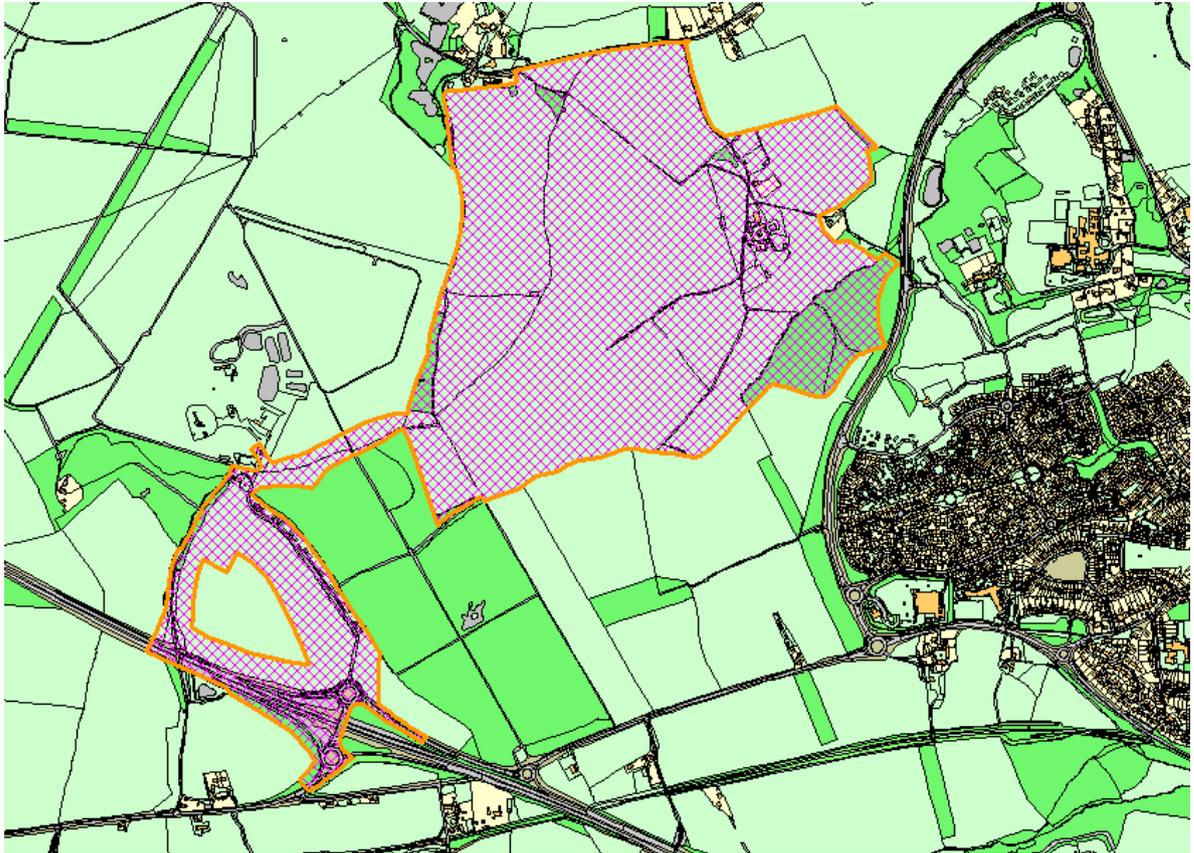


REFERENCE NUMBER: UTT/21/1708/OP

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

H9 - Affordable Housing, of the Adopted Uttlesford Local Plan 2005, and the National Planning Policy Framework 2021.

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 and 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 3.11 years (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.