1 | 1 |
| Gaining experience | - | - | - | - | - | - |
| Not ready | - | - | 7 | 8.5 | 11 | 12 |
| | 12 | 13 | 12 | 13 | 12 | 13 |

5.7 Against a background of increasing demands on the service, more staff with more experience and competencies are required. In the period March 2018 to December 2020, the staff cohort has increased by 1 fte but has fewer collective competencies and experience to handle minor applications (from 8 to 5fte) and majors (from 6 to 4fte).

This is due to failure to retain experienced staff and then having failed to recruit suitably qualified successors a decision to recruit and train new entrants. Even this approach is falling short as the two Team Leaders are diverted from supporting the development of their staff to carry heavy caseloads. Worse still, one of the Team Leaders is a locum on a six-month contract and the only officer with sufficient experience to represent the Council at planning inquiries.

The cost cutting strategy is proven to be a false economy, not just in service performance and outcomes but in the high cost of interims. A stark warning for any future administration set on making cuts to this service in the cause of 'efficiencies.' In retrospect the Council's money would have been better spent on bidding in the market to secure experienced staff.

5.8 In 2018 the POSE review referred to recruitment of planning staff being a national problem and the widespread reliance on agency staff. POSE noted 'salaries, reputation, and the type of work can all be factors in recruitment.' Market conditions have not changed, but recognition of the consequences of lacking experienced development managers has. The Council now needs to create attractive development management roles and bid in the market until it can recruit the right candidates to lead the pre-application, development management and S106 pathways for majors.

5.9 In parallel, the Council needs to start work on a long-term LPA wide solution to securing the professional expertise needed to be a good LPA. The proposed changes to the NPPF place greater emphasis on highly specialist skills and expertise in design, ecology, and mitigating and adapting to climate change through the planning system. In this context, the Council needs to explore opportunities presented by the shared service model. This model creates scale and a breath of work and specialisms and management roles that are attractive to good quality candidates. Small district LPAs standing alone will be likely to struggle.

5.10 In Section 4.14 we summarised the POSE review team’s view of ‘what good looks like.’. As the template is three years old, we have added further criteria to take account of subsequent developments in planning policy and practice.

5.11 We have benchmarked the Council’s current position against the resulting 15 criteria of what ‘good looks like’ and recommended actions to match them. The criteria are grouped under Local Plan making and delivery, development management and resources.

Local Plan Making and Delivery

1) POSE Review 2018

- i) A Local Plan evidence base tested by the PAS checklist and
- ii) A proactive approach to the duty-to-co-operate with relevant partners

| EELGA findings 2021 | Action points 2021 |
|---|--|
| <ul style="list-style-type: none"> i) New governance and project management put in place ii) Work commenced on evidence base and issues and options ii) Local Plan making duty-to-co-operate meetings underway | <ul style="list-style-type: none"> i) Local Plan team to undertake PAS checklist ii) Local Plan team to record and issue notes of duty-to-co-operate meetings and formal confirmation of arising iii) Strategic partnerships to be fostered |

2) POSE Review 2018

A comprehensive Infrastructure Delivery Plan signed off by all relevant partners.

| EELGA findings 2021 | Action points 2021 |
|---------------------------------------|--|
| Brief for IDP currently out to tender | IDP will need to inform spatial strategy options and site development planning requirements for net zero carbon future |

3) EELGA new fit for purpose test

Evidence to inform policy set for a net zero carbon spatial strategy, place making, construction, transport, energy supply and management

| EELGA findings 2021 | Action points 2021 |
|---|---|
| Opportunities to collaborate with neighbour LPAs being explored | Officers to liaise with ECC counterparts to prepare high level Member meeting to explore joint working (transport studies, master planning, S106) and strategic infrastructure planning (see 5 below) |

4) EELGA new fit for purpose test: Evidence to inform policies for net gain in habitat

| EELGA findings 2021 | Action points 2021 |
|---|---|
| Opportunities to collaborate with neighbour LPAs being explored | Progress discussions with Greater Cambridge Joint Planning Service re: water management strategy etc. |

5) EELGA new fit for purpose test

Effective cross boundary multi-agency infrastructure planning, funding, and delivery partnerships

| EELGA findings 2021 | Action points 2021 |
|---|---|
| Commissioned work to build new coalitions to identify shared strategic infrastructure and investment requirements and hence policy and funding priorities | Progress cross border multi-agency collaborations re: strategic transport corridors A505 / A11 and A120 / M11 |

6) POSE Review 2018: Evidence of at least a 5-year housing land supply to meet OAN

| EELGA findings 2021 | Action points 2021 |
|-----------------------|---|
| No 5-year land supply | Need to engage positively with promoters of emerging major applications to bring forward appropriate applications in advance of the Local Plan adoption |

7) POSE Review 2018 An up to date fully NPPF compliant Local Plan reflecting corporate objectives, in place at the earliest opportunity.

| EELGA findings 2021 | Action points 2021 |
|--|---|
| i) Submitted Local Plan withdrawn 2020. ii) New governance and LDS to make new Local Plan for submission 2023 | Progress forward programme to prepare Reg 18 plan re: evidence base, call for sites assessments and Local Plan Leadership Group meeting agendas |

Development Management

1) EELGA new fit for purpose test Effective Member / Officer working

| EELGA findings 2021 | Action points 2021 |
|------------------------------|---|
| Poor – lack of trust evident | i) Member training to underpin the value of positive member / officer working and compliance with the code of conduct ii) Officers to include Members in pre application work and timely response to enquiries |

2) POSE Review 2018 A proactive approach to implementation including masterplans and/or development briefs for significant sites, regeneration schemes and proactive care for the historic environment.

| EELGA findings 2021 | Action points 2021 |
|---|--|
| i) No formal arrangements for effective joint working with ECC ii) Emerging initiative for master planning and associated studies for Saffron Walden East iii) Local Listings and Historic Gardens Review | i) Specify joint working requirements and governance arrangements with ECC ii) Draft implementation programme (in response to call for sites assessments) iii) Procure call off contract with place making consultancy as part of place making LPA |

3) POSE Review 2018 A pre-applications service including PPAs and charges, a protocol for involving Councillors on significant cases and MOUs with key consultees.

| EELGA findings 2021 | Action points 2021 |
|---|---|
| i) Pre-apps: Extended response times failing to deliver value for money ii) PPAs: Lack of and weak ties with key consultees and additional resources required to provide value for money. Losing credibility in the market and increasing risk of appeals against non-determination iii) No evidence that Members are enabled to be involved at early stages so tend to be involved late in the process | i) Pre-apps: Put in staff resources and working arrangements to deliver advice in a timely manner ii) PPAs: Build PPA co-producer team to operate in a more co-ordinated, comprehensive, and timely manner iii) Propose and work in accordance with a protocol for Member involvement in pre-app and other early stages |

4) POSE Review 2018 A clearly expressed policy towards the use of S106 obligations setting out where they will be required, for what purpose and the necessary mechanisms to ensure delivery

| EELGA findings 2021 | Action points 2021 |
|---------------------------------|--|
| No policy or guidance in place. | i) Brief for Obligations SPD and appropriate housing, open space, and other standards ii) MoU with stakeholder infrastructure delivery partners, notably ECC, Local Councils iii) Brief for and preparation of a CIL |

5) POSE Review 2018 An efficient proactive Development Management service that:

- i) Meets all statutory and local targets
- ii) Offers good customer care and consistent planning advice,
- iii) Uses up to date technology
- iv) Delivers, enables, monitors, and enforces quality outcomes

| EELGA findings 2021 | Action points 2021 |
|---|--|
| i) Performance regressing against statutory KPI's since 2018 ii) Service reactive, on the backfoot with excessive workloads ii) Decision making has excessive call ins overturns, refusals, and appeals ii) S106 obligations are inconsistent due to lack of guidance iii) IT enhancements identified iv) Limited roles in proactive enabling and delivering quality development | i) Recruit required staff without delay ii) Implement proposed pathways to put service on the front foot ii) Members to adopt best practice call in protocol, and delegate applications recommended for approval ii) Recruit Planning Solicitors without delay iii) Implement IT enhancements without delay iv) Shift resources to proactive, positive planning as per pathways |

6) POSE Review 2018

- i) An effective scheme of delegation,
- ii) Mandatory training for Councillors especially those sitting on the Planning Committee
- iii) Clear and transparent Committee procedures
- iv) Clear co-ordinated professional planning advice available to Members

| EELGA findings 2021 | Action points 2021 |
|--|---|
| i) Good practice delegation scheme ii) Mandatory training: Some Members inexperience of the planning system and their role in it, insufficient Member engagement in the pre-app stage iii) Pre-meeting briefings lack transparency, poor Committee procedures, agenda management, time keeping and ill -considered decision making (leading to appeals) iv) Professional planning advice hampered by excessive workloads lack of appropriate toolkit and lack of an up-to-date Local Plan | i) Need to update call-in protocol ii) Mandatory training needs enforcing ii) Replace all Member briefings with Chair / Vice Chair briefings and encourage Members to engage in pre application meetings and contact case officers in advance of Planning Committee iii) Refresh and implement meeting template for Planning Committee including public speaking and avoiding repetition and non-planning matters iv) Additional staff and DM toolkit |

Resources

1) POSE Review 2018

- i) A valued, motivated, and skilled officer corps,
- ii) Working as an integrated planning service with
- iii) Appropriate performance management systems and
- iv) Training opportunities

| EELGA findings 2021 | Action points 2021 |
|--|--|
| i) Not valued: Evidence of public criticism and verbal abuse i) Highly motivated, but overloaded i) Lack of experienced case officers ii) Lacks effective, timely co-ordination with stakeholders notably ECC and Local Councils iii) Wealth of excellent data but not being applied to address process issues and inform resource requirements / allocations iv) Career grade staff on day release but Team Leaders have insufficient time to give one to one management and support | i) Establish positive member / officer working, with referral procedures for breaches i) DM Team Leaders to allocate 75% of their time to supporting staff i) Recruit more experienced DM case officers ii) Introduce and enforce S106 pathway iii) Establish a PMS to establish a shared identity – everyone’s job to deliver transformation, Confirm tasks and embed them in service plans and accountabilities Report to transformation lead managers, exception reports to CEx and Cabinet |

2) POSE Review 2018 Adequate resources to deliver all the above.

| EELGA findings 2021 | Action Points 2021 |
|--|--|
| Historic lack of resources recent Growth Bid allocation of £240k incorporated in 21/22 budget with £144k for No 2 Legal Solicitors | CMB to attach highest priority to entrepreneurial delivery of the recommended resource allocations |

6. MEMBER GOVERNANCE OF THE LPA

6.1 Effective Member governance is required to establish and sustain a fit for purpose LPA required for place making and best available development outcomes

6.2 The new context calls for all Members to fulfil their LPA responsibilities. This applies to all Members who have multiple roles in the work of the LPA.

The collective community leadership role in establishing a vision and strategic objectives for the LPA, representing, and championing the LPA in community, partnerships, and other third-party contexts. In budget making roles making decisions on relevant budgets and wider resources. In plan making as members of the Local Plan Leadership Group and Scrutiny and as ward members who input to and comment on planning applications.

Those Members who exercise the Development Management functions of the Council, as the Local Planning Authority, have specific responsibilities to act in the interests of the whole community and make transparent justifiable decisions based on national planning policy, the development plan and other relevant material planning considerations.

To assist Members in fulfilling their respective roles as members of the LPA, the following recommendations are made to provide training and protocols to foster positive Member / officer relationships and equip Members to engage in appropriate pre-application discussions and fulfil best practice roles in plan making, Development Management and scrutiny of the LPA.

The Member Development Management Pathway

6.3 In this section we consider Member roles along the Development Management pathway. Before Members take their first step on the pathway, they need to undertake training to gain understanding of the benefits of good Member and officer relationships, the Planning system, and their roles within it.

Member and Officer Relationships

6.4 Member understanding of the value of mutual respect between Members and officers and the various roles each plays in the planning system is critical to a 'fit for purpose' LPA. In short the term 'the planners' refers not just to professional planners but to Members and officers working together to carry out the duties of the Council as LPA.

6.5 During the review, some Members referred to positive working relationships with officers but other Members expressed a lack of trust in the officers. The Planning Committee appears to be an arena for confrontation, officers criticised, and external professional technical evidence dismissed. Such conduct harms Member / officer relationships and those concerned need to be aware of the impact this has on the welfare of officers. For the Council as employer, this is a cause of concern. Poor conduct also tarnishes the Council's reputation with Government, its local government peers, the communities it serves and local government labour markets.

6.6 All Members need to pay regard to the LGA's guidance which includes the following:

Councillors and officers are indispensable to one another and mutual respect and communication between both is essential for good local government. Together, they bring the critical skills, experience and knowledge required to manage an effective public sector organisation. Councillors provide a democratic mandate to council, whereas officers contribute the professional and managerial expertise needed to deliver the policy framework agreed by councillors" (LGA – A Councillor's workbook on councillor/officer relations).

6.7 In presenting professional advice, Members should allow officers to explain their advice and ask questions in a respectful manner.

Officers cannot respond to personal criticism in the same way that politicians can and have to temper their remarks accordingly. Mutual respect and good communication are the key to establishing good councillor and officer relations. Close personal familiarity should be avoided – in simple terms, ‘be friendly, but don’t be friends. (LGA - A Councillor’s workbook on councillor/officer relations).

Member understanding of the Planning System and their roles

6.8 Planning application decisions can have the significant consequences for promoters, individuals, and communities. Just as Magistrates have training before they sit on the bench then so should Members have mandatory introductory and annual refresher training before they can sit on the Planning Committee.

6.9 Member roles in planning are helpfully defined in Planning Practice guidance as follows:

Local authority members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when considering planning applications. Where members take decisions on planning applications, they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded upon valid material planning reasons.

6.10 The guidance makes it clear Members of the Planning Committee are not sitting in their ward capacity, for a parochial interest or as a member of a particular grouping. Members are not expected to be planning professionals but to listen to the professionals and apply judgement, balancing the relevant material planning matters on the basis of demonstrable evidence in each case. Decision making should be policy led and in accordance with a presumption in favour of sustainable development. In most cases the direction of travel will be readily apparent. Officers on the other hand should give clear substantiated professional advice taking full account of the Council’s approved planning policies, set by Members, and all relevant material planning matters, whilst respecting Members’ right to take a different view of the relevant balance between factors in each case.

6.11 When the Committee takes a different view to officers, Members must be prepared to articulate the reasons for their decision themselves (although they may turn to officers for the technical wording). Similarly, officers have a duty to advise Members if they feel any reasons Members wish to rely on cannot be justified and to warn of any risks associated with Members’ preferred course of action, although Members are of course at liberty to accept, or reject, that advice. These processes rely on trust between officers and Members. It is also important for officers to be available to deal with Members queries or follow up requests as soon as they become available.

Recommendation 1 - All Councillors and Members of the Planning Committee

- 1) All Member training to build an understanding of the mutual benefits of good Member and officer relationships and the Code of Conduct
- 2) Before sitting on the Planning Committee, Members need to undertake mandatory training on planning matters and attend annual refresher courses. Members need to be encouraged to read the National Planning Policy Framework and observe a nationally recognised best practice LPA Planning Committee at work.

Place Making and Pre-Application Discussions for Development Management

6.12 It is apparent Members are working on the back end of the Development Management pathway, and not properly enabled to be at the front end. This tends to result in call-ins, requiring applications to be considered at Committee that would be more appropriately dealt with under the delegation scheme and overturning applications recommended for approval. These individual and collective actions reflect a lack of trust between members and officers and are failures of process. They appear to be made without regard to the impacts on the quality decision making, performance of the LPA, costs pressures they add to an already overloaded and failing system. Above all they reflect a lack of understanding of where in the planning process better place making and development outcomes can be secured.

6.13 Members need to be enabled to work at the front end of the Development Management pathway, collaborating creatively with officers in master planning and pre-planning applications discussions. At these points, the Council and its stakeholders are best placed to secure better place making and planning obligation outcomes. This does not rule out call in or overturns, when appropriate but in line with best practice would minimise the need for 'too late in the day' interventions.

Development Management Delegation Scheme

6.14 Members need to ensure the LPA has a best practice delegation scheme and a proportionate call-in protocol. The application of these documents would free up resources for both Members and officers to focus on the pre-application stages and allow the Planning Committee to concentrate on significant applications requiring deliberation on the balance between all the material planning matters at stake.

6.15 A good delegation scheme should a) calibrate the delegation rate and b) be inclusive (everything is delegated except...) to ensure the most appropriate proposals are identified as matters for the Planning Committee.

6.16 The Council's current delegation rate of 95% for all delegations is in line with the national rate. This equates to the Committee considering up to 80 of the 1,600 applications it receives per annum. The resources necessary to take cases above this rate through the Planning Committee are significantly more than those required delegated authority.

6.17 The Council has an inclusive delegation scheme which is consistent with the thrust of legislation, guidance, and good practice. Thought though needs to be given to defining exceptions based solely on scale. For example, a small proposal (say in a conservation area giving rise to sensitive material matters) might need to be a Committee matter whilst a large-scale proposal (for a

'shed' on an industrial estate) may give rise to few if any matters requiring the Committee's attention. Similarly, where the Council has an appropriate suite of detailed guidance such as masterplans and design guidance / codes, once an outline permission has been granted most reserved matters should be capable of delegated approval. A recent a reserved matter application which was refused at Planning Committee and is now the subject of an appeal is a clear failure of process and a significant waste of scarce resources.

Recommendation 2 - All Councillors

- 1) To ensure the Council has a best practice Development Management Delegation Scheme and protocol for Member involvement in pre-application processes (see sections 6.14 – 6.17 above).
- 2) To ensure all Members receive training in the to be updated delegation scheme, and pre-application processes

Call in protocol

6.18 Call in protocols, like planning decisions themselves should be based on material planning matters alone. Good practice schemes have a clear gateway process and have the following characteristics:

- **Timely:** A call-in should be made within two weeks after the publication of the weekly list of applications. This will enable the LPA to establish and make transparent the decision-making path for the application (see ii) Referral below) and help ensure it can be considered within the nationally set time limits for applications (8 weeks for minors and 13 weeks for majors respectively) and given the appropriate resource allocation.
- **Referral:** The Chair and/or the Vice Chair of the Planning Committee to check whether the call-in is built on relevant planning matters (not merely because it is controversial for other reasons or to make political points).
- **Committee matter:** The application should only ultimately proceed to Committee (from call in as opposed to be scheduled for committee in any event) where the Member or Members concerned wish to speak against the officer recommendation be it for grant or refusal.

6.19 The Council's current call-in regime simply provides a five-week period time limit after publication of the weekly list of applications. In the absence of a referral mechanism Members have free reign to call in applications for material or non-material planning grounds. There is no provision to allow for call-ins to be withdrawn where the Member or Members concerned do not wish to speak against the officer recommendation (which is made at a stage later than the timetable for call-ins)

6.20 In recent months, the number of call ins have escalated. These appear to have contributed to more overturns, more refusals, and more appeals which add further to an already overloaded system. This is contrary to good practice LPAs where both call-ins and overturning officer's recommendations at Planning Committee are exceptions. This is another example of a failure of process.

Recommendation 3 - All Councillors

- 1) To update the call-in protocol to include a gateway process based on material planning considerations to ensure the Planning Committee's time is used effectively (see sections 6.18 – 6.20 above)
- 2) To ensure all Members receive training in the updated call-in process

Planning Committee Matters

6.21 Once operating an effective delegation and call-in system, the Planning Committee will be dealing in the most part with the most complex cases. In any event, Members will be well informed about such applications through:

- Pre-application processes, a locus for Members to have an early and effective opportunity to understand and comment on all aspects of complex proposals (as encouraged by current national policy and guidance (see the place making pathway in section 6)
- Pro-active community advocate role: for Members to engage with Planning officers to seek out details of emerging planning applications so fewer issues need to be raised after submission of the application or publication of the Committee report.

Pre-Committee Briefing

6.22 Under current procedures, officers provide a technical briefing for all Members of the Committee after the Committee papers have been published. These briefings provide:

- An opportunity for Members to request clarification of technical matters and hence avoid wasting time at the Committee and a need to defer decisions
- An opportunity for officers to receive an early indication of Members thinking and hence prepare responses to their issues

On the other hand, briefings carry two risks

- Pre-determination, the meeting discussion expands beyond technical queries into the merits of the case,
- Public suspicion of decisions being made behind closed doors in advance of the committee itself.

6.23 On balance it is not good practice to hold a pre briefing for the whole committee and in any event not necessary if Members are involved at the pre-application stage and seeking earlier information about applications. It is good practice, for key officers to meet with the Chair and Vice-Chair to discuss the agenda and arrangements for the Committee following publication of the Planning Committee papers.

Planning Committee Meeting

6.24 Planning Committee meetings are the LPA's shop window. The way business is conducted, the way decisions are made, as well as the decision themselves, provide insights into the competence or otherwise of the LPA. The competencies relating to the chair in steering the meeting and speakers, the officers in making presentations and addressing questions and the Committee Members in raising relevant questions and holding discussions related to material considerations.

6.25 The Planning Committee needs to become a panel where Members have an understanding of the planning system and their committee role. The Committee needs to consider evidence relating to material planning matters and come to a decision in an orderly formal and highly structured manner. As matters stand, Committee proceedings are less than business like.

There is considerable wasted time, unnecessary repetitive speeches and consideration of minor matters that were more suitable for delegated decision-making. The Council's refusal rate is high. In the period up to including Q4 2018, the refusal was running at 19% of all applications (national average 12%). Since Q1 2019, the refusal rate has risen more than double the national average.

Through this the Council is incrementally handing over local democratic control over decision making and setting of conditions to Government Inspectors and potentially the terms of S106 planning obligation agreements to developers through unilateral undertakings. One respondent, a housebuilder, has concluded 'in Uttlesford it will be easier to appeal after 13 weeks on grounds of non-determination than risk a Council decision to refuse an application.'

6.26 The POSE review referred to a "generous" arrangement for public speaking and recommended the Council to follow a good practice example. A particular aspect of good practice is as follows. To allow fair and equal time, once a ward member and town/parish representative have spoken, objectors to and supporters of an application either share or rely on a spokesperson for their typically 3-minutes slot.

To ensure transparency, all the material issues and views expressed during the consultation are made available to all and captured in the officer's report and therefore known to the Committee. The purpose of public speaking is simply to draw attention to specific points. On these grounds it is not acceptable to introduce new material at the Committee decision making stage.

6.27 It is wholly exceptional for a Planning Committee to sit for a whole day as was the case with the meeting in February 2021. This and the number of call ins, refusals and overturns give rise to serious concerns about the effective functioning of the Planning Committee.

In accordance with the national delegation rate, Planning Committee meetings should be handling an average of 6 or 7 items. This would enable the Committee to conduct its business within 2 – 3 hours during a morning, afternoon, or evening. The latter additionally allows for greater inclusive accessibility for the public to witness the Committee's proceedings

6.28 This review has presented the Planning Committee with a significant opportunity to improve its effectiveness and reputation to the benefit of the district. As the Local Plan emerges to provide the blueprint for development to meet objectively assessed needs, the role of the Planning Committee will be critical in encouraging developers to invest in planning applications for better place making, infrastructure and development outcomes.

Recommendation 4: Members of the Planning Committee

To review Planning Committee procedures, timing, and practices (see Sections 6.21 – 6.28 above)

7. Development Management – Operational Transformation Plan

7.1 Through their collective voices, staff across the Support and Registration Team, Development Management Area Teams, Planning Solicitors and Enforcement Team have proposed measures to put the service on the front foot so it can act as a proactive place maker.

Their critique of the service and the review team’s knowledge of the sector, have informed the following:

- Recruit senior staff, with experience of place making to reduce dependence on agency staff and free up the two Team Leaders to increase their commitment from 25 to 75% of their time to supporting and mentoring their staff
- Focus resources at the front end of the development management process
- Improve co-ordination between applicants, consultees, the public, Members, Town and Parish Councils and Legal Services to provide clear service pathways as follows:
 - Customer interface and enquiry pathway: better web-based access to guidance and advice for those considering a planning application,
 - Pre-application pathway: More and better pre-application advice and guidance with master planning as required
 - More, better, and timely Planning Performance Agreements, for example, integrated with ECC
 - More straight forward Section 106 negotiations based on updated guidance, standards templates to achieve consistency and streamlined process to achieve timely completions of agreements,

Leading to:

- More planning applications considered within the 8 and 13 week timetables with improved service and place making outcomes
- Fewer appeals due to fewer call ins, overturns, and non-determination
- Rising reputation as a good LPA and performance in the Government’s KPIs

Recommendation 5: Reinvigorating the service

The service will require reinvigorated, effective leadership and direction to deliver an operational development plan.

This will require establishing new service operating procedures and practices exemplified as service pathways in accordance with a detailed action plan and programme.

The pathways are summarised in this report as: Customer interface and enquiry pathway (Section 7.2), Place making pathway (Section 7.6), Development Management pathway (Section 7.10), S106 Agreement pathway (Section 7.11), Enforcement pathway (Section 7.13) and Member development management pathway (Section 6.3).

The Customer Interface and Enquiry Pathway

7.2 Staff have reported the regular duty system (which is staffed by a Development Management case officer during conventional office hours) is an ineffective use of staff resources. From experience most planning enquires fall into three categories.

- Routine enquiries, for example, the need for planning permission or progress with applications. These can usually be dealt with through a user-friendly self-service website. Where such questions become complex, customers can submit their enquiry and request an appointment. A model set of web pages are described in Sections 7.4 – 7.5 below.
- Other enquiries, these arise from customers who need to discuss details of a specific case. These are best dealt with by through an appointment with the relevant case officers and Place Services consultants to reduce interruptions to their case management workloads. The appointment system to be designed to log calls, record responses dates and headline outcomes.
- Conveyancing Solicitors property search enquiries, much of the planning history data from 1947 is held on microfiche and needs to be digitalised to improve response times and save staff time.

7.3 To inform updates to the web pages and support continuous professional development, a Local Plan policy officer needs to be nominated to provide all staff with briefings (available from professional bodies /press) on the planning and development management implications of new and amendments to existing legislation.

7.4 The Council web site would need to direct planning enquiries to a dedicated web page menu of on-line solutions to include:

- Scripts in response to frequently asked questions with links to advice and guidance
- Progress with planning applications
- Committee meeting dates, reports, and decision notices
- Submit by e mail response to consultations
- Submit by e mail details of requests for an appointment with a relevant officer

7.5 For applicants, the web pages to provide information on:

- *Fees*: A transparent schedule of fees for pre-planning application discussions, PPAs, planning applications, S106 legal and monitoring fees
- *Validation*: Information and document requirements to ensure registration of planning applications on receipt by the LPA
- *Process and timetable*: A flow chart and description of how the Council handles planning applications of different types with reference to the timetable, steps (for example requests for amendments, consultation notices, conditions, reserved matters) decision making (delegated and Committee decisions), decision notices and as required S106 agreements
- *How to monitor your planning application*: Walk through the web / Planning Portal on how applicants can monitor progress with their application and apply for an appointment to discuss specific matters relating to their application
- *Planning obligations*: The S106 Council (to be prepared) and ECC guidance documents, relevant standards and required planning obligations for difference types of development with reference to the relevant NPPF and emerging / adopted Local Plan policies, Neighbourhood Plans, legislation, local evidence base and standards
- *S106 agreements pathway*: A walk through the S106 agreement making template and information requirements, pathway, and timetables

- *Discharge of conditions and deeds of variation*: A walk through requirements, processes, and procedures.
- *Extensions of time*: Procedure when officers request extensions of time
- *Complaints and appeals*: Procedures for making a complaint and submitting an appeal

Key Deliverables:

- To provide an enhanced customer friendly web site with FAQs and self-service capabilities
- To digitalise all planning histories or provide administrative resources to ensure rapid access to existing records
- To establish an appointment system (and cease duty planner system)
- To institute regular staff briefing on planning policy and processes

The Place Making Pathway

Pre-planning application stage objectives, tools, and procedures

7.6 The pre-planning stage provides the LPA with its best opportunity to secure requirements for development sites and shape emerging development proposals. The key matters being policy compliance, design (facades, materials, massing, layout, and orientation), access arrangements, conditions, and planning obligations requirements for infrastructure and wider facilities.

Greater investment of time at this stage would result in better applications that can be validated on receipt, require few if any amendments and approved within time with prompt completion of related S106 agreements. This in turn leads to savings in time and money due to a decline in requests for amendments, appeals (following decisions to refuse and non-determination) and complaints from the public.

7.7 At the critical pre-planning application stage, the LPA needs the right tools and procedures to do the job, notably structured pre-planning applications procedures including appropriate involvement of Members and third parties.

7.8 The established priority is to prepare and progress a sound Local Plan to adoption. Key documents of the Local Plan evidence will be the Urban Capacity and Peripheral Landscape Studies, Transport Studies, Infrastructure Delivery Plan, Uttlesford Design Guide / Design Codes, and S106 planning obligations guidance and S106 information pack including standards.

7.9 For significant proposals, a Senior Development Manager would convene a multi-agency / multi-disciplinary team liaise with local Members and representatives of the relevant Town and Parish Council. The purposes being to provide land promoters with comprehensive pre-planning application guidance, the Planning Performance Agreement service and S106 information pack and headline requirements.

In the case of strategic scale and sensitive sites, the discussions with the land promoters would include collaborations on and funding for preparing masterplans and infrastructure delivery plans. In most cases this would require the appointment of a dedicated project manager at the promoter's expense.

Key Deliverables:

- To progress emerging Local Plan in a timely manner, assemble robust evidence base including Infrastructure Delivery Plan, objectively assessed needs, landscape and heritage

studies etc along with effective community engagement and strategic infrastructure partnerships

- To prepare a Planning Obligations Policy and Guidance document including appropriate standards
- To prepare a Districtwide Design Guide (building on the Essex Design Guide)
- To plan and deliver a programme of Masterplans / Design Codes for strategic sites and areas of significant change
- To refresh the protocol for positive pre-application engagement with promoters, developers, and applicants (including sites emerging as part of the Local Plan process) and appropriate Member involvement

Development Management Pathway

7.10 The steps along the pathway are:

- Receipt of planning applications by the Support and Registration Team for acknowledgement and either validation or requests for missing required information.
- DM Team Leaders to operate a triage system to provide for a more sophisticated allocation of staff time and support for case management. Such an approach was recommended in the POSE Review 2018 and was suggested by a member of staff with experience of a successful triage system. In addition to being an efficient way of working it would formalise and routinise dedication of more management time with and support for the case officers which include career grade staff. The key elements of the system tailored for the LPA being:
 - Allocation of applications into five categories:
 - Category 1 - Straightforward and potentially acceptable, requires little or no negotiation, fast track approval
 - Category 2 – Policy compliant application may need some limited negotiation to improve then approve
 - Category 3 – Significant consideration and negotiation necessary (probably most majors in practice) need to allocate sufficient time probably a PPA and project management approach / regular reviews
 - Category 4 – Applications which do not appear to be policy compliant but worth limited time to investigate and negotiate to see if they can be made acceptable otherwise refuse.
 - Category 5 – Non policy compliant applications potentially seek withdrawal or otherwise fast track refusal.
 - Post triage initiation meetings:
 - Minors and others: The Team Leader and case officer to review applications, identify and diagnose issues, provide consistent advice on possible solutions, set tasks against a standard check list and signpost sources of help and advice
 - Majors: The Major Applications Managers to convene multi-agency / multi-disciplinary teams (assembled for pre-application discussions and PPAs) to review the application, agree issues, solutions, action plan, allocation of tasks and programme
 - Post case initiation:
 - Minors and others, ad hoc discussions where more detailed consideration prompts a need to consider alternative courses of action

- Majors / problematic cases, weekly meetings of multi-agency, multi-disciplinary teams to report / review progress, address key issues and update forward programme
- Reports
 - Delegated: To be drafted in accordance with a standard template for recording information and evidence material to consideration of the application
 - Committee: To be drafted with a more comprehensive template to include the results of consultations on and as a minimum the agreed in principle heads of terms for S106 agreement

Good practice would also include regular training and updates on emerging good practice, policy issues and an opportunity to review implemented planning permissions with Members of the Planning committee, possibly through six monthly tours.

Key Deliverables

- Additional experienced officer capacity to manage significant major applications
- Focus DM Team Leaders on support and mentoring of teams and reduce their casework from 75% to 25% of their time
- Effective triage of applications
- Regular one to one and team knowledge exchange meetings
- Consistent use of templates for delegated decision making
- Constructive use of performance data to promote and foster continuous improvement
- Officer development and joint officer / Member tours to review development outcomes

S106 Agreements Pathway

7.11 The S106 Agreements Pathway will be an integral element of the Development Management Pathway for applications where such agreements are required. The complexities of planning for, negotiating and securing S106 agreements is amplified by the range of stakeholders who in turn face complexities in defining and meeting their own service obligations.

The interested parties range from the ‘big ticket’ obligations required by the Council’s Housing Service (affordable housing), Essex County Council (highways, school places and youth facilities) and NHS Clinical Commissioning Groups (health services) to Town and Parish Councils’ place making items, open space, allotments, SUDS, and community facilities.

The Council as LPA is responsible for ensuring all interested parties are given equal access to the pre-planning discussions and post application negotiating process. It also has responsibility for mediating between claims on grounds of proportionality and affordability.

7.12 The practical and governance steps along pathway are:

- To formalise roles and responsibilities of the parties concerned with framing, negotiating, and completing S106 agreements:
 - Updated S106 planning obligations guidance note with all obligations based on NPPF and emerging and adopted Local Plan policies and standards and Neighbourhood Plans (with links to the relevant documents)

- S106 information pack available on the web site to include the guidance notes, template, legal and monitoring fees and briefing on the S106 pathway
- Protocols with the relevant parties setting out the S106 process, procedures, entitlements, and obligations
- Pre- application initial meeting to include S106 as a standing agenda item for high-level discussions on requirements and briefing on the S106 agreement pathway. A key task at this stage is for the LPA to mediate between the competing claims on grounds of proportionality and affordability as failure to do so is a major source of delay in completing S106 agreements and issuing decision notices
- PPAs to include S106 as a standard service offer to comprise consultations with corporate services and third parties and detailed negotiations with the applicant. These will involve the interested parties and concern the obligations required to make the application acceptable. They will culminate with in principle agreement on heads of terms prior to reporting to Planning Committee for decision making
- Protocol with corporate and third-party consultees including Town and Parish Councils to enable the Council to manage major planning applications within 13 weeks. This may require an 8-week maximum period to raise realistic and justified requirements to allow for mediation between competing claims and negotiations which may require:
 - The Council's Planning Solicitors to assist with the negotiations
 - Third-party consultees adjust their governance arrangements

Planning Committee reports to include results of consultations, justifications for the full schedule of obligations and at least the negotiated and agreed in-principle S106 obligations as a precondition of informed decision making
- Subject to Planning Committee (conditional) approval, case officers to submit full instructions and completed information template to Legal Services' in-house Planning Solicitors to finalise the first draft S106 agreement. The Solicitors to develop and draw on a library of bespoke clauses which can be used as and when required.
- Legal to seek with applicants, completion of all S106 agreements within the allowed time limit.

Key Deliverables

- Additional in-house legal capacity, with a new framework contract for specialist legal advice and service level agreement to define responsibilities and procedures
- Planning Obligation guidance and procedures
- Establish protocol for corporate and third-party consultees including Town and Parish Councils, Essex County Council, and any other relevant infrastructure providers in terms of roles, responsibilities, and timely responses, recognising the LPA has ultimate responsibility for decision making

The Enforcement Pathway

7.13 Effective promotion of the four pillars of enforcement - public value, prevention, intervention, and enforcement - requires a more integrated approach between Members, Town and Parish Councils, colleagues in Development Management and Legal Services.

Governance steps

7.14 The practical and governance steps along the enforcement pathway are:

- Public value
 - To promote greater public understanding of the roles and responsibilities, powers and procedures of planning enforcement, environmental health, and Essex County Council as the Highway Authority:
 - Collaborate on common explanatory templates and signposting
 - Promote these templates on the Council's respective web sites, other relevant media
- To develop and promote training events on enforcement procedures, ethos, and limits of powers and communications protocols with Members of the District Council and the Town and Parish Council clerks to:
 - Help manage community expectations (which often go beyond what the team has powers to meet)
 - Keep Members and the clerks informed of progress with cases of highest community interest
 - Enlist the support of these stakeholders most notably where high-profile cases demand extensive communications with local communities and areas are subject to large scale development over one or more sites
 - Report on the team's work, the prevention measures, the issues resolved and explanations for difficulties with resolving outstanding / long running complaints
- To manage the continuing resource implications of vexatious complainants, consider case reviews with representatives of the relevant agencies chaired by an independent mediator to recommend actions that can and cannot be taken
- To promote greater resilience for the Enforcement Service. The elements of resilience include: continuity in Building Control's cross checking approved planning drawings with completed buildings, Support and Registration's triage and support work, Team Leader's case assessment and triage and backfilling vacancies and long-term leave. The latter may require aligning recruitment with market availability. There would be merit on in assigning career grade staff stints with the team to give them first-hand experience of the enforcement service
- To make the service more efficient by aligning and using automatic document templates and printing with those provided for Development Management
- To formalise the triage case assessment procedure to identify:
 - Complaints that do not amount to enforceable breaches in law
 - Enforcement 'majors' defined as serious and high visibility breaches
 - Enforcement 'minors' defined as low profile breaches

- Send formal confirmation of decisions on complaints to the relevant parties, with advice and referrals as appropriate for those cases that will not be progressed and explanation of the next steps for new cases.
- For new cases, hold one to one case initiation meetings to identify and diagnose issues, provide consistent advice on possible solutions and for majors contact the relevant Town or Parish Council to define partner roles (things to do and not do) and reporting arrangements.

Prevention

- To collect, record and undertake more detailed data analyses to develop and keep up to date intelligence on the source and types of complaints, those complaints that are not valid and those that are by type and significance, root causes of complaints, actions taken and possible preventative measures
- To promote upstream solutions with stakeholders to design out / prevent downstream enforcement issues, recent sources have included:
 - Unnecessary and over specified planning conditions
 - Poorly drafted S106 agreements by applicant's Solicitors
 - Excessive use of extensions of time which increases risk of builders starting on site in advance of planning application decisions

Interventions

- To negotiate pragmatic solutions to breaches of planning control. Such solutions to be subject of regular liaison with complainants, ward Members and Town and Parish Council clerks and monitoring for compliance with agreed actions. In the event of the pragmatic approach failing, proceed to formal action if it is expedient in the public interest to do so.

Enforcement

- In the last resort, enforce against breaches as appropriate through Enforcement Notices, Stop Notices, Temporary Stop Notices, Breach of Condition Notices, Planning Contravention Notices and Enforcement Injunctions and related monitoring.

Key Deliverables

- Promote positive engagement with Town and Parish Councils by way of training and establishing effective ways of working which recognises the discretionary nature of the service and the principle of taking action where it is expedient in the public interest to do
- Invest in and use the enforcement module of the planning processing system

8. Strategic Interventions and Resources

8.1 In this section the review team sets out the transformation strategy for the LPA including resource requirements and allocations.

LPA Transformation strategy

8.2 The strategic interventions are to:

- Develop the Council's governance regime that is fit to create an outstanding planning and place-making capability with the right capacity to create quality outcomes with and for all the district's communities
- Reorientate the Council as LPA from reactive planning to proactive, positive planning activities for better place making and development outcomes with appropriate leadership and resources.

Transformative governance

8.3 In Section 3.6 we benchmarked the Council's governance regime for the LPA against the five elements of governance required to power transformative change. A key pre-condition of success is for the political leadership and senior managers to be equally committed to delivering the politically identified priorities and governance arrangements.

The benchmarking identified gaps between best practice governance regimes and those of the Council and those between the political leadership and senior managers.

Performance management

8.4 A Performance Management System is key element of a best practice governance regime. It provides an essential tool for the leadership and Corporate Management Board to ensure the LPA transformation strategy and operations plan creates and leverages the capabilities and capacities required to deliver a fit for purpose planning authority and continuous improvement.

The performance management regime should measure performance against the Government's three development management Key Performance Indicators and Local Performance Indicators designed to maximise public value from the planning system. Such value to be defined as:

- facilitating better place making, infrastructure and community benefits from new development
- protecting and enhancing the built and natural environments for a net zero carbon future and net gains in habitat.

Recommendation 6: Political Leadership and Corporate Management Board (CMB)

This recommendation is the most important of the review. To develop the capabilities and capacities required to deliver the strategy, the political leadership (dominant regime) and the Corporate Management Board (subordinate regime) will need to:

- a) Arrive at a shared commitment to the relevant corporate priorities and
- b) Align their respective governance arrangements with those required to deliver them.

The main tasks require:

- Leader, Cabinet and CMB to vest high political and corporate priority for the LPA objectives, promote a one team culture where all Members and officers and service delivery partners

share a commitment to and collective responsibility for working together to deliver these objectives

- Leader, Cabinet and CMB to build, promote and support cross border, multi-disciplinary strategic infrastructure planning and delivery partnerships and through new relationships and related networks create new possibilities for the LPA. Some of these possibilities include networked governance with Essex County Council (in respect of master planning, education provision and infrastructure planning, funding, and delivery), cross boundary strategic infrastructure partnerships and developers (in positive planning initiatives such as master planning, co-production of advance infrastructure and innovations in zero carbon development) and rural communities (in reimagining the countryside with farming, water management and environment interest groups).
- CMB to direct early and rapid implementation of the operations transformation plan proposed in this review, most notably introducing the new operating procedures (exemplified as service pathways) supported by a senior Development Management Transformation Manager and accelerate delivery with early and justified resource allocations
- CMB and the Leader and Cabinet to establish a high-profile Performance Management System to which all relevant Members and officers will be committed to and accountable for, led by a senior performance management manager reporting to the Director with quarterly reports to CMB and Cabinet.

In this context, the Chief Executive will need to ensure the Council has sound officer leadership in place, the right staff resources and tools required to the deliver the transformation strategy and action plan.

Resources

8.5 The Planning Services budget information is summarised in **Appendix 2**. At the time of the review, Planning Services and Legal Services were promoting budget growth bids. The Peer Review team endorses budget allocations to correct the imbalances in management capacities and in skills and experience to manage complex major planning applications in Legal Services to negotiate, draft and execute Section 106 planning obligations agreements. Further investment will be required to put in place the recommended 'toolkit.'

However, the required service transformation will only materialise if the above investments are matched with a fully aligned commitment by Members and officers to deliver the strategic and operational development plans. The key matters include leadership capacities and capabilities to drive forward the envisaged service transformation and inculcate a culture of continuous improvement.

The Peer Review team envisage the strategic and operational plans will yield exceptional returns in the form of a higher performing Development Management service, better place making and development outcomes for existing communities and new residents. The plans should create a virtuous circle in which the LPA has the capacities and competencies to generate significant sums from planning performance agreements and hence sustain investment back into the Development Management service.

The ambition being to reverse the current position where applicants are questioning the value of planning performance agreements as a worthwhile investment.

8.6 The single most urgent investment is to appoint a senior, suitably experienced, manager, on a fixed term contract, to oversee delivery of a detailed transformation plan and programme based on the review recommendations. This should include a permanent post to ensure the proposed service pathways and performance management systems are embedded over the medium term and continuous transformation over the long term.

8.7 Secondly, there is an urgent need to appoint two experienced Development Management Principal Officers to lead on the most significant major applications. Whilst leading on the processing of their cases at pre application and application stages they should have a key role in corralling and leading the multi-disciplinary virtual teams (inside and outside the Council) necessary for successful place-making. Uttlesford's environment has many special qualities and there are many challenges including significant growth to meet the identified housing and other needs.

The impact of the resulting development possibly including whole new communities requires a proactive approach and an experienced planning team. The strengthening of the skill base in this way would leave those in team leader posts with management capacity to mentor and oversee less experienced staff dealing with the bulk of the 'minor' and 'other' applications which also collectively can have a significant impact.

8.8 Key to good place-making is specialist urban design expertise, something that is also being emphasised by the Government in their proposed changes to NPPF and associated guidance. This has implications for the Council's budget in two ways. First, in enhancing in house capacity as referenced in the growth bid but also in budget allocations to produce a local design guide and masterplans/design codes for significant schemes. The latter may be work which can be funded by development promoters. In certain circumstances the Council may wish to be a founding and or a co-funder, for example where a settlement is faced with separate schemes and there is a need to set an overall strategy.

8.9 Another missing part of the 'toolkit' is a developers' contribution guidance document. The County Council and good practice LPAs have such documents to provide developers with certainty and consistency and help maximise contributions. The Council needs to prepare a guidance document by drawing on the Infrastructure Delivery Plan (IDP) which is being prepared for the Local Plan. This leads to consideration of the Community Infrastructure Levy (CIL).

8.10 The Government through its White Paper has, among other things, indicated it is considering replacing the CIL with a national levy. Whether Government decides to amend the CIL or introduce a national levy, managing infrastructure priorities and continuing to optimise S106 Agreements will remain a critical LPA role. The IDP baseline and implications for growth is critical not only to the success of the emerging Local Plan but also to inform developer contributions policy and negotiations in the interim.

The Council currently deals with S106 negotiations on a case-by-case basis through the relevant Development Manager and enforcement through a Section 106 Monitoring Officer. This is a matter for further consideration as other LPAs find it effective to appoint a senior S106/CIL officer. The role involves managing the implementation of infrastructure priorities (keeping the IDP as a living document / implementation tool to inform case officers), and liaison with infrastructure providers, sending out invoices, checking monies due and working with enforcement officers who can check compliance with conditions and starts on site or trigger points for S106 obligations.

8.11 The above key investments are critical. Whilst the review team have not considered other proposals in the growth bid here, some will be essential to delivering the service pathways referred to in section 7, for example to deliver a fit for purpose self-service customer experience. These are matters to be developed in more detail as part of the transformation action plan.

Recommendation 7 - Chief Executive and Council

The Chief Executive and CMB to advise the political leadership and opposition leaders on investment required – in management, officers, and tools – as a pre-condition of delivering the transformation strategy and action plan. Some requirements are highlighted in the Budget and Growth Bid (at Appendix 2) with priorities for:

The appointment of a Development Management Transformation Manager (Fixed term contract) and arrangements for overseeing the new proposed service pathways and performance management systems over the longer term.

The appointment of 2 Principal Development Case Managers

Enhanced urban design capacity including the production of a local design guide and appropriate masterplans/design codes

Enhanced legal service capacities to support Local Plan making and Development Management most notably in negotiating and drafting (deliverable and enforceable) S106 Agreements

The production of a developers' contribution guidance document and appointment of a 106/CIL delivery officer

The Chief Executive and CMB to advise the political leadership and opposition leaders on a detailed action plan and programme to put in place and operate enhanced service pathways as described above: Customer interface and enquiry pathway (Section 7.2), Place making pathway (Section 7.6), Development Management pathway (Section 7.10), S106 Agreement pathway (Section 7.11), Enforcement pathway (7.13) and Member development management pathway (Section 6.3).

Leadership

8.12 To drive the strategic priorities and to deliver a fit for purpose LPA leadership will be critical. Above we have outlined the importance of Leader, Cabinet and CMB setting the agenda. To achieve this the role of a suitably qualified and experienced Director is essential to i) ensure that Planning Services structure, management, resources and performance is appropriate to deliver quality outcomes, ii) drive the transformation plan and iii) lead UDC in developing strategic partnerships.

Recommendation 8 - Chief Executive

The Chief Executive should review the leadership requirements for delivering and sustaining an improved planning service, including succession planning for the Director of Public Services in anticipation of his retirement.

The starting points for defining the job purposes and person specification are framed by the administration's political priority to be a place making LPA, the requirements for managerial leadership and delivery of the LPA transformation strategy and action plan.

The Chief Executive should consider how best to ensure the Corporate Management Board has appropriate and sufficient planning advice and guidance to secure corporate ownership and direction in line with RTP1 guidance.

APPENDIX 1 – Recommendations and Actions

The recommendations and actions are grouped to reflect the key areas for improvement, under three core themes

- A. Recommendations and actions for council leadership
- B. Recommendations to improve the Development Management process
- C. Recommendations and actions for Members

A. Recommendations and actions for council leadership

Recommendation 6: Political Leadership and Corporate Management Board (CMB)

This recommendation is the most important of the review. To develop the capabilities and capacities required to deliver the strategy, the political leadership (dominant regime) and the Corporate Management Board (subordinate regime) will need to:

- Arrive at a shared commitment to the relevant corporate priorities and
- Align their respective governance arrangements with those required to deliver them.

The main actions to drive this recommendation require:

- Leader, Cabinet and CMB to vest high political and corporate priority for the LPA objectives.
- Promote a one team culture where all Members, officers and service delivery partners share a commitment to and collective responsibility for working together to deliver these objectives
- Leader, Cabinet and CMB to build, promote and support cross border, multi-disciplinary strategic infrastructure planning and delivery partnerships and through new relationships and related networks create new possibilities for the LPA.
- Some of these possibilities include:
 - Networked governance with Essex County Council (in respect of master planning, education provision and infrastructure planning, funding, and delivery)
 - Cross boundary strategic infrastructure partnerships and developers (in positive planning initiatives such as master planning co-production of advance infrastructure and innovations in zero carbon development)
 - Rural communities (in reimagining the countryside with farming, water management and environment interest groups).
- CMB to direct early and rapid implementation of the operations transformation plan proposed in this review, most notably introducing the new operating procedures (exemplified as service pathways), supported by a senior Development Management Transformation Manager, and accelerate delivery with early and justified resource allocations.
- CMB and the Leader and Cabinet to establish a high-profile Performance Management System to which all relevant Members and officers will be committed to and accountable for, led by a senior performance management manager reporting to the Director with quarterly reports to CMB and Cabinet.
- In this context, the Chief Executive will need to ensure the Council has sound officer leadership in place, with the right staff resources and tools required to the deliver the transformation strategy and action plan.

Recommendation 7 - Chief Executive and Council

The Chief Executive and CMB to advise the political leadership and opposition leaders on investment required – in management, officers, and tools – as a pre-condition of delivering the transformation strategy and action plan. Some requirements are highlighted in the Officer Growth Bid for 2021-22 & Approved Budget for 2021-22 (Appendix 2) with priorities for:

- The appointment of a Development Management Transformation Manager (Fixed term contract) and arrangements for overseeing the new proposed service pathways and performance management systems over the longer term.
- The appointment of two Principal Development Case Managers
- Enhanced urban design capacity including the production of a local design guide and appropriate masterplans/design codes
- Enhanced legal service capacities to support Local Plan making and Development Management most notably in negotiating and drafting (deliverable and enforceable) S106 Agreements
- The production of a developers' contribution guidance document and appointment of a 106/CIL delivery officer

The Chief Executive and CMB to advise the political leadership and opposition leaders on a detailed action plan and programme to put in place and operate enhanced service pathways as described above:

- Customer interface and enquiry pathway (Section 7.2)
- Place making pathway (Section 7.6)
- Development Management pathway (Section 7.10)
- S106 Agreement pathway (Section 7.11)
- Enforcement pathway (7.13)
- Member development management pathway (Section 6.3).

Recommendation 8 - Chief Executive

The Chief Executive should review the leadership requirements for delivering and sustaining an improved planning service, including succession planning for the Director of Public Services in anticipation of his retirement.

The starting points for defining the job purposes and person specification are framed by the administration's political priority to be a place making LPA, the requirements for managerial leadership and delivery of the LPA transformation strategy and action plan.

The Chief Executive should consider how best to ensure the Corporate Management Board has appropriate and sufficient planning advice and guidance to secure corporate ownership and direction in line with RTPI guidance.

B. Recommendation to improve the Development Management process

Recommendation 5 – Reinvigorating the Service

The service will require reinvigorated, effective leadership and direction to deliver an operational development plan.

This will require establishing new service operating procedures and practices exemplified as service pathways in accordance with a detailed action plan and programme. Key deliverables for the service pathways are shown below.

The pathways are summarised as:

- Customer interface and enquiry pathway (Section 7.2)
- Place making pathway (Section 7.6)
- Development Management pathway (Section 7.10)
- S106 Agreement pathway (Section 7.11)
- Enforcement pathway (Section 7.13)
- Member development management pathway (Section 6.3).

Operational service outputs to include:

- Timely 'right first time' registration of planning applications
- Timely consideration of planning applications within the 8- and 13-week Government determined time limits or agreed extensions of time
- Declining allocation of scarce resources at the back end of the development management service on fewer appeals due to fewer call ins, overturns, and non-determination of applications
- Rising reputation as a good LPA with continuous improvement against the Government's KPIs and local PIs

The Customer Interface and Enquiry Pathway

Key Deliverables:

- To provide an enhanced customer friendly web site with FAQs and self-service capabilities
- To digitalise all planning histories or provide administrative resources to ensure rapid access to existing records
- To establish an appointment system (and cease duty planner system)
- To institute regular staff briefings on planning policy and processes

The Place Making Pathway

Key Deliverables:

- To progress emerging Local Plan in a timely manner, assemble robust evidence base including Infrastructure Delivery Plan, objectively assessed needs, landscape and heritage studies etc along with effective community engagement and strategic infrastructure partnerships
- To prepare a Planning Obligations Policy and Guidance document including appropriate standards

- To prepare a Districtwide Design Guide (building on the Essex Design Guide)
- To plan and deliver a programme of Masterplans / Design Codes for strategic sites and areas of significant change
- To refresh the protocol for positive pre-application engagement with promoters, developers, and applicants (including sites emerging as part of the Local Plan process) with appropriate Member involvement.

Development Management Pathway

Key Deliverables

- To reduce the LPA's dependence on agency staff by recruiting two senior development case managers with experience in place making and assembling and leading multi-disciplinary and multi-agency teams to handle significant major planning applications
- To focus Development Management Team Leaders on support and mentoring of teams and reduce their casework from 75% to 25% of their time
- To put in place and operate an effective triage of applications
- To provide and record regular one to one and team knowledge exchange meetings
- To put in place and make consistent use of templates for delegated decision making
- To make constructive use of performance data to promote and foster continuous improvement
- To plan and conduct joint officer / Member tours to review lessons and best practice from development outcomes

Section 106 Pathway

Key Deliverables

- To put in place additional in-house legal capacity, with a new framework contract for specialist legal advice and service level agreement to define responsibilities and procedures
- To apply the proposed planning obligations guidance document and procedures
- To establish a protocol for corporate and third-party consultees including Town and Parish Councils, Essex County Council, and any other relevant infrastructure providers in terms of roles, responsibilities, and timely responses, recognising the LPA has ultimate responsibility for decision making

Enforcement Pathway

Key Deliverables

- To promote positive engagement with Town and Parish Councils through training and establishing effective ways of working which recognises the discretionary nature of the service and the principle of acting when it is expedient in the public interest to do so
- Invest in and use the enforcement module of the planning processing system

C. Recommendations for actions by Members

Roles and Responsibilities of Members in Improving the Development Management System

The new context calls for all Members to fulfil their LPA responsibilities.

This applies to all Members who have multiple roles in the work of the LPA.

- The collective community leadership role in establishing a vision and strategic objectives for the LPA, representing, and championing the LPA in community, partnerships, and other third-party contexts.
- In budget making roles, making decisions on relevant budgets and wider resources.
- In plan making as members of the Local Plan Leadership Group and Scrutiny and as ward members who input to and comment on planning applications.
- Those Members who exercise the Development Management functions of the Council, as the Local Planning Authority, have specific responsibilities to act in the interests of the whole community and make transparent justifiable decisions based on national planning policy, the development plan and other relevant material planning considerations.

To assist Members in fulfilling their respective roles as members of the LPA, the following recommendations are made.

These include the provision of practical support (tools, protocols and training) to foster positive Member / officer relationships and equipping Members to engage in appropriate pre-application discussions to fulfil best practice roles in plan making, Development Management and scrutiny of the LPA.

However it is the consistent and effective discharge of member roles and behaviours, supported by the application of appropriate tools and training, that will ensure Members play their critical part in improving the efficiency, effectiveness and impact of the Development Management system.

Recommendation 1 - All Councillors and Members of the Planning Committee

- All Member training to build an understanding of the mutual benefits of good Member and officer relationships and the Code of Conduct
- Before sitting on the Planning Committee, Members need to undertake mandatory training on planning matters and attend annual refresher courses. Members need to be encouraged to read the National Planning Policy Framework and observe a nationally recognised best practice LPA Planning Committee at work.

Recommendation 2 - All Councillors

- To ensure the Council has a best practice Development Management Delegation Scheme and protocol for Member involvement in pre-application processes (see sections 6.14 – 6.17 above).

- To ensure all Members receive training in the to be updated delegation scheme, and pre-application processes

Recommendation 3 - All Councillors

- To update the call-in protocol to include a gateway process based on material planning considerations to ensure the Planning Committee's time is used effectively (see sections 6.18 – 6.20)
- To ensure all Members receive training in the updated call-in process

Recommendation 4 - Members of the Planning Committee

- To review Planning Committee procedures, timing, and practices (see Sections 6.21 – 6.28)

APPENDIX 2 – Officer Growth Bid for 2021-22 & Approved Budget for 2021-22

Budget and Growth Bid

A2.1 The Council budget for 2021/22 for the Planning Service comprises four lines, each the outcome of a complex local government accounting protocols and procedures.

Planning Service Budget for 2020/21 and 2021/22

| | 2020/21 | 2021/22 |
|--|---------|----------|
| Planning Management | £ 410k | £ 422k |
| Planning Policy | £ 912k | £1,660k* |
| Planning Specialists | £ 219k | £ 210k |
| Funds for additional resources to support the Local Plan | | £ 240k** |
| | £1,541k | £2,532k |

* Includes £640k from 'Use of Reserves' under the heading 'Sustainable Communities to support specialist consultancy and additional fees relating to the Local Plan.'

** Corporate Management Funds for additional resources to support the Local Plan

A2.2 The Development Management service is funded through planning application fees. Additional income in 2020/21 of £341k arose mostly from a carry forward of £68k, staff savings of £48.5k, a discretionary right to add 20% to standard planning application fees (£194k) and higher than forecast income from Planning Performance Agreements (£25k).

A2,3 Of these monies £85k will be carried forward and £256k were allocated as follows:

- £113k Locum Team Leader
- £58k Career Grade posts
- £55k for the Place Service contract (six months)
- £25k Environment Services Officer (0.5fte)
- £5k for local heritage

A2.4. The Council's response times to paid for pre-planning application advice are wholly unacceptable, promoters who have paid for PPAs are complaining they see no benefit from the fees they have paid. The alternative approach open to developers is to make appeals against non-determination of planning applications. In this scenario, income that should be enabling positive planning would be lost, the costs of reacting to appeals would mount and some S106 obligations would be lost due to developer unilateral undertakings.

A2.5 The Service Growth Bid for 2020/21 requested the following:

| Description (Grade) + (SCP at 04/21) | Cost | Cost one off | Funding source |
|---|-------------|--------------|------------------------------------|
| 2 No. Senior/ Principal Planning officer (8/9/10) + (32 - 40) | £95 - £117k | | CTF then PPA |
| 2 No. Programme Project officers (5) + (18) | £66k | | 20% fee income 80% CTF then PPA |
| 1 No. Enforcement Officer (6) + (24) IDOX improvements | £38k | £10k | CTF |
| 1 No. Urban Designer (9) + (36) | £53k | | MTFS to 03/24 |

| | | | |
|---|------------|------|--|
| 1 No. admin. To input S106 agreement to monitoring system (4) + (12) | | £14k | |
| 1 GIS Apprentice | £20k | | CTF |
| Heritage Strategy and Bespoke Article 4s (Local Listings and Historic Gardens review) | | £40k | CTF |
| 1.5 No. Dedicated Planning Lawyers (report to Legal Service) (8/9) and (32/36) 0.5 fte current post would round up to a No 2 fte | £80k | | CTF / part PPA / part cost recovery from S106 legal fees |
| S106 Aviation Monitoring Officer (8/9) + (36) | £60k | | Subject to appeal outcome |
| 0.5 fte Admin for S106 Aviation Monitoring Officer (4) + (12) | £15k | | Subject to appeal outcome |
| Highways officer (to be shared with and based in Chelmsford) | £30k (TBC) | | PPA in ECC partnership |
| | £479k | £64k | |

A2.6 The Council's budget for 2021/22 allocated growth budgets of £240k for the Planning Service and £179k for Legal Services. The latter was mostly funded from savings arising from restructuring. In this section we note the existing commitments and the priorities for these allocations:

Commitment: To provide capabilities and capacities to meet Government requirements for better design and digital plans and Council's requirements for better place making

| Description (Grade) + (SCP at 04/21) | Cost | Cost one off | Funding source |
|---|-------------|--------------|----------------|
| 1 No. Urban Designer (9) + (36) | £53k | | MTFS to 03/24 |
| 1 GIS Apprentice | £20k | | CTF |
| Cost to Planning Service Growth Budget | £20k | | |

Priorities: To provide capabilities and capacities to assemble and co-ordinate multi-disciplinary, multi-agency teams and Member engagement in pre-planning application discussions and delivery an effective Planning Performance Agreement service required to elicit better major planning applications and S106 agreements and hence development outcomes

| Description (Grade) + (SCP at 04/21) | Cost | Cost one off | Funding source |
|--|-----------------|--------------|---|
| 2 No. Senior/ Principal Planning officer (8/9/10) + (32 - 40) | £117k | | CTF |
| 1 No. Programme Project officer (5) + (18) | £33k | | 20% fee income 80% CTF |
| 2.5 No. Dedicated Planning Lawyers (report to Legal Service) (8/9) and (32/36) | £180k | | £144k from Legal Service Growth budget £36k from S106 legal fees |
| Highways officer (to be shared with and based in Chelmsford) | £30k (TBC) | | PPA in ECC partnership |
| Cost to Planning Service Growth Budget | £143.40k | | |

Priority: To provide capabilities and capacities to drive delivery of the transformation strategy and operations plan. The transformation manager role being to act as project manager of the Performance Management System and delivery of the six pathways for service procedures and practices.

| Description (Grade) + (SCP at 04/21) | Cost | Cost one off | Funding source |
|--|---------------|--------------|----------------|
| 1 No. Senior Transformation and Performance manager (8/9/10) + (32 - 40) | £58.5k | | CTF |
| Cost to Planning Service Growth Budget | £58.5k | | |

Priority: To reduce time spent by the Enforcement Team on administrative tasks and provide inputs to the Local Plan evidence base and emerging policy framework for Development Management

| Description (Grade) + (SCP at 04/21) | Cost | Cost one off | Funding source |
|---|-----------------|--------------|----------------|
| Enforcement Service IDOX improvements | | £10k | CTF |
| Heritage Strategy and Bespoke Article 4s (Local Listings and Historic Gardens review) | | £40k | CTF |
| TOTAL COST TO PLANNING SERVICE BUDGET | £221,900 | £50k | |

Low priority: The remaining – unfunded - parts of the Growth Bid amount to funding pressures of between £64.4k to £139.4k subject to the Stansted Airport appeal outcome. The recommendations are:

- i) 1 No. (PPA) Programme Project Officer, revisit once impacts are known of new service pathways with the No.2 Development Managers (Majors) and No1 PPA Programme Project Officer
- ii) 1 No Enforcement Officer, revisit once impacts are known of new service pathways
- iii) Inputs to S106 agreements to monitoring system can be undertaken in house
- iv) 1 No Aviation Monitoring Officer and 0.5 No. administrative officer, revisit once the Stansted Airport appeal has been determined

| Description (Grade) + (SCP at 04/21) | Cost | Cost one off | Funding source |
|---|---------------|--------------|---------------------------|
| 1 No. Programme Project officers (5) + (18) | £33k | | 20% fee income 80% CTF |
| 1 No. Enforcement Officer (6) + (24) | £38k | | CTF |
| 1 No. admin. To input S106 agreements to monitoring system (4) + (12) | | £14k | |
| S106 Aviation Monitoring Officer (8/9) + (36) | £60k | | Subject to appeal outcome |
| 0.5 fte Admin for S106 Aviation Monitoring Officer (4) + (12) | £15k | | Subject to appeal outcome |
| Cost to Planning Service Growth Budget | £64.4k | £14k | |

APPENDIX 2

| | | | |
|--------------------------|--|----------------------|-----------------------------|
| Committee: | Cabinet | Date: | Tuesday, 19 October 2021 |
| Title: | Report of the review of the planning service | | |
| Portfolio Holder: | Councillor John Evans, Portfolio Holder for Planning and the Local Plan | | |
| Report Author: | Peter Holt, Chief Executive pholt@uttlesford.gov.uk | Key Decision: | No |

Summary

1. The Council commissioned a review of the planning service in 2020 from the East of England LGA. This work was addressed in three strands, the first two addressing the preparations for the development of a local plan. The third strand effectively addressed the Council's development management service. This report relates to the third strand review and its subsequent report. The review of the development management service was undertaken by two Associates of the East of England LGA in late 2020 and early 2021.
2. The finalised report on the development management service has now been received from the East of England LGA and accompanies this report.
3. The Scrutiny Committee considered the matter at the meeting on Thursday, 7 October. During the Chair's summary of the discussion, he said it was important that residents received the best possible service in the future, and there needed to be clarity on who would take responsibility for the delivery of the service. There also needed to be an understanding of how the recommendations would be implemented.
4. At the meeting, Councillor Evans agreed to provide a brief implementation plan at the November Scrutiny Committee that set out levels of responsibility and included estimated timelines. He also agreed that a more comprehensive plan would be produced in time for the Scrutiny meeting in February.

Recommendation

5. Cabinet is recommended to
 - a. receive and consider the report, together with any comments or recommendations from the Scrutiny Committee;
 - b. note the improvement actions implemented to date;
 - c. approve the recommendations of the report, as amended if agreed under (a) above, for implementation towards an improved planning management service;

- d. acknowledge the recommendations directed to the Cabinet and its Executive Members and requests the Chief Executive and the Leader to bring forward proposals to address these recommendations;
- e. consider any consequential resource implications as part of consideration of the Council budget for 2022-23;
- f. require a progress report to Cabinet on implementation of the recommendations no later than six months from this meeting; and
- g. refer the report to the Planning Committee for its information and consideration.

Financial Implications

- 6. The report makes a number of recommendations which may have financial implications for future budgets. In setting the budget for 2021-22 the Council agreed growth of £240,000 for the planning service and £140,000 for the legal service in order to facilitate implementation of any recommendations arising from the review.

Background

- 7. In early 2020 the Council invited the East of England LGA to carry out two peer reviews into planning functions. The first review provided advice regarding the inspector's letter concerning the stage 1 hearings into the submitted local plan. This advice informed the Council's decision, in April 2020, to withdraw the plan.
- 8. The second peer review comprised three strands. The first strand focussed on providing advice to help the Council make the best possible operational start for the drafting of a new local plan. The second strand provided support to ensure that the programme, processes, resources and support were identified and put into place to allow the achievement of a sound local plan in a timely manner. Both of these strands were delivered by early 2021 and the preparation of the local plan is progressing well, as outlined later.
- 9. The third strand of this peer review was entitled "Local Planning Authority Strategy and Operational Development Plan" but essentially addressed how to improve the development management service. This piece of work was eventually undertaken in late 2020 and early 2021. The finalisation of the report arising from this study has taken a considerable time to be finalised and is the principal subject of this report. The report from the East of England LGA is attached.
- 10. The review was undertaken by two Associates from the East of England LGA, Malcolm Sharp and Simon Smith. The Associates undertook desk top reviews of resources, performance and previous reviews of the service before engaging with staff, Members and stakeholders. The report and response to a previous review, in 2018, of the planning service particularly informed this review. That earlier review, by the Planning Officers Society, would seem to

have had little impact on the development management service and, as a result, it is the more important that Members and officers endorse and ensure that the recommendations in this report are acted upon.

11. The review concludes that the development management service is “underperforming”, in a worse position than reported in the 2018 review, at risk of “designation” under Ministry criteria, with a staff complement which has a lower base of expertise and experience than before and under pressure, and with issues of appropriate leadership. The report compares its findings with those of 2018 and highlights a range of practical, process, actions that need to be instigated.
12. The review contains considerable focus upon the level of resources available, and needed, to deliver a sound development management service. It focusses heavily on the growth bid submitted by service managers as part of the Council’s budget setting for the 2021-22 financial year. There is a risk of over-emphasis and over-reliance on additional resources resolving the challenges facing the service and distracting from what also needs to be addressed in terms of process redesign, appropriate leadership and guidance, and enhanced Member engagement and behaviours. Despite the Council building considerable growth into the 2021-22 budget for planning, the expectation and reliance which seems to have developed amongst some staff around the large growth bid, and it not being fully delivered, feels like it became an excuse for lack of improvement.
13. The report also highlights the role of Members as part of development management, and the impact of adopted behaviours. The development management service provided by the Council is a partnership between officers and Members and the report and its recommendations reflects this position. Whilst the Council has a good scheme of delegation for managing planning applications the number of applications referred to committee for decision and the number of applications refused against officer recommendations are high compared to like authorities. The report contains four clear recommendations directed to Members.

The Report and its recommendations

14. The report contains eight recommendations aimed at helping improve the development management service. These recommendations are, for ease, contained in Appendix 1 of the East of England LGA report and are listed in three distinct groups, those for the Council’s leadership (the Chief Executive, directors and Administration), those specifically for elected Members to adopt, and one comprehensive recommendation addressing the process. If the Council is to make headway in improving its development management it is imperative that it embraces and ensures delivery on all eight recommendations.

Actions so far

15. The preparation of a new local plan is well underway, as report to Members have illustrated, and this has been influenced by the work of the review team

through the early work strands. During the time with the Council the review team attended and array of meetings and Member briefings, influencing and helping embed a range of sound working practices, including the creation of the Local Plan Leadership Group (LPLG) which is aiding the delivery of an ambitious work programme. Arrangements are operating to ensure appropriate engagement, a Strategic Infrastructure Delivery Group, a draft Vision and Objectives and Preliminary Outline Strategy for the emerging Local Plan, with climate change at its heart, and as part of a partnership approach, the model Memorandum of Understanding for landowners and developers which was considered at the September meeting of Cabinet.

16. Work on improvements to the development management service has been taking place in advance of the final report from the review, albeit informed by earlier drafts. As part of a separate review, as well as recommendations contained in this report, a task group on a new approach to legal agreements (s106 agreements) has been instigated. An Interim Planning Transformation Lead Officer has been appointed and has been in post since mid August, working with the planning teams and driving new ways of operating and improvements. These actions have included, so far, a redesigned report to the Planning Committee on applications with a pilot beginning in late October, work to better use and publish performance statistics, the recruitment of two principal planning officers to augment our capacity to deal with major applications, and the recruitment of specialist planning lawyers, these recruitments facilitated by the approved growth in the 2021-22 budget. The two principal planner posts will, in turn, allow the two team leaders to provide greater leadership, support and management of the planning staff and their caseloads. The retirement of the Assistant Director for Planning and the imminent retirement of the Director of Public Services will also allow the new chief executive to consider the most appropriate organisational structure and leadership to meet future needs and pressures.

Commentary

17. If this review, and its recommendations, are to have the most impact it will be important that the Council, its Members and officers, recognise it as reflecting a point in time and focus on how best to use the recommendations to deliver a fit for purpose planning service for the future. The planning system comprises a partnership between officers and Members and the report contains recommended actions from planning officers, the corporate leadership and from Members. All need to be addressed to make a lasting difference. Some additional resource is likely to be required but additional resources alone will not provide the improvements needed. There are undoubtedly improvements to be achieved in the processes in place to manage applications and compliance, but also, as or more importantly, in behaviours, in leadership, in support and in mutual trust.

Impact

18. The principal impacts arising from this report, if the recommendations are implemented, will be enhanced service delivery for applicants and other citizens, improved organisational reputation, and a more balanced workload,

enhanced working environment and reduced work-related stress and pressure for staff.

Recommendation

19. The Cabinet is recommended to consider the report of the planning review, along with any comments or recommendations from the Scrutiny Committee, and to agree the detailed recommendations contained in paragraph 3 of this report.

Risk Analysis

20.

| Risk | Likelihood | Impact | Mitigating actions |
|--|------------|--------|---|
| That the recommendations from the report are not adopted and implemented | 1 | 4 | <ul style="list-style-type: none"> • Interim planning transformation lead officer in place and already driving improvement • New principal planning posts being recruited and team leader post being filled permanently • Revised s106 policy in place |

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.